REGULAR COUNCIL MEETING

A G E N D A

April 11, 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 COUNCILMAN RUANE

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 - Regular Council Meeting of March 28, 2011**

2. Presentation - Government Finance Officers Association (GFOA) Distinguished Budget Award

3. Proclamation - Arbor Day

4. Public Hearing/Final Reading - Proposed Ordinance #2011-01
The First Reading of the following proposed ordinance was accomplished during the Council Meeting of February 14, 2011. Copies of the proposed ordinances are available at the entrance of the Council Chambers.

A. Proposed Ordinance #2011-01 - Amendment to Appendix B - Zoning, Article 5 - Supplementary Regulations, (New) Section 20 - Solar and Small Wind Energy Systems (Utility Committee)

5. Public Hearing/Final Reading - Proposed Ordinance #2011-08
The First Reading of the following proposed ordinance was accomplished during the Council Meeting of February 28, 2011. Copies of the proposed ordinances are available at the entrance of the Council Chambers.

A. Proposed Ordinance #2011-08 Amending the 2008 Comprehensive Plan by replacing Map 12-1: Land Development Plan

6. **Public Hearing/Final Reading - Rezoning**

   A. **Proposed Ordinance #2011-04 - Rezoning of Property located at Grove Street and Railroad Avenue, owned by College Road Management, Inc., Kent Storage Facilities, LLC, and Loralex Company, LLC, consisting of four (4) parcels totaling 30.78$^{+/-}$ acres. The property is currently zoned M (Manufacturing). The proposed zoning is RG-5 (General Residence Zone for Mid-Rise Apartments). The subject property is located north of College Road and east of the railroad corridor and Railroad Avenue.** (TAX PARCELS: ED05-067.00-02-53.00-000, ED05-067.00-02-54.00-000, ED05-067.00-02-55.00-000, AND ED05-067.00-02-56.00-000; FOURTH COUNCIL DISTRICT; PLANNING REFERENCE: Z-11-02). ***The First Reading of the proposed ordinance was accomplished during the Council Meeting of January 24, 2011.***

7. **Final Reading - Rezoning**

   A. **Proposed Ordinance #2011-05 - Rezoning of Property located at 101-405 Doveview Drive (Doveview Apartments), owned by CRM Mid-Atlantic, LLC and SunTrust Bank, consisting of 6.735$^{+/-}$ acres. The property is currently zoned IO (Institutional and Office) and subject to COZ-1 (Corridor Overlay Zone). The proposed zoning is RG-5 (General Residence Zone for Mid-Rise Apartments) and subject to COZ-1 (Corridor Overlay Zone). The property is located on the north side of Forrest Avenue (Route 8) just west of the Saulsbury Road intersection.** (TAX PARCEL: ED05-076.07-01-30.00-000; FIRST COUNCIL DISTRICT; PLANNING REFERENCE: Z-11-03). ***The First Reading of the proposed ordinance was accomplished during the Council Meeting of January 24, 2011. The Final Reading was Deferred on March 14, 2011.***

* 8. **Special Parks, Recreation, and Community Enhancement Committee Report - March 24, 2011**

   A. **Community Development Block Grant (CDBG) Application Review**

      (Committee Recommended that $5,000 of the City's CDBG Grant Allocation Be Distributed to Community Connections Support Program and the Remaining Non-public Services Funds ($37,826) Be Awarded to the Dover Interfaith Mission)

      (Committee Recommended Approval of the Distribution of the CDBG Grant Monies Based on the Scoring of the Grant Applications as follows: R C & D - $40,000; City of Dover Streets Program - $65,580; City of Dover Community Development Projects: Housing Rehabilitation Program - $40,000; Homeownership Assistance Program - $40,000)

      (Committee Recommended Stipulating That All Funds Recommended for Distribution to the City of Dover Streets Program Be Allocated to the Rehabilitation of South New Street)

* 9. **Utility Committee Report - March 28, 2011**

   A. **Evaluation of Proposals - Energy Management Agreement**

      (Committee Recommended that the City Manager be Authorized to Execute a Five (5) Year Contract with an Annual Fee of $996,000, Plus Additional Services as Required, with the Energy Authority, Inc. (TEA), as per the Terms of the Request for Proposal)

* **10. Legislative, Finance, and Administration Committee Report - March 28, 2011**

A. Review and Recommendation - Filling Critical Positions - Administrative Assistant - Police Department

(Committee Recommended Approval of the Request to Recruit for the Administrative Assistant to the Chief of Police)

B. FY 2012 Five-Year Capital Investment Plan (CIP)

(Committee Recommended Acceptance of the FY 2012 Five-Year Capital Investment Plan (CIP) as Presented)

C. Review of Hospitality and Civic Function Policy

(Committee Recommended Approval of the Revisions to the Hospitality and Civic Function Policy)

D. Reallocation of State Bond Funds

*(Committee Recommended the Formation of a Committee **(See Item #13)** to Meet with and Encourage State Legislators, the Bond Bill Committee, and the Governor to Ensure that a Significant Portion of the $6M, Currently Authorized for the Construction of a Civic Center, Be Specifically Allocated for an Economic Development Project Within the City of Dover that Will Benefit Every Resident of the State of Delaware, Such as the Construction of a Combined-cycle Natural Gas Generator At, or Infrastructure that Will Be Necessary to, the Garrison Tract, and that this Allocation Be Accomplished in this Legislative Year, Ending July 1, 2011, and that a Letter Be Sent in Response to Related Correspondence Received from the Central Delaware Chamber of Commerce, Dated March 2, 2011)*

* **11. Safety Advisory and Transportation Committee Report - March 30, 2011**

A. FY 2012 Five-Year Capital Investment Plan (CIP)

(Committee Recommended Acceptance of the FY 2012 Five-Year Capital Investment Plan (CIP) as Presented)

B. Announcement of Public Workshop - Alternatives for the Clarence Street Extended Project

(Committee Action Not Required)

* **12. Monthly Reports - February 2011**

A. Budget Report
B. Chief of Police Report
C. City Assessor's Report
D. City Manager's Report
E. City Planner's Report
F. Dover Fire Department Report
G. Capital Investment Plan (CIP) Report

* **13. Appointments Recommended by Council President Hogan - Ad-Hoc Committee to Meet with State Legislators, the Bond Bill Committee, and the Governor Regarding the Reallocation of State Bond Funds**

A. David L. Bonar, Chair
B. Carleton E. Carey, Sr.
C. Anthony J. DePrima
D. Thomas J. Leary
E. William G. Neaton

14. First Reading - Proposed Ordinance

The First Reading is offered on Proposed Ordinance #2011-10. Final action by Council will take place during the Second Reading of the ordinance on April 25, 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. 2011 Budget Revision - Transfer to General Employee Pension Fund

15. Council Members Announcements

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REGULAR COUNCIL MEETING

The Regular Council Meeting was held on March 28, 2011 at 7:30 p.m. with Council President Hogan presiding. Council members present were 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, Mrs. Mitchell, Mrs. Townshend, Fire Chief Fortney, 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 Hogan 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. McGiffin 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 Mr. Leary and carried by a unanimous roll call vote.

ADOPTION OF MINUTES - REGULAR COUNCIL MEETING OF MARCH 14, 2011

The Minutes of the Regular Council Meeting of March 14, 2011 were unanimously approved by motion of Mr. Bonar, seconded by Mr. Leary, and bore the written approval of Mayor Carey.

PRESENTATION - AWARDS BY DOWNTOWN DOVER PARTNERSHIP - ST. PATRICK'S DAY PARADE

On behalf of the Downtown Dover Partnership, Mayor Carey presented awards for the 16th Annual St. Patrick's Day Parade, as follows:

Category	Recipient
Pot O' Gold - Anything with Wheels Award	Little Creek Fire Department
Rainbow Award - Car Clubs Only	DelRods
Blarney Award - Best Mascot	Delaware Tech - Terry Campus Hammerin' Hawks Drumline
Green Machine Award - Best Float	Dover Interfaith Mission
Aran Award - Best Animal	Cozy Corners 4-H
Harp Award - Best Musical Group	Campus Community High School Drumline
Shamrock Award - Most Authentic Irish Theme	W.T. Smithers
Leprechaun Award - Best Brigade/Marching Unit	West End Grade HY Steppers and Polytech DE-931st AFJROTC
McNamara Award - Best High School Marching Band	Polytech High School
Mary Fitzpatrick Award (Best Overall)	Delaware Tech - Terry Campus Hammerin' Hawks Drumline

CERTIFICATE OF RECOGNITION - IRVING AND PHYLLIS LEVITT

The City Clerk read the following Certificate of Recognition into the record:

The Mayor and Council of the City of Dover take great pleasure in honoring Mrs. Phyllis Levitt and Mr. Irving Levitt for their many years of service to the people of the City of Dover.

- *For making public service a central part of their lives since arriving in the City of Dover in 1966;*
- *For the professionalism and compassion with which they served others in their careers with Dover High School and the Social Security Administration;*
- *For the dedication and commitment displayed by Mr. Levitt as he served as a member of City Council, the City's Utility Committee, and as President of the Friends of the Dover Public Library;*
- *For enriching the lives of many in our community by promoting the arts in Delaware, their tireless efforts on behalf of the Dover Art League, and their innovative efforts in intercultural outreach for the arts; and*
- *For their passion for securing basic human rights for all individuals and their outspoken advocacy for disadvantaged groups and individuals.*

The Mayor and Council are pleased to recognize Mr. and Mrs. Levitt for these contributions and for their lasting legacy of community service to the City of Dover.

Mayor Carey presented the Certificate of Recognition to Mr. Irving Levitt and Mrs. Phyllis Levitt. Both Mr. and Mrs. Levitt relayed their appreciation to the City for the recognition.

FINAL READING - REZONING OF PROPERTY LOCATED AT 293 SAULSBURY ROAD, OWNED BY F & B PROPERTIES

During their Regular Meeting of February 14, 2011, City Council held a public hearing to consider the rezoning of property located at 293 Saulsbury Road, owned by F & B Properties, consisting of $3.64^{+/-}$ acres. The property is currently zoned C-3 (Service Commercial) and subject to the COZ-1 (Corridor Overlay Zone) and the proposed zoning is C-2A (Limited Central Commercial) and subject to the COZ-1 (Corridor Overlay Zone). The subject property is located on the northeast corner of the intersection of Saulsbury Road and North Street (Tax Parcel: ED05-076.11-01-43.00-000; Fourth Council District; Planning Reference: Z-11-01). At this meeting, the motion for approval of the rezoning request, as recommended by the Planning Commission, failed to obtain the affirmative vote of a majority of the members elected to City Council, as required to pass a motion in accordance with Article II, Section 10 of the City Charter. As a result, City Solicitor Rodriguez advised members to reconsider the matter in order to obtain a majority vote on the request.

In response to City Solicitor Rodriguez, Mr. Bonar confirmed that, since he was absent during the meeting of February 14, 2011, he listened to the audio recordings of the meeting, read the materials provided and was prepared to vote at this time.

After reviewing this matter, City Solicitor Rodriguez stated that, in essence, there has been no action taken on the rezoning request. In accordance with Robert's Rules of Order, he suggested that members renew the motion, which did not receive five (5) affirmative votes, and if the motion to renew passes, Council would reconsider the motion to approve the rezoning request. It was his opinion that Mrs. Williams (who previously abstained) should be permitted to vote and Mr. Bonar (who was previously absent) should be given the opportunity to vote.

Mr. McGiffin moved to renew the original motion that did not result in a final resolution, seconded by Mr. Leary and unanimously carried.

Council President Hogan reminded members that the original motion made during the Regular Council Meeting of February 14, 2011 was for approval of the rezoning request, as recommended by the Planning Commission.

Mr. Salters relayed concerns that residents near the area proposed for rezoning have not been notified and given the opportunity to voice their concerns. He suggested that the matter be referred back to the Planning Commission and that they require additional notification to residents of the area. Although he was not opposed to the rezoning, Mr. Salters relayed his objection to taking action without giving the nearby residents the opportunity to express their opinions.

At the request of Council President Hogan, Mrs. Anne Marie Townshend, Director of Planning and Community Development, advised members that the Dover Code requires that property owners within 200' of the property being considered for rezoning are notified. She assured members that the property owners within this range were notified. It was her understanding that the concern was that, although the property owners were notified, tenants of such properties are not required to be notified by Code and were not contacted regarding this rezoning request.

Mrs. Russell stated her desire that the matter be referred back to the Planning Commission, explaining that all residents should be notified of the proposed rezoning.

Mrs. Russell moved to refer the matter back to the Planning Commission, seconded by Mr. Salters.

Mrs. Townshend requested that, if Council refers the matter back to the Planning Commission, members be specific in their motion regarding the notification (in terms of designating who should be notified and at what distance from the property) since staff can not make a determination other than what is required by the Dover Code.

Mr. Ruane moved to amend the motion to include notification (to be accomplished by the City) of the residents of Lincoln Park and the Simon Circle Apartments. The motion was seconded by Mrs. Russell.

At the request of Mr. Bonar, Mrs. Townshend read the notification requirements of the Dover Code, Appendix B, Article 10, Section 5.13(a), as follows:

> *"When there is a petition to rezone property in accordance with [sub]section 5.111, all property owners within a distance of 200 feet shall be notified by regular mail of the applications for rezoning. No fee shall be required for petitions filed in favor of or against a pending application."*

Mrs. Townshend assured members that the notification requirements of the rezoning request were met.

Mr. Bonar relayed concern that the motion to amend to expand the notification territory may be out of order since the amendment would include Lincoln Park and Simon Circle, both of which reach far beyond the 200' requirement as specified in the Dover Code. It was his feeling that this would require the City to notify the property owners/residents of several hundred dwellings in that area which are far beyond the notification that is done for any other rezoning application in the City. He requested a legal opinion regarding this matter. Responding, City Solicitor Rodriguez stated that the motion provides for the City to go beyond what is required and that, if the motion passes by Council, it would require additional notification in this particular case only.

Mr. Bonar questioned what would preclude requests for additional notifications in the future if the City requires an amendment to the notification requirements for this rezoning request. It was his concern that this would broaden an area of exposure for the City that is not necessary, noting that the property owners were notified of the rezoning request as required by the Dover Code. He reiterated his concern regarding the effect this may have on notifications for future rezoning requests.

Dr. McGlumphy recalled a similar situation when residents in the Schoolview area were not notified of a project and stated that there were no notification changes made related to that issue. It was his feeling that if such a change were to be made now, it would inundate the City with many problems, and he reminded members that no further action was previously taken to address concerns relayed by residents of Schoolview.

Mr. Leary suggested that members consider the position of the applicant. He explained that the City establishes policies, procedures, ordinances, etc., for those wishing to do business in the City and, when an individual follows these rules rigidly, it was his feeling that they have the right to expect an outcome within a certain amount of time. He noted that the 200' notification requirement was established several years ago and has been followed since that time and he questioned why this particular request would be treated differently.

It was Mr. Ruane's opinion that the distinction relates to residents being notified, explaining that for the Schoolview project, some residents were notified (as property owners); however, in this instance, no residents were notified. He felt that the lack of notification represents a violation of the spirit and intent of the law. He noted that the Dover Housing Authority was notified of the rezoning request; however, no residents were notified. He suggested that members consider the spirit (intent) of the law and allow for notification to some of the residents. It was his feeling that, in this situation, the law has failed the City and that this situation represents an exception. He suggested that this matter would only be an issue in the future if there is another instance when no residents are provided notification of an application.

In response to Mr. Salters, Council President Hogan indicated that an ordinance amendment that would extend the 200' notification requirement to 400' would not resolve the current issue, explaining that it would be necessary to include notification to "residents" in addition to property owners as is currently required.

In regards to the Schoolview situation, Mr. Ruane reminded members that notification was provided, and several community meetings, led by Mr. McGinnis, were held with the residents of Schoolview; therefore, he felt that the cases were not comparable. He requested that, if an ordinance amendment is proposed, applicants be required to provide due diligence in a neighborhood to get the support of the community when a project is proposed.

Mr. Bonar stated that this issue has been a topic of extensive news media coverage during the past month in both the *Delaware State News* and the *Dover Post*, which is provided free to every resident. It was his observation that there were no residents in attendance to voice any opinion regarding this matter that would indicate that anyone feels disenfranchised; therefore, it was his feeling that the motion to reconsider should be accomplished at this time.

On a call for the question by Mr. Bonar, the motion for the City to notify all residents in Lincoln Park and Simon Circle of the potential rezoning failed by a roll call vote of five (5) no and four (4) yes (Mrs. Russell, Mr. McGiffin, Mr. Salters, and Mr. Ruane).

The motion to refer the rezoning request back to the Planning Commission failed by a roll call vote of six (6) no and three (3) yes (Mrs. Russell, Mr. Salters, and Mr. Ruane).

At the request of Council President Hogan, prior to the reconsideration of the original motion to approve the rezoning request, as recommended by the Planning Commission, Mrs. Townshend briefed members on the petition to amend the zoning district and the findings and recommendations of the Planning Commission.

In response to Mr. Ruane regarding the completion of a traffic impact study, Mrs. Townshend stated that a "scoping" meeting was held with the Delaware Division of Transportation (DelDOT) and the scope was developed and data gathered. She noted that the applicant was present and could give further details. It was her understanding that DelDOT, rather than the developer, will be performing the impact study.

There being no objections, the applicant was authorized to address members.

Mr. John Paradee, Attorney with Prickett, Jones, and Elliott, 11 N. State Street (legal counsel for the applicant, F & B Enterprises) introduced Mr. Jeffrey Bross, Project Engineer, Duffield Associates, 5400 Limestone Road, Wilmington. Mr. Bross confirmed that the status of the impact study, as described by Mrs. Townshend, is correct. He stated that the final traffic study should be completed within the next two (2) to three (3) months; however, review by DelDOT could take an additional three (3) to four (4) months.

Responding to Mr. Ruane, Mr. Bross stated that although the tenant, Royal Farms, has conducted market studies, there will be major highway improvements at this intersection and DelDOT has already conducted extensive study to determine what will be done at this intersection based on traffic projections which consider the proposed use. He stated his belief that the applicant will be responsible for constructing some of the initial improvements, in concert with DelDOT, to provide some traffic relief at the intersection. Mr. Bross stated that, although a considerable amount of study has been accomplished, DelDOT is requiring additional study. He confirmed that there will be an increase in traffic movement and stated his understanding that most of the traffic that would be stopping at the facility already utilizes the roadway. However, he explained that improvements will be made to turn lanes to make sure that the traffic entering and exiting the facility does not impact through traffic. Without the full traffic study, he stated that it is difficult to provide additional details.

It was Mr. Paradee's opinion that Mr. Ruane's questions relate to site plan issues that will be addressed in the future. He noted, respectfully, that the public record has been closed and questioned if the line of questioning was appropriate. Mr. Paradee reiterated that the traffic impact study is currently underway and that the applicant will be required to incorporate the recommendations of DelDOT into the site plan.

In response to Mr. Salters, Mrs. Townshend stated that the traffic impact study would not prohibit a facility from locating to a particular site. She explained that the study determines the improvements that are necessary to the roadway system surrounding the project, which could include intersection and signal improvements, expansion of roadways, etc. Mrs. Townshend noted that such improvements could be costly and are required of the developer. Elaborating, Council President Hogan stated that it is conceivable that there may be so many improvements required that it no longer becomes a viable and profitable project.

Mrs. Williams called for the question, seconded by Dr. McGlumphy and carried by a roll call vote of six (6) yes and three (3) no (Mrs. Russell, Mr. Salters, and Mr. Ruane).

Council President Hogan reminded members that they will be voting on Ordinance#2010-31, which would rezone the property at 293 Saulsbury Road to C-2A (Limited Central Commercial) and subject to the COZ-1 (Corridor Overlay). *(The First Reading of this Ordinance was accomplished during the Council Meeting of December 13, 2010.)*

The motion for approval of the rezoning request, as recommended by the Planning Commission was carried by a roll call vote of six (6) yes and three (3) no (Mrs. Russell, Mr. Salters, and Mr. Ruane) and Council adopted Ordinance #2010-31, as follows:

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER BY CHANGING THE ZONING DESIGNATION OF PROPERTY LOCATED AT 293 SAULSBURY ROAD

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-3 (Service Commercial Zone) and subject to COZ-1 (Corridor Overlay Zone) to C-2A (Limited Central Commercial Zone) and subject to COZ-1 (Corridor Overlay 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-3 (Service Commercial Zone) and subject to COZ-1 (Corridor Overlay Zone) to C-2A (Limited Central Commercial Zone) and subject to COZ-1 (Corridor Overlay Zone) on that property located at 293 Saulsbury Road (on the northeast corner of the intersection of Saulsbury Road and North Street), consisting of $3.64^{+/-}$ acres (157,558 sq. ft.), owned by F & B Properties.

ADOPTED: MARCH 28, 2011

PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE REPORT - MARCH 14, 2011

The Parks, Recreation, and Community Enhancement Committee met on March 14, 2011 with Chairwoman Russell presiding.

Review of Applications - Youth Advisory Committee - One (1) Year Terms to Expire January 24, 2012

In accordance with Resolution No. 2008-11, adopted by City Council on June 23, 2008, nine (9) members are to be appointed annually to serve on the Youth Advisory Committee. It was noted that nine (9) applications were received and that there are nine (9) vacancies. Mrs. Russell recommended that all nine (9) applicants be appointed to serve on the Youth Advisory Committee.

The committee recommended that Mr. Kenneth Anderson, Mr. Seadric Corbitt, Ms. Kristen Dietz, Ms. Chidinma Emenike, Mr. Dennis Hallock II, Ms. Karly Jones, Ms. Sonya Modi, Ms. Valeria Provotorova, and Ms. Rachel Voak be appointed to serve on the Youth Advisory Committee.

Mr. Anthony DePrima, City Manager, stated staff's desire for the City's Teen Librarian to play a greater role in the Youth Advisory Committee, since this librarian specializes in working with this age group and could assist members on programming, etc. He suggested that future Committee meetings be held at the library.

Mrs. Russell stated that although she had no objections to the Teen Librarian becoming involved with the Youth Advisory Committee, she felt that there should be no changes in the current City staff who are involved with the Committee. Responding, Mr. DePrima stated that it was never intended for the Public Affairs Coordinator to be involved; however, Ms. Sherwanda Rachal-Speaks, Recreation Specialist, would continue to participate in the Committee.

With regard to the appointments, Mrs. Russell stated that the applicants will be sworn in once the appointments are approved by City Council.

By consent agenda, Mr. Bonar moved for approval of the Committee's recommendation that Mr. Kenneth Anderson, Mr. Seadric Corbitt, Ms. Kristen Dietz, Ms. Chidinma Emenike, Mr. Dennis Hallock II, Ms. Karly Jones, Ms. Sonya Modi, Ms. Valeria Provotorova, and Ms. Rachel Voak be appointed to serve on the Youth Advisory Committee. The motion was seconded by Mr. Leary and carried by a unanimous roll call vote.

Benchmarks Established for the Economic Development Office

Members were provided the Major Programs and Strategic Objectives for the Economic Development Office. Mr. William Neaton, Economic Development Director and Director of the Downtown Dover Partnership, reviewed the Strategic Objectives, including benchmarks, for Fiscal Year 2010-2011.

In reviewing Item #1 of the Strategic Objectives, Complete a Site Development Master Plan for the Garrison Tract, Mr. Neaton stated that he has been working with a marketing company to develop a professional marketing plan. He noted that the plan is more extensive than he had anticipated and stated that he met with the Secretary of the Delaware Economic Development Office (DEDO) to solicit DEDO's assistance. As a result, Mr. Jeff Stone, Director of Infrastructure and Intergovernmental Relations, DEDO, has been assigned to assist Mr. Neaton with this endeavor. He advised members that several subsequent meetings have been held to discuss developing marketing and business plans for the Garrison Tract.

At the request of Dr. McGlumphy, Mr. Neaton stated that he would provide members with the Economic Development Market Packet that he shared with members last fall.

Mr. Neaton advised members that he has received commitments from Macquarie Energy, LLC and DEDO to assist him with the Comprehensive Economic Development Strategy (CEDS) Application process for the infrastructure development of the Garrison Tract. He noted that the a quote from the Becker Morgan Group included an estimated a fee in the amount of $8,000 for infrastructure costs at the Garrison Tract; however, it has since been determined that this information could be obtained free of charge from EDiS, and the City should be in receipt of this information soon.

Responding to Mr. Ruane, Mr. Neaton stated that no funds have been set aside for marketing for the Garrison Tract. Elaborating, Mr. Anthony DePrima, City Manager, stated that staff has been considering creating a separate accounting fund for the Garrison Tract and making this project an independent line item so that income and expenses can be tracked.

Mr. Neaton advised members that Macquarie Energy, LLC, a second potential tenant for the Garrison Tract, will visit Dover this week and was scheduled to meet with the Department of Natural Resources and Environmental Control (DNREC) this morning. He stated that Macquarie Energy, LLC experienced difficulty obtaining the 80 air credits (Emission Reduction Credits) required by DNREC and hoped that this had been resolved. Mr. Neaton noted that the City of Dover has been instrumental in developing possible solutions to obtaining the required air credits and is scheduled to meet with Mr. David Small, Deputy Secretary of DNREC, on March 15, 2011 at 2:30 p.m. to discuss the matter.

In response to Mrs. Russell, Mr. DePrima stated that, although Macquarie Energy, LLC will not be responsible for property taxes on the land, which is leased from the City, the contract requires the solar park to pay tax on equipment such as iron stanchions and wiring. Although taxes will be paid to the City, he stated that the actual solar panels are not taxable.

After much discussion, Dr. McGlumphy suggested that, although specific details regarding the Sun Park were submitted previously to the Utility Committee and City Council, it would be beneficial for staff to make a presentation to the Committee. Mr. Neaton also invited members to contact him should they wish to tour the facility.

Mr. Clay Hammond, Chairman of the Delmarva Black Chamber of Commerce and Vice-President of Business Development, questioned if there has been any discussion regarding minority participation in this project with regard to the purchase of solar panels. Responding, Mr. DePrima stated that the City's involvement extends only to the land lease. He noted that, since the project is strictly private and involves only private investment, there was no discussion regarding minority participation as there was with the new Dover Public Library project.

Mr. Bobby Wilson, 1561 Nathaniel Mitchell Road, stated his opinion that minority participation should be considered whenever the City is engaged in a project, since tax dollars come from the minority community as well. Responding, Mr. Ruane noted that Mr. Neaton was successful in allowing for the consideration of local companies for any improvements and/or purchases.

In the future, Mr. Hammond suggested that language be included in such contracts to encourage minority preference and stated that local preference differs from minority preference.

Mr. DePrima explained that this project involves the installation of 100 acres of solar panels and that few companies globally have the capability of producing the equipment required.

Regardless, Mr. Wilson reiterated his feeling that if language regarding minority preference had been included in the contract, the company would have given this matter consideration.

Referring to Item #2, Promote City-Wide Economic Development Initiatives, Mr. Neaton stated that he has attended monthly meetings of the Kent Economic Partnership for the past six (6) months and will continue to do so. In addition, he advised members that he has been working with a logistics company that has indicated possible interest in locating to the Kent County Aero Park. He noted that a Wilmington-based company, The Commonwealth Group, and the State Police are current occupants.

Mr. Neaton reminded members that the Job Growth Report was provided to members during their meeting of February 14, 2011; therefore, this goal has been accomplished. He stated that a table listing vacant buildings has been created and will continue to be updated by staff. In response to previous comments made by Dr. McGlumphy, Mr. Neaton stated that staff is in the process of identifying all of the vacant properties located on Route 13. At the request of Mrs. Russell, Mr. Neaton stated that the number of years a building has remained vacant could be included on the list.

With regard to vacant buildings, Mr. Ruane suggested the possibility of the City creating more stringent mandates by amending the existing ordinance.

Mr. Neaton stated that he has been developing a list of renewable energy manufacturers and higher education renewable energy researchers and bringing them together with state officials and that this is an ongoing project. He stated that meetings have been held and will continue.

Referring to Item #3, Advance Initiatives of the Downtown Dover Partnership (DDP), Mr. Neaton stated that Mr. DePrima is the Chairperson of the Recruitment Subcommittee of the DDP Economic Development Committee and that a recruitment strategy has been developed to attract new businesses to downtown. He reiterated that a marketing brochure, including a vacant property list, has been completed and is available in the DDP packet which is readily available from his office.

Mr. Neaton stated that the asbestos cleanup at 22-24 West Loockerman Street has been completed and staff is currently in the process of obtaining estimates for renovating the interior. Staff has been meeting with property owners individually, as previously suggested by Mr. Ruane. Mr. Neaton also stated that he has a conference call scheduled with the owners of the property located on the corner of Governors Avenue and Loockerman Street, which has been vacant for a long period of time. It is his understanding that the owners will be moving forward with establishing a business at this location.

Mrs. Russell relayed her concern that many businesses in the area remain open for only a short period of time. It was also her feeling that much effort is directed toward those properties located in the 100 block of Loockerman Street and suggested that staff give this same consideration to the 200 block, where more minority businesses are located. Responding, Mr. Neaton stated that a merchant meeting is held monthly and that all merchants along Loockerman Street are invited and encouraged to attend. In addition, he stated that a matching fund facade program is open to all merchants.

Mr. Neaton reminded members that the charrette for the downtown area has been completed and was endorsed by City Council during their meeting of February 14, 2011. With regard to the Memorandum of Agreement between the DDP and Delaware Department of Transportation (DelDOT) for the development of a public/private partnership for the Transit Center and recruitment of a private partner for the P3 Agreement to construct the Transit Center Building, Mr. Neaton noted that these goals are no longer germane and will not be completed. He explained that DelDOT has selected three (3) companies (EDiS, Buccini/Pollin Group, and Hunt Contracting) and will be sending each a Request for Proposal (RFP) for the development of the Transit Center. He stated that

it is expected that the review of the RFPs will occur this summer and the contract will be awarded in September 2011. Mr. Neaton noted that after review and approval by the City, it is hoped that construction will begin after the first of the year (2012) and will consist of a 30,000 square foot building proposed to house the Kent County Metropolitan Planning Organization (MPO), E-Z Pass Delaware, and several other transit operations.

Responding to Mr. Hammond, Mr. Neaton indicated that the City will not be the owner of the facility; it is anticipated that the builder will be the owner.

In response to Mr. Ruane, Mr. Neaton confirmed that the first floor of the facility will be dedicated to the Transit Center and will include restrooms for patrons. The second and third floors will be offices. He also confirmed that Greyhound remains a potential partner.

Mr. Wilson questioned if there will be a requirement established that general contractors must provide for minority participation prior to the distribution of the RFPs. Responding, Mr. Neaton stated that the RFPs will be handled by DelDOT and the City has no control over this issue.

Update - Planning and Funding for New Library

Ms. Margery Cyr, Library Director, advised members that EDiS located their construction site trailer onto the new library site on March 7, 2011 and began running power to the trailer on March 14, 2011. In addition, the City has begun relocating trees and shrubs on the site from Loockerman Street to other areas throughout the City. She also stated that the pavement work for the access road along the Department of Natural Resources and Environmental Control (DNREC) property line will begin soon and explained that this roadway is vitally important since it will be used to bring construction vehicles to the site. Mr. Scott Koenig, Public Services Manager/Director of Public Works, confirmed that the pavement work is scheduled for Thursday, March 17, 2011 and Friday, March 18, 2011.

Mr. Zachery Carter, Parks and Recreation Director, advised members that staff will meet with City employees on March 17, 2011 and March 18, 2011 to provide information regarding the work the effects it will have on parking and building access. He assured members that neighboring property owners will be made aware of this information as well.

Ms. Cyr stated that a groundbreaking ceremony is scheduled to be held on either April 5, 2011 or April 6, 2011, pending confirmation from the Governor's Office. She also apprised members that two (2) fundraising events have been scheduled for the new Dover Library building project, as follows: 1) Saturday, March 19, 2011 at the Dover Newsstand at 5:30 p.m.; and 2) Friday, March 25, 2011 at the Golden Fleece Tavern at 5:30 p.m.

FY 2012 Five-Year Capital Investment Plan (CIP)

Mr. Zachery Carter, Parks and Recreation Director, reviewed the draft Capital Investment Plan for the Parks and Recreation Department for Fiscal Years 2012-2016.

Responding to Mr. Ruane, Mr. Carter explained that the paving of parking lots at Schutte Park was moved to Fiscal Year 2015 because a portion of the site will be occupied in the future by the Boys and Girls Club and the specific location is not known. In addition, he stated that a skate park is

planned for a portion of the property. As a result, staff felt that the City should not develop the land until the details of these projects are known. Mr. Carter explained that there would be no benefit for the City to seed the property because it would be time to begin construction on other projects by the time the grass matured for use as a soccer field.

Elaborating, Mr. Anthony DePrima, City Manager, stated that the Master Plan for Schutte Park will provide a better understanding of the proposed uses of the property.

In response to Mr. Ruane, Mr. Scott Koenig, Public Services Manager/Director of Public Works, confirmed that the realignment of Wyoming Mill Road will include the removal of all road surfaces. He explained that the old road bed will be milled out, dug down, and covered with topsoil to provide some type of positive drainage and that ponds are not proposed for this area. Mr. Koenig noted that there appear to be funds in the project budget to extend the path along Hazlettville Road to the intersection of Westover Drive, which was not originally included; however, federal American Recovery and Reinvestment Act (ARRA) funds will be used for the project. He indicated his understanding that any funds remaining at the end of the project will be returned to the federal government; therefore, the City intends to put any cost savings into additional improvements. Mr. Koenig noted that the 10-foot wide sidewalk would be extended to the intersection and the old road bed would be seeded.

Mr. Ruane relayed his concerns regarding the out years of the Plan and requested specific details regarding when and if the Boys and Girls Club will relocate to Schutte Park. He questioned how long the City plans to hold the property in abeyance waiting for construction to begin on the Boys and Girls Club. It was his feeling that the property should not remain in perpetuity for the Boys and Girls Club when there is a need for other uses, such as a soccer field. Responding, Mr. DePrima suggested that this matter be further discussed when the Master Plan for Schutte Park is presented to members for their review, which is planned for next month.

Mr. Ruane suggested that staff present City Council with a more aggressive and timely plan for Schutte Park, feeling that some projects, such as tennis courts planned for Fiscal Year 2014, should be moved forward.

For the record, Mr. Ruane noted that the $195,000 included for the Lighted Soccer/Multi-Purpose Field and the $160,000 included for the Tennis Courts at Schutte Park (totaling $355,000) would equate to a one-cent (1¢) property tax increase.

Referring to the Dover Interfaith Mission located on Forrest Street, Mrs. Russell requested staff to consider the placement of stakes to allow for residents to play horseshoes.

Mr. Clay Hammond, Chairman of the Delmarva Black Chamber of Commerce and Vice-President of Business Development, noted that there have been several articles in local newspapers addressing how the quality of life can be improved for the African American community. As a result, recreational offerings have been identified to provide such improvement. He explained that many individuals in the community cannot afford recreational offerings in the City. He proposed that the

City hold a carnival, similar to one held in Middletown, and that a percentage of the proceeds be dedicated to scholarships for disadvantaged children to attend recreational programs. He requested the opportunity to meet with staff and members of the Committee to discuss this concept and invited everyone to attend the carnival held in Middletown.

Responding, Mrs. Russell suggested the involvement of the Youth Advisory Committee.

Mr. Hammond questioned the amount of participation at the Pitts Center during the summer months. Responding, Mr. Carter stated that participation is substantial; however, not as great as during the winter months. Mr. Hammond felt that the reason for the lack of participation is due to the facility's lack of air conditioning. Mr. DePrima stated that, although air conditioning was removed from the project to provide cost savings, it has been discovered that it is uncommon to have air conditioning in gyms.

The Committee recommended that the Lighted Soccer/Multi Purpose Field and Tennis Courts at Schutte Park Projects be moved from Fiscal Year 2014 to at least Fiscal Year 2013 in the Capital Investment Plan (CIP).

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

UPDATES

The following updates were provided to members:

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

Mrs. Ann Marie Townshend, Director of Planning and Community Development, reviewed the Update on the Housing and Recovery Act of 2008 Funds (Neighborhood Stabilization Program).

Referring to the NSP Properties, Mr. Ruane relayed concerns that the sale price of these properties will skew the comparable sale prices in the area and affect the appraisal of property. He suggested that the property records include a note indicating that the property was a neighborhood stabilization house.

Puncheon Run Watershed Action Team and Flood Plain Mapping Update

Mr. Scott Koenig, Public Services Manager/Director of Public Works, advised members that a Community Workshop will be held on Tuesday, March 22, 2011 at 6:00 p.m. at City Hall to review the improvements made by the Delaware Department of Transportation (DelDOT) and the Kent Conservation District, and to discuss a resident's recent success in obtaining a Letter of Map Amendment (LOMA) and identify other property owners who might be successful in pursuing this option. He stated that an electronic notice was distributed, and hand-delivered notices and mailings will also be distributed.

Mr. Anthony DePrima, City Manager, suggested that an effort be made to invite the engineer or surveyor who did the work that benefitted the successful resident so that he could explain the process. Responding, Mr. Ruane stated that he would attempt to contact him and request his presence.

CDBG Program

Mrs. Ann Marie Townshend, Director of Planning and Community Development, reported the Status of FY 2009-2010 CDBG Projects.

Referring to the Committee meeting scheduled for March 24, 2011, Mr. Ruane questioned if members should consider grant applications at this time since the CDBG funding to the City may not be allocated by the federal government. He suggested that staff look into this matter and advise members if the scheduled meeting is necessary. *(Clerk's Office Note: Per an email from Mrs. Ann Marie Townshend which was forwarded to members by the Clerk's Office on March 15, 2011 (Attachment #1 to Committee minutes), CDBG funds will not be allocated until Congress passes the federal budget. The City's HUD representative recommended using the FY 2009 allocation to develop the City's Action Plan, which must be submitted to HUD by mid-May. For this reason, the meeting proposed for March 24, 2011 will take place as scheduled.)*

By consent agenda, Mr. Bonar moved for acceptance of the Parks, Recreation, and Community Enhancement Committee Report. The motion was seconded by Mr. Leary and carried by a unanimous roll call vote.

UTILITY COMMITTEE REPORT - MARCH 14, 2011

The Utility Committee met on March 14, 2011 with Chairman Ruane presiding.

Authorization to Conduct Financial Analysis of West Deptford Generation Station

Mr. Ron Lunt, Public Utilities Director, reminded members that since May 2007, the Dover 2030 Energy Plan Committee has been meeting periodically to review the PJM Market, evaluate the capacity/energy requirements of the City's system, and identify action plans to address future energy needs. After extensive discussion on the market and capacity/energy shortfall, it was decided in 2008, to solicit the energy development market to gain knowledge of what options are available to the City through a Request for Qualifications (RFQ) process. He explained that the goal was to gain information and knowledge from potential developers and identify possible solutions to the City's requirements. In March of 2009, staff completed Phase II of the project, which was the evaluation of the proposals and the selection of options for which to enter negotiations. Dover Sun Park and Garrison Energy Center Land Lease/Gas Turbine Combined Cycle (GTCC) were the first two (2) agreements to be executed through this process.

Mr. Lunt advised members that the final option available under the RFQ process and the proposal under consideration is a Purchase Power Agreement (PPA) for a GTCC plant located in West Deptford, New Jersey. He explained that the proposed West Deptford Generation Station would be a state-of-the-art GTCC generator offering an extremely efficient and environmentally prudent technology. The basis of the PPA would be that the City would secure 25 Mw of capacity from the 646 Mw Station. He explained that the City would receive a guaranteed heat rate (this is an efficiency measurement for the conversion of natural gas to electric energy) and the City would pay a prorated portion of the operating expenses. He noted that fuel costs are not included in the PPA, as these would be prorated and passed on to all users at the market rate. The energy purchased from the Station would further diversify the City's current energy portfolio by adding an efficient fixed asset and would displace future market-based energy hedges.

Mr. Lunt reviewed the highlights of the proposed PACE Global analysis, as follows:

1. The first task would be to analyze the proposal for fatal flaws, which would include a high-level view of the economics; review of the proposed terms; comparing terms to historic energy and capacity markets; and projecting power supply curves. If no deficiencies are discovered, Staff would direct PACE to proceed to the next task.

2. The next task would be to develop a detailed economic model; forecast future power pricing, potential changes and drivers for possible changes; develop market and technology trends, including the projected plant utilization/dispatch expectations; and identify possible negotiation points. If it appears that the economics of the plant are favorable, staff would direct PACE to proceed to the next step.

3. The final task would be to negotiate the final terms and conditions for the PPA and, if the financial benefits appear to be favorable, staff would present this proposal to City Council for consideration. $15,000 has been budgeted for this phase of the project.

Staff recommended that PACE Global be authorized to proceed with the financial analysis of the West Deptford Generation Station at a cost not to exceed $80,000 and that this project be funded by transferring $80,000 from the Engineering Operating Budget (480-8300-563-30-31) - Contractual Services to the Administration Operating Budget (480-8400-564-30-29) - Consulting Fees.

Responding to Mr. Ruane, Mr. Lunt stated that, although this project would further insulate the City from price volatility, the City would remain subject to the natural gas volatility. Should the capacity market be reduced or eliminated in the future, the City would be subject to paying some capacity payments. If this were to occur, there would be a switch on the energy side, since generators will recover their costs either in a two (2) phase market of capacity and energy or a combined market of energy and capacity. Mr. Lunt indicated that he would then expect power prices to increase in the future to compensate for losses in capacity payments.

At the request of Mr. Ruane, Mr. Lunt briefly reviewed a Presentation - City of Dover (Dover) West Deptford Opportunity Analysis, dated February 24, 2011.

Mr. Snaman questioned the amount of energy that the solar plant and natural gas plant will provide to the City's annual production. Responding, Mr. Lunt noted that the solar plant will provide less than 2% of the City's energy and explained that it would be difficult to compare this to an annual load due to scheduling. He stated that he did not expect the gas plant to be cheaper than the nuclear portion of the grid and anticipated a 60% to 70% dispatch schedule for the gas plant, whereas the City's current plants are less than 2%.

In response to Mr. Ruane, Mr. Lunt confirmed that the analysis will determine if the expectations reported are true and valid and provide a projection of what the future market may be for energy costs. This will assist in determining whether or not the City should enter into a PPA with the Station.

The Committee recommended approval of staff's recommendation to authorize PACE Global to proceed with the financial analysis of the West Deptford Generation Station at a cost not to exceed $80,000, and that this project be funded by transferring $80,000 from the Engineering Operating Budget (480-8300-563-30-31) - Contractual Services to the Administration Operating Budget (480-8400-564-30-29) - Consulting Fees.

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

Power Plant FY 2012 Capital Investment Plan (CIP) Review *(Deferred by Committee on February 28, 2011 Due to Time Constraints)*

Mr. Vince Scire, Plant Manager at McKee Run and VanSant Generating Stations with NAES Corporation, reviewed the draft Capital Investment Plan (CIP) for the Power Plant for Fiscal Years 2012-2016 and explained the need for the additional projects (as highlighted).

In response to Mr. Ruane, Mrs. Donna Mitchell, Controller/Treasurer, confirmed that she has been working on a cost of service revision that will result in amendments to capital needs. She stated that funding to cover the CIP remains consistent. Mrs. Mitchell noted that staff has allocated approximately $800,000 for the future capacity reserve for the VanSant capacity and that funds have been designated in Fiscal Years 2015 and 2016 from the depreciation reserve to help cover costs. She assured members that funding from the operating fund has remained consistent with last year. Mrs. Mitchell stated that the CIP will have no effect on the City's electric rate for the next five (5) years.

The Committee recommended approval of the Power Plant FY 2012 Capital Investment Plan (CIP), as presented by staff.

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

2012-2016 Utility Capital Investment Plan (CIP) *(Deferred by Committee on February 28, 2011 Due to Time Constraints)*

Mr. Ron Lunt, Public Utilities Director, reviewed the 2012-2016 Utility Capital Investment Plan (CIP) and explained the need for the additional projects (as highlighted).

Mr. Ruane noted that the FY 2011 CIP included the Walker Road Overhead Conversion Project; however, it is not included in the current CIP. Responding, Mr. Lunt reminded members that at the beginning of FY 2011, the project was removed from consideration and some of the funds were allocated to order transmission switches that were failing on North Street. He stated that the Walker Road Overhead Conversion Project was coordinated with the Water System Upgrade, which was determined to be too expensive and was postponed indefinitely. From an electric standpoint, he stated that it was staff's opinion that it would not be feasible to complete the project without addressing the water system upgrade concurrently.

In response to Mr. Ruane, Mr. Lunt indicated that overhead conversion projects (included under "distribution upgrades") are continuing throughout other parts of the City, including Huntley Circle and Autumn Woods Apartments located off Webbs Lane. He stated that staff is in the process of analyzing outages for the past calendar year, which will assist in prioritizing developments and areas for this project. He stated that, although the Crossgates area has been completed, including the removal of overhead lines, work continues in the South State Street Extended area (Old Mill Road, Fairfield Drive, Candlewick Drive, etc.).

The Committee recommended approval of the 2012-2016 Electric Engineering and Transmission and Distribution Capital Investment Plan (CIP), as presented by staff.

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

Mr. Lunt reported that there were no changes to the 2012-2016 Water/Wastewater CIP, as submitted to members previously. He noted that some projects will be carried forward from the current fiscal year, due to funding or scheduling issues; however, these projects will be funded from the current source of funds.

In response to Mr. Ruane, Mr. Lunt stated that staff is attempting to mobilize the contractor to complete the inflow/infiltration (I & I) projects that were identified approximately four (4) years ago, for which funding is in place. He explained that staff is regrouping the I & I priority list by conducting an analysis of those pump stations that have higher rates during wet weather. Staff has been conducting "smoke" testing and an extensive amount of camera investigation on existing infrastructure in areas suspected of problems. Mr. Lunt noted that completion of the "smoke" testing would be necessary before staff can firmly identify the next area for this project.

Responding to Mr. Ruane regarding water quality improvements, Mr. Lunt stated that funding for Bayard Avenue is included in the current year's budget and work will begin once the area in front of City Hall is completed (within a week or so). A pre-bid meeting was held last week for the Route 13 Southbound Water Project and funding is included in the current year's budget. He advised members that staff is delaying the project located east of North State Street in case the bids for the Route 13 Southbound Water Project come in over budget.

At the request of Mr. Ruane, Mrs. Donna Mitchell, Controller/Treasurer, stated that she has not completed an analysis of the water/wastewater funds; however, she stated that since the City opted to use State revolving loan funds rather than issuing a bond, no interest is paid until the money is drawn. Therefore, she stated there will be a change in the forecast model (bonds versus state loans). She is revisiting the rates since the City will not incur the debt service as originally anticipated. As a result, she stated that she expects to see some changes in future rates (on the down side) from those included in the model last year.

In response to Mr. McGiffin, Mrs. Mitchell explained that the forecast currently indicates a rate increase every year to cover debt service, which may not be necessary since the City is not incurring the debt service that was originally anticipated.

The Committee recommended approval of the 2012-2016 Wastewater and Water Management Capital Investment Plan (CIP), as presented by staff.

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

PACE/NAES Monthly Report *(December) (Deferred by Committee on February 28, 2011 Due to Time Constraints)*

The PACE/NAES Monthly Report for December 2010 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.

In response to Mr. Ruane regarding the new Solar Plant, Mr. Lunt referred to Page 5 of the report and confirmed that the cost of solar energy has been built into the City's Power Year projections and costs over time. Mrs. Mitchell, Controller/Treasurer, explained that the cost of the power supply itself has decreased; therefore, the incremental cost of solar energy is not evident since it is more than offset by the reduction in power supply.

The Committee recommended acceptance of the PACE/NAES Monthly Report for December 2010.

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

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

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE REPORT - MARCH 14, 2011

The Legislative, Finance, and Administration Committee met on March 14, 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.

Milliman Actuarial Analysis Updates: Overview of Pension and OPEB (Other Post Employment Benefits) Liability for Fiscal Year 2010/11 and Actuarial Pension for Fiscal Year 2010/11 and OPEB Benefit Rates for Fiscal Year 2011/12 Budget

Mrs. Donna Mitchell, Controller/Treasurer, stated that the actuarial analysis presentation to be reviewed by Mr. Scott Porter, Principal, Consulting Actuary, Milliman, Inc., would provide a summary of the analysis, an overview of the steps taken thus far, and recommendations.

Mr. Porter reviewed a Presentation - Pension and Other Post Employment Benefits, Actuarial Valuation Updates for Fiscal Year Ending June 30, 2011. He stated that actuarial valuations were performed for the City's Civilian and Police Pension Plans, as well as the Other Post Employment Benefits (OPEB) Plan. He explained that an actuarial valuation is a "snapshot" of the assets and liabilities of each plan as of June 30, 2010. Based on participant information, the actuarial valuation projects the benefits which would be received, using assumptions regarding when employees are expected to terminate or retire, how long they are expected to collect benefits, etc., and then discounts them all back at specific interest rates to determine the liability. Mr. Porter indicated that this information is then compared to the assets of the plan to determine the funded status.

Mr. Porter advised members that there are four (4) purposes for performing the actuarial valuation:

1) to determine the funded status of the plan;
2) to review the experience of the plan during the prior year;
3) to provide information for financial statements for the City of Dover; and
4) to determine the City's contributions to ensure that the plans are being adequately funded in a uniform manner.

Mr. Porter stated that all actuarial assumptions used to determine the liability of the plan are reviewed in the process of determining the funded status of the plan, and changes are made accordingly. Such changes may include lowering the assumptions used for investment return and salary increases.

Referring to Page 9 of the Presentation, Mrs. Mitchell reminded members of the positive steps City Council has taken regarding funding of these plans and explained staff's recommendations for both pension and OPEB funding, as follows:

1) Staff recommended transferring funds to keep up with actuarial contributions as has been done in previous years. Staff suggested that $732,455 be transferred to the Civilian Pension Plan, with $454,978 coming from the General Fund and $277,477 coming from the Electric Fund this fiscal year.

2) In order to maintain the 10-year phase-in plan for OPEB, staff recommended including the following percentages of base pay for the City's OPEB contributions in the FY12 budget: 6.6% for the General Fund, 5.3% for the Water/Wastewater Fund, and 5.1% for the Electric Fund.

Referring to salary assumptions, Mr. Ruane indicated that the trend for salary increases was less than 4%. Responding, Mr. Porter stated that, although salaries are lower now, the projections performed to determine member benefits encompass the next 5, 10, and 15 years. He explained that the long-term assumption used must be consistent with the underlying inflation assumption, as well as the investment return assumption. He assured members that this will continue to be monitored in the future. Mr. Porter stated that the impact of reducing the salary from 5% to 4% was not determined.

Mr. Ruane felt that it would be beneficial for Council to receive information regarding the salary assumption so that they could determine the future impact of salary increases when they are considered.

In response to Mr. Ruane regarding the positive steps City Council has taken, Mrs. Mitchell confirmed that the Civilian Pension Plan has been closed to new employees since September 2009. In addition, she stated that City Council eliminated Medicare Part B coverage for new employees.

Council President Hogan noted that, as indicated on Page 12 of the General Employee Pension Plan Actuarial Valuation, since July 1, 2006, the value of assets increased for four (4) years, yet during this same period, the actuary liability increased. He questioned why the actuary liability continues to increase if the City's assets increased. Responding, Mr. Porter explained that between July 1, 2008 and July 1, 2010, the increase in assets was $600,000, which he stated was a minimal increase, partially due to investment losses that occurred during this time period. Therefore, he stated, the actuarial value of assets has remained relatively stable during the past three (3) years. It was his opinion that the actual accrued liability is growing because of the additional year of service that members have earned; however, the actual value of assets has not grown to the same extent, although contributions have been made to help cover what is referred to as "normal cost." Responding to Council President Hogan, Mr. Porter explained that a substantial amount of growth in assets is necessary in order to realize a decrease in liability.

In response to Mr. Ruane, Mr. Porter indicated that many jurisdictions are reviewing the level of benefits they currently provide and considering their ability to afford these levels based on their current funding status. One of the most common approaches taken by municipalities is to close the plan to new hires, which the City of Dover recently did. In addition, he stated that many jurisdictions are reviewing retirement eligibility ages, the timeline when employees are fully eligible for benefits, etc. He explained that the available options vary according to each jurisdiction's individual situation.

Mr. Leary noted that he recently met with Mrs. Mitchell to review this matter and that she provided him a copy of a very helpful article from *Government Finance Review Magazine*, entitled "Strategies to Consider as OPEB Costs Escalate," which discussed creative strategies being developed in other jurisdictions. He requested that staff provide members a copy for their information.

In regard to the staff's second recommendation pertaining to OPEB funding, Mr. McGiffin felt that action would not be necessary at this time, since this matter will be considered during the Budget Review.
The Committee recommended that staff be authorized to transfer $732,455 to the Civilian Pension Plan, with $454,978 coming from the General Fund and $277,477 coming from the Electric Fund this fiscal year.

During the Council Meeting, Mrs. Mitchell reviewed the information provided to the Committee.

Mr. Leary moved for approval of the Committee's recommendation authorizing staff to transfer $732,455 to the Civilian Pension Plan, with $454,978 coming from the General Fund and $277,477 coming from the Electric Fund this fiscal year. The motion was seconded by Mr. McGiffin and unanimously carried.

Evaluation of Proposals - Investment Manager and Advisory Services

Mrs. Donna Mitchell, Controller/Treasurer, reminded members that the City issued its original Request for Proposals (RFPs) for investment management services in 2001. The contract was awarded to Wilmington Trust on January 14, 2002, with a one (1) year review and renewal option if results were favorable. At that time, there was no provision for a contract end date. Given recent events in the financial markets and changes in recommended practices of the Government Finance Officers Association (GFOA) and the Internal Auditors Association, staff decided that it was time to rebid this service.

Mrs. Mitchell explained that an outline of the process, including the forms completed for the fee calculations, scoring, and evaluations, was provided to members to demonstrate the diligence staff felt was necessary to assure the City's assets are well managed and protected. In addition, staff provided an explanation for their recommendation.

Mrs. Mitchell stated that staff narrowed the list of providers to three (3) firms: 1) Cutwater Asset Management, 2) High Mark Capital Management, and 3) PFM Asset Management, LLC. She stated that the three (3) firms selected were the most responsive of the lowest cost providers. The proposals were almost equally matched, with the exception that the PFM Asset Management proposal went above the requirements of the RFP. Staff conducted interviews with the three (3) finalists to determine which firm would be the best fit for the City. Mrs. Mitchell advised members that each firm was provided, in advance, the items to be discussed during the interview. Upon completion of the interviews, staff contacted several of the client references provided in each firm's proposal. All responses were highly complimentary.

Staff recommended awarding the Investment Management Services contract to PFM Asset Management, LLC for a three (3) year period, to start on the date of the contract. The contract can be renewed or extended for two (2) additional two (2) year periods by mutual consent and approval by City Council.

The Committee recommended approval of staff's recommendation.

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

Evaluation of Proposals - Investment Banking Custody Services

Mrs. Donna Mitchell, Controller/Treasurer, advised members that bids were solicited for Investment Banking Custody Services. She noted that all submissions received were from major financial institutions that are capable of managing custody of the City's investment assets; however, Wells Fargo and Union Bank were the two (2) most competitive banks.

Mrs. Mitchell reminded members that the City currently has contracts with Wells Fargo as custodian for three (3) Trust Funds: the General Employee Pension Fund, the Police Pension Fund (closed plan), and the Other Post Employment Benefits (OPEB) Fund. Although the City receives excellent service on these accounts from Wells Fargo, she stated that the Government Finance Officers Association's (GFOA) recommended practice is to diversify assets under custody when possible.

Based on the fees, scores, and GFOA's recommended practice, staff recommended awarding the service contract to Union Bank for a three (3) year period to start on the date of the contract, which may be renewed or extended for two (2) additional two (2) year periods by mutual consent and approval by City Council.

The Committee recommended approval of staff's recommendation.

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

Review of Hospitality and Civic Function Policy *(Committee Deferred on February 28, 2011 Pending Additional Information)*

During their meeting of February 28, 2011, members considered a request from Mayor Carleton E . Carey, Sr. to include certain functions offered by the Central Delaware Chamber of Commerce and Kent County Tourism in the City's Hospitality and Civic Function Policy. Mayor Carey noted that these events are not covered under the City's existing Policy. At that time, members deferred action and requested that Mayor Carey provide the cost for each of the events listed and the annual cost for members to attend these events.

Mayor Carey submitted a memorandum providing details regarding the costs associated for members of Council to attend certain functions, as follows:

1.	Central DE Chamber of Commerce Annual Awards Dinner $50.00 x 9ppl	$450.00
2.	Mayors Annual Prayer Breakfast $20.00 x 9ppl	$180.00
3.	Governors Annual Prayer Breakfast $16.00 x 9ppl	$144.00
4.	Kent County Economic Summit $25.00 x 9ppl	$225.00
	TOTAL	$999.00

It was Mayor Carey's feeling that these functions offer a great deal of information for the City of Dover and enhance working relationships that benefit the City economically.

Mrs. Donna Mitchell, Controller/Treasurer, advised members that the City's current Hospitality and Civic Function Policy was written to conform more closely to IRS Regulations, which prohibit attending events or activities sponsored by another organization unless official City business is performed. She noted the Mayor's concern that the City is a member of the organizations listed. Mrs. Mitchell requested that staff be given the opportunity to revise the Policy submit it to members at their next meeting for their review and recommendation to City Council.

The Committee recommended deferral of the Review of the Hospitality and Civic Function Policy to allow staff the opportunity to make revisions.

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

FY 2012 Five-Year Capital Investment Plan (CIP)

Due to time constraints, and there being no objections, Mr. Leary deferred review of the FY 2012 Five-Year Capital Investment Plan (CIP) until the next meeting.

Mr. Anthony DePrima, City Manager, noted that staff is in the process of developing a proposed budget. He requested that members contact staff prior to the next meeting if they have any concerns regarding the projects listed so that staff can respond during the meeting.

Mr. Leary stated that this matter would be placed first on the agenda for the Committee's next meeting.

Mr. Leary moved for acceptance of the Legislative, Finance, and Administration Committee Report, seconded by Mr. McGiffin and unanimously carried.

FINAL READINGS - PROPOSED ORDINANCES

The First Readings of the following Proposed Ordinances were accomplished during the Council Meeting of March 14, 2011.

Mr. Salters moved that the Final Readings of the Proposed Ordinances be acknowledged by title only, seconded by Mr. Leary and unanimously carried.

Ordinance #2011-06 Amending Chapter 46 - Fire Prevention and Protection - Open Burning

Mr. Ruane moved for adoption of the proposed ordinance, seconded by Mr. Leary, and by a unanimous roll call vote, Council adopted Ordinance #2011-06, as follows:

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

That Chapter 46 - Fire Prevention and Protection, Article I - In General, Section 46-5 - Open Burning, be amended to read as follows:

Sec. 46-5. Open burning.

(a) Definitions. The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Barbecuing - Commercial. The preparation and cooking of food by way of gas grill, charcoal grill, or other apparatus used for the cooking of food by way of flame produced through wood, charcoal, or gas for the purpose of cooking food for the sale to and/or consumption by the general public.

Barbecuing - Recreational. The preparation and cooking of food by way of gas grill, charcoal grill, or other apparatus used for the cooking of food by way of flame produced through wood, charcoal, or gas for the purpose of cooking food for the consumption by a family and/or guests or by the membership of a private organization or church congregation.

Open Burning. The burning of materials wherein products of combustion are emitted directly into the ambient air without passing through a stack or chimney from an enclosed chamber.

Outdoor Fireplace. Any homemade or commercially produced fireplace, fire pit, or fire ring used for the kindling of wood.

(b) Permit required. Open burning of structures, brush, or bonfires shall not be permitted without a permit obtained from the Fire Marshal.

(c) Fire dimensions. Open burning, when permitted, shall be kindled in such a manner as not to be a danger to other campers, recreational vehicles, tents, or structures and shall not be of a size greater than 18 inches by 18 inches by 18 inches. Height of the fire shall be measured from the ground or from the bottom of the inside of the container being used to kindle the fire. Open burning shall not be kindled directly on the ground unless contained in a fire ring.

(d) Fire clearances and time restrictions. Outdoor fireplaces shall have 36 inches clearance from all combustibles when in use. Portable fire places, fire pits, or fire rings shall be extinguished in a residential area between the hours of 12:00 midnight and 8:00 a.m.

(e) Commercial barbecuing. Commercial barbecuing shall be permitted under the following conditions:

(1) The location has been approved by City of Dover Licensing and Inspections and the Fire Marshal and an Outdoor Public Gathering Permit has been obtained.

(2) One (1) fire extinguisher of not less than five (5) lbs. (pounds) ABC is to be located within ten (10) feet of the cooking area. Cooking area and cooking fuels shall be secured from public access.

(3) Approval from the Board of Public Health has been obtained.

(4) The operator shall make all reasonable attempts to avoid causing a nuisance to nearby property owners with smoke, fumes, or sparks.

(5) All compressed flammable gas containers used for cooking shall be secured in such a way as to prevent them from being knocked, tipped, or blown over.

Any commercial barbecuing operations which are a continual nuisance because of smoke, fumes, or sparks shall be terminated by the Code Official or Fire Marshal and the Outdoor Public Gathering Permit revoked until such time as the Director of Licensing and Inspections is satisfied that the problem has been corrected.

Barbecuing of any kind shall not be kindled within 200 feet of any fuel pump or storage tank fill. Cooking grease shall not be disposed of by placing it directly on the ground or in storm water drains.

(f) Prohibited - Multi-family residential dwelling units. In apartment buildings, condominiums, or any other multi-family residential dwelling of three (3) or more units by any other name, the storage of propane tanks inside units or on balconies is prohibited. Recreational barbecuing shall be prohibited on any balcony or under any overhanging portion or within 15 feet of any structure, except that the use of electrical ranges or electrical grills shall be permitted. The use of outdoor fireplaces on balconies is prohibited.

(g) Fines. Any owner, occupant, contractor, or body corporate found to be in violation of this section shall be issued a summons as provided for in Appendix F--Fees and Fines.

(h) Authority of the Fire Marshal. The Fire Marshal is authorized to impose a ban on open burning if weather conditions do not safely permit open burning. The Fire Marshal or Fire Officer shall order any fire extinguished that is deemed unsafe or not in compliance with Section 46-5 of the Dover Code.

ADOPTED: MARCH 28, 2011

Ordinance #2011-09 - 2011 Budget Revisions

Mr. Leary moved for adoption of Proposed Ordinance #2011-09 - 2011 Budget Revisions, seconded by Mr. McGiffin.

Mrs. Williams noted that the proposed ordinance includes both Budget Revisions and a Power Cost Adjustment, and relayed concerns with some of the items in the Budget Revisions; therefore, she requested consideration of the Power Cost Adjustment separately from the Budget Revisions.
Mrs. Williams moved to divide the motion by removing the Power Cost Adjustment (Line 288 of Ordinance #2011-09) from the Budget Revisions, seconded by Dr. McGlumphy.

Mr. McGiffin stated his concerns regarding "piecemeal" budgeting. He indicated that including the Power Cost Adjustment in the Budget Revisions presents them as a single package that encompasses all adjustments desired including the Power Cost Adjustment; therefore, he did not support the motion to divide.

For clarification, Council President Hogan stated that the motion before members at this time was to remove the Power Cost Adjustment from the Budget Ordinance to be voted upon separately. By voting in the affirmative, a separate vote would be required for the Power Cost Adjustment and the Budget Revisions.

The motion to divide the motion by removing the Power Cost Adjustment (Line 288 of Proposed Ordinance #2011-09) from the Budget Revisions failed by a roll call vote of seven (7) no and two (2) yes (Dr. McGlumphy and Mrs. Williams).

Referring to action taken by members earlier in the meeting regarding the Legislative, Finance, and Administration Committee Report on the Actuarial Pension for Fiscal Year 2010/11 and OPEB Benefit Rates for Fiscal Year 2011/12 Budget, Mr. Ruane noted that additional changes should be made to reflect the transfer of $732,455 to the Civilian Pension Plan, with $454,978 coming from the General Fund and $277,477 coming from the Electric Fund. He suggested that the Budget Revision Ordinance reflect these amendments in Lines 102 and 329. Responding, Mrs. Mitchell stated that her intention was to submit a separate budget amendment; however, she relayed no objections to the amendments being made at this time. She advised members that it would be necessary to revise the amount of $955,000 on Line 102 by adding $454,978, for a total of $1,449,978, and on Line 329, the amount of $833,000 by adding $277,477, for a total of $1,110,477.

Responding to Council President Hogan, Mrs. Mitchell explained that the amendments to Line 102 and 329 would increase the payment toward the unfunded liability.

Mr. Ruane moved to amend Proposed Ordinance #2011-09 by amending Line 102 by adding $454,978, for a total of $1,449,978, and Line 329 by adding $277,477, for a total of $1,110,477. The motion was seconded by Mr. Salters.

In response to Mr. DePrima, Mrs. Mitchell confirmed that the proposed amendment would create an automatic revision to the fund balances.

Mr. Leary expressed his desire for staff to submit a separate budget amendment to allow for a thorough review of the amendments.

The motion to amend Proposed Ordinance #2011-09 by amending Lines 102 and 329 to reflect the increased payments to the Pension Fund failed by a roll call vote of seven (7) yes and two (2) no (Mr. Salters and Mr. Ruane).

Responding to Mr. Ruane, Mr. DePrima stated that City Policy allows for a final budget amendment to be included as a part of the final budget presented to City Council.

The motion for adoption of Proposed Ordinance #2011-09 - 2011 Budget Revisions *(Exhibit #1)*, was carried by a roll call vote of seven (7) yes and two (2) no (Dr. McGlumphy and Mrs. Williams).

Ordinance #2011-07, with Staff Amendment #1, Amending Chapter 46 - Fire Prevention and Protection, Article III - Fire Codes, Section 46-126 - Fire Prevention Permit and Appendix F - Fees and Fines

Mrs. Williams moved for adoption of the Proposed Ordinance, seconded by Mr. McGiffin, and by a unanimous roll call vote, Council adopted Ordinance #2011-07 with Staff Amendment #1, as follows:

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

That Chapter 46 Fire Prevention and Protection, Article III - Fire Codes, Section 46-126 - Fire Prevention Permit, be amended to read as follows:

Sec. 46-126. Fire prevention permit.

(a) *Required*. It shall be unlawful to construct, enlarge, alter or demolish a fire protection system without obtaining a fire prevention permit.

(b) *Fee*. Each applicant for a fire prevention permit, including, but not limited to, sprinkler systems, fire alarms, hood suppression units, and tank installation, shall pay unto the city a permit fee as provided for in Appendix F - Fees and Fines, before such permit shall be issued.

(c) *Reinspections*. There will be no charge for the first reinspection of a permit. The applicant shall pay a fee for subsequent reinspections as provided for in Appendix F--Fees and Fines.

(d) *Fire signaling system inspection fee.* For each inspection of a fire alarm signaling system located within the jurisdiction of the City of Dover and conducted by a licensed company pursuant to Delaware State Fire Prevention Regulations, the licensed company shall submit a copy of the certificate of inspection for each fire alarm system to the City of Dover Fire Marshal's Office, along with a non-refundable fee, as provided for in Appendix F - Fees and Fines.

(e) *Fire suppression system inspection fee.* For each inspection of a fire suppression system located within the jurisdiction of the City of Dover and conducted by a licensed company pursuant to Delaware State Fire Prevention Regulations, the licensed company shall submit a copy of the certificate of inspection for each sprinkler riser to the City of Dover Fire Marshal's Office, along with a non-refundable fee, as provided for in Appendix F - Fees and Fines.

(f) *Doubling of fees*. Fees established in subsection (b) of this section shall be doubled in the event that a permit is applied for after construction has commenced without the permission of the fire marshal. The fire marshal shall waive the doubling of fees in cases where the permit applicant is not a professional contractor and the work is not being done by a professional contractor.

BE IT FURTHER ORDAINED THAT:

Appendix F - Fees and Fines, Chapter 46 - Fire Prevention and Protection, Article III - Fire Codes, be amended to read as follows:

Chapter 46 - Fire Prevention and Protection, Article III - Fire Codes			
Fees established in subsection (b) of this section shall be doubled in the event that a permit is applied for after construction has commenced without the permission of the fire marshal. The fire marshal shall waive the doubling of fees in cases where the permit applicant is not a professional contractor and the work is not being done by a professional contractor.			
Sec. 46-126	Fire Prevention Permit		
	Subsec. (b)	Fee; Each applicant for a fire prevention permit	$12.00 for each $1,000.00 of costs or multiple thereof of the fire protection system; provided that a minimum fee for each permit shall be $50.00
	Subsec. ©)	Reinspection	
		First reinspection	No charge
		Second reinspection	$25.00
		Third reinspection	$50.00
		Any subsequent reinspection	$100.00
	Subsec. (d)	Fire signaling system inspection fee	
		Certificate of inspection	$25.00 each fire alarm system
		Exception: apartment or other multi-family dwelling - five (5) or less buildings per complex	$25.00 each fire alarm system

		Exception: apartment or other multi-family dwelling - more than five (5) buildings per complex	$15.00 each fire alarm system up to a maximum of twenty (20) buildings. Maximum fee per complex not to exceed $300.00 for fire alarm systems
	Subsec. (e)	Fire suppression system inspection fee	
		Certificate of inspection	$25.00 each fire suppression system
		Exception: apartment or other multi-family dwelling - five (5) or less buildings per complex	$25.00 each fire suppression system
		Exception: apartment or other multi-family dwelling - more than five (5) buildings per complex	$15.00 each fire suppression system up to a maximum of twenty (20) buildings. Maximum fee per complex not to exceed $300.00 for fire suppression systems
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.			

ADOPTED: MARCH 28, 2011

COUNCIL MEMBERS ANNOUNCEMENTS

Council President Hogan announced that the Municipal Election will be held on Tuesday, April 19, 2011, between 7:00 a.m. and 8:00 p.m. The polling places are: Elks Lodge #1903, 200 Saulsbury Road - 1st and 4th Districts; Seventh Day Adventist Church, 647 Wyoming Avenue - 2nd District; and Dover Park Recreation Center, 1210 White Oak Road - 3rd District.

He noted that to be eligible to vote, residents must be registered to vote with the State of Delaware Department of Elections by Thursday, March 31, 2011. Absentee Ballots are available and further information can be obtained by visiting the City's website at www.cityofdover.com or by contacting the City Clerk's Office at 736-7008.

Council President Hogan also announced that City Council Meetings are rebroadcast on Verizon Channel 20 and Dover TV at www.cityofdover.com on Tuesdays and Thursdays at 7:00 p.m. and Saturdays at 11:00 a.m. He thanked Comcast for televising the City Council Meetings live and providing video for rebroadcast.

Mr. McGiffin reminded members to mark their calendars for June 25, 2011 for the next African American Festival.

Mr. Salters announced that the Sankofa African Dance Company, in collaboration with Pieces of a Dream, a Modern Dance Company from New Castle County, will present a dance concert at Delaware State University on Saturday, April 9, 2011, at 7:00 p.m. He stated that this is a free event, open to the public, and is suitable for all ages.

Mr. Salters also advised members that the Inner City Cultural League, along with the 100% Tobacco Free Corporation, will present basketball at the Pitts Center on Fridays at 5:00 p.m. beginning April 8, 2011. He stated that all youth are invited and that there is a league for: 1) ages 7-9, 2) 10-13, and 3) 14-17.

Mrs. Russell complimented Mr. McGiffin for his recent participation in the St. Patrick's Day benefit for the Dover Interfaith Mission.

By unanimous consent, Council President Hogan declared the meeting adjourned.

Meeting Adjourned at 8:51 P.M.

TRACI A. McDOWELL
CITY CLERK

All orders, ordinances, and resolutions adopted by City Council during their Regular Meeting of March 28, 2011, are hereby approved.

CARLETON E. CAREY, SR.
MAYOR

/TM/jg/js/dd/ac
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Exhibit to Original Minutes and File Copy
Exhibit #1 - Ordinance #2011-09 - 2011 Budget Revisions



GOVERNMENT FINANCE OFFICERS ASSOCIATION

Distinguished Budget Presentation Award

PRESENTED TO

City of Dover

Delaware

For the Fiscal Year Beginning

July 1, 2010

President

Executive Director

PROCLAMATION

WHEREAS, *J. Sterling Morton, a Nebraska pioneer, understood that trees were needed for fuel and building materials, for shade from the hot sun, and as windbreaks to keep soil in place; and*

WHEREAS, *J. Sterling Morton advocated tree planting by individuals and civic organizations and, on January 4, 1872, proposed a tree-planting holiday to be called "Arbor Day"; and*

WHEREAS*, the first holiday was set for April 10, 1872, with prizes being offered to counties and individuals for properly planting the largest number of trees and it was estimated that more than one million trees were planted in Nebraska that day; and*

WHEREAS, *in 1885, Arbor Day was named a legal holiday in Nebraska and April 22, Morton's birthday, was selected as the date for its permanent observance. Today, it is most common for Arbor Day to coincide with the best tree planting weather for the region; and*

WHEREAS, *the City of Dover was named a Tree City USA in 2010 for the twenty-first consecutive year by the National Arbor Day Foundation, recognizing Dover for its outstanding urban forestry program; and*

WHEREAS, *the City of Dover Planning and Inspections Department's Tree Planting and Preservation Ordinance has caused the planting of thousands of trees in all subdivisions and commercial sites since 1992 and the City has been aggressively planting street trees, which are trees planted between the curb and the sidewalk, in almost every available site in the City; and*

WHEREAS, *the Delaware State champion American Elm on The Green may be the only living witness to the United States Constitution Ratification enacted at the Golden Fleece Tavern 233 years ago, underscoring that the planting and caring for trees is a special gift that one generation passes down to the next.*

NOW, THEREFORE, I, CARLETON E. CAREY, SR., MAYOR OF THE CITY OF DOVER, DELAWARE, *do hereby proclaim April 23rd, 2011 as* ***ARBOR DAY*** *in the City of Dover, and urge all citizens to support the efforts to care for our trees along our streets, in our parks, and in our yards. As the City of Dover plants trees on public property, I urge all citizens to plant trees on their property to enhance the environment and promote the well-being of present and future generations.*

_____

CARLETON E. CAREY, SR.
Mayor

PETITION TO AMEND ZONING ORDINANCE TEXT
Public Hearing before the
Dover City Council
April 11, 2011

Proposed Zoning Change:	Amendment to *Zoning Ordinance*, Article 5 – Supplementary Regulations, (New) Section 20, and Article 12 - Definitions
Summary of Amendment:	Staff developed the proposed ordinance in support of the recommendation in the *2008 Comprehensive Plan*, to promote green energy and building practices by removing obstacles in the Building Code and *Zoning Ordinances*. The proposed ordinance would allow small wind energy systems and solar energy systems as an accessory use within all zoning districts. The proposed ordinance sets standards, such as height, setback, and screening, to ensure that placement of such structures protects the character of the surrounding area. In developing the proposed ordinance, staff reviewed the provisions of the State statute regarding small wind energy systems, which limits the ability of local governments to regulate these systems in residential districts. The standards set forth in the State statute are mirrored in the City's proposed ordinance. The proposed ordinance also adds definitions for "small wind energy systems" and "solar energy systems".
Recommendation of the Planning Commission:	Following a public hearing on March 21, 2011, where one member of the public submitted a letter with regards to proposed changes to the provisions relating to small wind energy systems, the Planning Commission unanimously voted to recommend approval of the proposed ordinance as presented (7 in favor, 2 absent).
Ordinance Number:	2011-01
File Number:	MI-11-02

Excerpt from the Planning Commission DRAFT Minutes of March 21, 2011:

MI-11-02 Text Amendments: Solar and Wind Energy Amendments - Public Hearing and Review and Action on a Recommendation to City Council regarding proposed amendments to the *Zoning Ordinance.* The proposed ordinance would allow solar energy systems and small wind energy systems as accessory uses in all zoning districts, and set standards for such systems within residential zones and non-residential zones. The proposed amendment adds a new Article 5 Section 20 to the *Zoning Ordinance* and additional definitions to Article 12. Ordinance #2011-01.

Representative: Staff

Mrs. Townshend provided an overview of the application

Mr. Holt questioned that what you are saying is if you put a wind power unit on your house it would be just for your house you could not be selling to your neighbors. Responding to Mr. Holt, Mrs. Townshend stated that yes, that is correct.

Mr. Tolbert stated that there are a lot of areas in Dover, because of the closeness of properties to each other they would not be able to put in that kind of wind power unit. Responding to Mr. Tolbert, Mrs. Townshend stated that this is correct. There are some places where it would not be feasible because the setback is essentially the height of the tower plus one blade so you are looking at probably fifty (50) feet from the property line. In some cases, that may not be a bad thing because this is one of those things where it is new area and is a challenge. If you are real close that's where you end up with neighbors complaining about the noise of your wind turbine.

Mr. Holt questioned if Staff had any action on this now with anyone putting them in? Responding to Mr. Holt, Mrs. Townshend stated that we have not had wind. If you drive up Saulsbury Road you can see that The Little School, NCALL, and the City of Dover's Electric Administration building have solar roof mounted solar panels. We were approached by a developer/property owner who owns a campus and they looked into putting solar panels on the roofs. Because of the design of the building, the roof would not have supported them. That is when they started looking at the idea of ground mounted and we determined that we need to set a standard because the Code was virtually silent on it because we have not had this.

Mr. Nichols questioned what is the height of a free standing tower for wind? Responding to Mr. Nichols, Mrs. Townshend stated that they are typically high; however, she does not know specifically, but her understanding is they tend to be about fifty (50) feet high. They would have to be setback by whatever the height of the tower plus one blade from the property line.

Mr. Nichols stated that there would be no wind at fifty (50) feet. The wind would not be there and would have to be higher than that. The big towers are 240 feet tall and the propeller blades are 240 feet in diameter and they are out where there is a lot of wind. There is hardly any place around here where the wind would be restricted and would never turn it. Responding to Mr. Nichols, Mrs. Townshend stated that anyone who is going to get a wind turbine for their house or for their business, it would be on them to determine what the specifications are. Again, wind varies depending on where you are so it would be on that person to determine if it is going to work for them and how high it would need to be. What we would look at is if it is determined that it needs to be seventy-five (75) feet then we would need to determine that it is seventy-five (75) feet plus the length of the blade from your property lines.

Mr. Tolbert stated that in this letter that we have, they make mention that there are devices that do not use those propeller type uses and that they may be better for some sites. Responding to Mr. Tolbert, Mrs. Townshend stated that it appears that way. In looking at the letter it appears that the turbines with the propellers are the types of systems that Mr. Malkiewicz is concerned about. However, that specifically is what the State statute gets at and severely limits our ability to limit them so unfortunately, we are not able to take something and change it from the minimum of what the State lets us do.

Mr. Hemmig questioned on line #36 Paragraph B under 24.12 regarding the sound not exceeding five (5) decibels above the existing average noise level, how would you ever determine that and how is it enforceable? Responding to Mr. Hemmig, Mrs. Townshend stated that this is where we just took what the State gave us. If we were going to have to do that we would have to get the measuring equipment or hire someone with that measuring equipment.

Mr. Tolbert questioned if the Police Department would have this measuring equipment for when they receive noise complaints? Responding to Mr. Tolbert, Mr. Koenig stated that this is different. This type of sound study would be similar to what they do on Federal road projects where there are Federal funds. If they have to do some noise attenuation studies you would hire that type of contractor and they have all kind of standards on how they measure decibels and what is average and what is not average. It is not cheap.

Mr. Hemmig stated that regarding Line #80 where it talks about the setbacks being one times the height for the propeller. No where around here is a maximum height stated; however, aren't there going to be some height restrictions with regards to the Air Force Base or FFA requirements on maximum heights of towers in City limits? Responding to Mr. Hemmig, Mrs. Townshend stated that the issue is that this is the area where the State preempted us on this. She does not believe that they can actually give a maximum height as long as it meets the setback. If there is something in terms of FFA with a small wind system they are not going to be high enough to get into the FFA concerns. She is not sure about the Air Force Base. The Air Force Base would have more concerns with a large wind energy system field. The idea is that these are going to be smaller because the generations are less.

Mr. Hemmig stated that he would like to talk about the removal of solar energy system that is not being used or is in disrepair. There is no timeframe given on how soon it has to be removed. Should we have something in there such as six (6) months? Responding to Mr. Hemmig, Mrs. Townshend stated that we had some extensive discussion about decommissioning and the concern was that once you set a time, the issue becomes when it comes into a state of disrepair then you address it. What we did not want to do, if for instance there is an accessory solar structure and it is maintained but it is not operational for whatever reason, as long as it is maintained and can be useable, immediately non-use is not the problem. The problem is when they start to deteriorate and then they become a nuisance. If we set a timeframe, we could end up causing something to be removed that could be fully functional if you change tenants.

Mr. Hemmig further stated that on Line #119 where you define small wind energy system you say primarily to reduce on-site consumption. That leaves them open for non on-site consumption? Responding to Mr. Hemmig, Mrs. Townshend stated that typically as she understands it, anywhere that people have solar or wind systems that are for that specific property, there are typically cycles where they may produce more than they need and then can

sell it back into the grid. She does not know if this is regulated by the Public Service Commission; however, there is a mechanism for doing that and becomes secondary when there is an excess that they are not using.

Mr. Hemmig opened a public hearing.

Mrs. Townshend stated that a letter was received from Michael J. Malkiewicz, Esquire who is a City resident. He wanted to bring a couple of issues to our attention. He talks about the height of the propeller. Windmills are sold that have vertical centrifugal wing devices rather than a propeller and the noise created by the propeller or the noise of the vibrations of the structure that the windmill is attached to. Damages caused by the structure and the windmill can come apart during a storm were issues of concern. Some of the windmills that can be purchased by residents and installed on their roofs or attached to their homes have given rise to nuisance complaints by neighbors who are bothered by the constant noise or thumping of the propeller. Essentially, his concern is the issue of windmills rather than centrifugal wing device; however, this is an area where the State has preempted us in terms of the legislation that they have passed.

Mr. Hemmig stated that we cannot add anything to say the tower plus any moving parts? Responding to Mr. Hemmig, Mrs. Townshend stated that the height is the tower plus the blade. In terms of something that spins horizontally and not vertically, we would end up looking at the overall height because it is not higher than the tower. In terms of the central part of his concern, she does not think that we are able to say that you cannot do the propellers.

Mr. Hemmig closed the public hearing after seeing no one else wishing to speak.

Mr. Ambruso moved to forward to City Council a recommendation of approval of MI-11-02 Text Amendments: Solar and Wind Energy Amendments, the proposed ordinance that would allow solar energy systems and small wind energy systems as accessory uses in all zoning districts and set standards for such systems within the residential and non-residential zones, seconded by Mr. Tolbert and the motion was unanimously carried 7-0 with Colonel Welsh absent and Mr. Friedman leaving at 9:26 PM.

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DAVID J. BEVER
OF COUNSEL

MEMO

TO: Members of the City of the Dover Planning Commission

RE: Proposed Plans and or Regulations Related to Solar Panels and Windmills

Date: March 21, 2011

I am a resident of the City of Dover. I understand that there is a hearing on the above matter scheduled on March 21, 2011. Unfortunately I am unable to attend.

As a courtesy to the City, I am bringing a couple of matters to your attention. I believe that if someone had to describe me, I would be put in the "environmentalist" category. I certainly do not oppose solar panels or the use of windmills to generate electricity, as long as there are detailed specifications and requirements that protect nearby properties in residential areas against nuisance related problems that can be caused by the use of windmills.

Having said the above I wanted to tell the planning commission that I am aware of problems that have been created by the use of windmills in residential areas. These problems include the height of the propeller (please note that there are windmills sold that have a vertical centrifugal wing device rather than a propeller), the noise created by the rotation of the propeller, the noise of the vibrations on the structures that the windmill is attached to as the propeller rotates, and damages caused when the structure and windmill come apart during a storm. Some of the windmills that can be purchased by residents and installed on their roofs or attached to their homes have given rise to "nuisance" complaints by neighbors who are bothered by the constant noise or "thumping" of the propeller and its accompanying vibrations. Some of the windmills are not very attractive and although I am not an appraiser, I believe that the presence of these windmills could lower the property value of residences adjoining or nearby the property on which the windmill has been placed.

I am sure that there are windmill restrictions that protect the public and it's property that could be authorized, and I suggest that the city take into consideration my comments and suggestions that there be a careful and specifically worded ordinance on these matters.

Sincerely,

BARROS, McNAMARA, MALKIEWICZ
& TAYLOR, P.A.

Michael J Malkiewicz

MICHAEL J. MALKIEWICZ, ESQUIRE

RECEIVED
MAR 21 2011
CITY OF DOVER
PLANNING & INSPECTIONS

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: MARCH 3, 2011

CITY OF DOVER
PUBLIC UTILITIES
DEPARTMENT

APPLICATION: **TEXT AMENDMENTS: SOLAR & WIND ENERGY AMENDMENTS**

FILE #: **MI-11-02**

REVIEWING AGENCY: **City of Dover Public Utilities Department**

CONTACT PERSON: **Steve Enss - Electric**
Sharon Duca, P.E. - Water, Wastewater, Stormwater

CONTACT PHONE #: **302-736-7070**

THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY'S AUTHORITY AND AREA OF EXPERTISE.

THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESSED BY THE APPLICANT:

CITY AND STATE CODE REQUIREMENTS

ELECTRIC / WATER / WASTEWATER

1. Our office has no objections to the proposed amendments.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

ELECTRIC / WATER / WASTEWATER / STORMWATER / GENERAL

1. None

ADVISORY COMMENTS TO THE APPLICANT

ELECTRIC / WATER / WASTEWATER / STORMWATER / GENERAL

1. Please be advised that the final location of these proposed structures will also need to meet other requirements within the code. For example, the Water / Wastewater Handbook states "No structures, including permanent signage, may be located within ten feet (10') of water and wastewater utility infrastructure."

IF YOU HAVE ANY QUESTIONS OR NEED TO DISCUSS ANY OF THE ABOVE COMMENTS, PLEASE CALL THE ABOVE CONTACT PERSON AND THE PLANNING DEPARTMENT AS SOON AS POSSIBLE.

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: March 10, 2011

D E L D O T

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APPLICATION: Solar and Wind Energy Amendments
FILE#: MI-11-02 REVIEWING AGENCY: DelDOT

CONTACT PERSON: Julio F. Seneus PHONE#: 760-2145

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THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY'S AUTHORITY AND AREA OF EXPERTISE.

THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESSED BY THE APPLICANT:

CITY & STATE CODE REQUIREMENTS:

1. DelDOT has no comments.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

ADVISORY COMMENTS TO THE APPLICANT:

- Solar panel structures will not be allowed to be placed within the State's right-of-ways.

If you have any questions or need to discuss any of the above comments, please call the above contact person and the planning department as soon as possible.

FINAL READING

CITY OF DOVER
PROPOSED ORDINANCE #2011-01

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

That Appendix B - Zoning, Article 5 – Supplementary Regulations be amended by adding a new section 20 as follows:

Section 20. Solar and small wind energy systems.

Solar energy systems and small wind energy systems shall be permitted as accessory uses within all zones subject to the following requirements:

20.1 *Residential Zones*.

20.11 Solar energy systems shall be subject to the following:

(a) Ground-mounted solar energy systems shall be permitted only in the rear yard.

(b) Ground-mounted solar energy systems shall be set back a minimum of five feet from side and rear property lines, or the height of the tallest point on the system, whichever is greater.

(c) Ground-mounted solar energy systems shall not exceed 15 feet in height.

(d) Ground-mounted solar energy systems shall be visually screened from adjacent properties to a height of six feet by either an opaque fence or a dense vegetative screen.

(e) All exterior electrical and/or plumbing lines must be buried below the surface of the ground and placed in a conduit.

(f) Roof-mounted solar energy systems must comply with all building height requirements for the zoning district where the system is to be installed.

20.12 Small wind energy systems in residential zones shall be subject to the following restrictions:

(a) Small wind energy systems shall be set back 1.0 times the turbine height from adjoining property lines. Turbine height means the height of the tower plus the length of one blade.

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(b) The aggregate noise or audible sound of a small wind energy system shall not exceed five decibels above the existing average noise level of the surrounding area and shall be restricted to a maximum of 60 decibels measured at any location along the property line of the parcel where the small wind energy system is located.

(c) Small wind energy systems shall be free from signage, advertising, flags, streamers, decorative items, or any item not related to the operation of the wind turbine. Electric wiring for the turbines shall be placed underground for non-building integrated systems.

(d) Small wind energy systems shall not be permitted within the H (Historic District) Zone.

(e) Any small wind energy system shall be visually screened to a height of six feet by either an opaque fence or a dense vegetative screen from any properties or structures included on the National Register of Historic Places.

20.2 Non-Residential Zones.

20.21 Solar energy systems shall be subject to the following:

(a) For the purposes of this subsection, a use is considered accessory if it is located within a complex or campus that includes one or more contiguous lots under common ownership and management, where the principal use of the complex or campus is other than a solar energy system, and the energy generated by the solar energy system is intended to primarily reduce on-site consumption of utility-supplied energy.

(b) Ground-mounted solar energy systems shall not occupy more than 30 percent of the lot area of the complex or campus for which the solar energy system is proposed.

(c) If ground-mounted solar energy systems are proposed to occupy more than 30 percent of the lot area of the complex or campus, their placement shall be subject to conditional use approval by the Planning Commission.

(d) Ground-mounted solar energy systems shall not be located between the principal structure and the street upon which the principal structure fronts.

(e) All exterior electrical and/or plumbing lines must be buried below the surface of the ground and placed in a conduit.

(f) Solar energy systems, whether roof-mounted or ground-mounted, must comply with all building setback and height requirements for the zoning district where the system is to be installed.

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20.22 Small wind energy systems shall be subject to the following restrictions:

(a) Small wind energy shall be set back 1.0 times the turbine height from adjoining property lines. Turbine height means the height of the tower plus the length of one blade.

(b) The aggregate noise or audible sound of a wind system shall not exceed five decibels above the existing average noise level of the surrounding area and shall be restricted to a maximum of 60 decibels measured at any location along the property line to the parcel where the small wind energy system is located.

(c) Small wind energy systems shall be free from signage, advertising, flags, streamers, decorative items, or any item not related to the operation of the wind turbine. Electric wiring for the turbines shall be placed underground for non-building integrated systems.

(d) Small wind energy systems shall not be permitted within the H (Historic District) Zone.

(e) Any small wind energy system shall be visually screened to a height of six feet by either an opaque fence or a dense vegetative screen from any properties or structures included on the National Register of Historic Places.

20.3 *Decommissioning.*

Solar energy systems and/or small wind energy systems must be maintained and kept in a state suitable for immediate operation. When it can be demonstrated that a solar energy system or small wind energy system, as approved in accordance with this section, is in a state of disrepair and is not suitable for immediate operation, that system shall be removed and the accessory use terminated.

BE IT FURTHER ORDAINED:

That Appendix B – Zoning, Article 12 – Definitions, be amended to add the following definitions:

Solar energy system. Any solar collector or other solar energy device, or any structural design feature, mounted on a building or on the ground, and whose primary purpose is to provide for the collection, storage, and distribution of solar energy for space heating or cooling, for water heating, or for electricity.

Small wind energy system. A wind energy conversion system consisting of a wind turbine, a tower, and associated control or conversion electronics which is intended to primarily reduce on-site consumption of utility-supplied energy.

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SYNOPSIS

The proposed ordinance adds solar energy systems and small wind energy systems as accessory uses within all zoning districts; sets standards for these systems to ensure protection of the character of the zones, as well as public health, safety and welfare; and adds definitions for such systems to the *Zoning Ordinance*.

Actions History:

April 11, 2011	–	Proposed Public Hearing/Final Reading - Council
March 21, 2011	–	Planning Commission Review
February 14, 2011	–	First Reading – Council
January 24, 2011	–	Reconsidered by Utility Committee
January 10, 2011	–	Introduced at Utility Committee and referred back to staff for changes

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PROPOSED AMENDMENTS TO THE *2008 COMPREHENSIVE PLAN*

Public Hearing before the
Dover City Council
April 11, 2011

Proposed Amendment to the
2008 Comprehensive Plan
Part B:

A summary of the proposed amendment to the *2008 Comprehensive Plan* follows. A detailed description and analysis of the proposed amendment is provided in the following pages of this report.

- **Land Use Classification Change from Industrial to Residential High Density (Map 12-1):** This is an applicant-initiated request to change property from an Industrial and Public Utilities land use classification to a Residential High Density land use classification. The property is located north of College Road, just east of the railroad tracks. (Z-11-02)

  This proposed amendment was initially part of the amendments reviewed at the February 22, 2011 meeting of the Planning Commission, but it was delayed due to an administrative error involving the associated rezoning application.

- **Land Use Classification Change from Institutional to Residential High Density (Map 12-1):** This is an applicant-initiated request to change property from an Institutional land use classification to Residential High Density land use classification. The property is located at 101-405 Dove View Drive, just north of Delaware Route 8 between Saulsbury Road and the Modern Maturity Center. It was previously approved under a PND: Senior Citizen Housing Option, as senior apartments. The applicant wishes to develop as apartments without an age restriction. (Z-11-03)

  City Council held a public hearing on March 14, 2011, City Council held a public hearing, following which they deferred action on this requested amendment, pending a decision from the Planning Commission on the cross-access requirement between the DoveView site and the Modern Maturity Center.

Ordinance Number: 2011-08

File Number: MI-11-01B

Project Background:

The *2008 Comprehensive Plan* was adopted by City Council on February 9, 2008, and subsequently amended on November 23, 2009 in conjunction with the 2009 Comprehensive Rezoning Project. As adopted, the *Comprehensive Plan* sets forth a process by which the *Comprehensive Plan* can be amended on an annual basis. Amendments to the *Comprehensive Plan* can be initiated by staff or requested by members of the public. For amendments to the *Comprehensive Plan* that involve rezoning of property, the requests are processed concurrently.

The process to amend the *Comprehensive Plan* is detailed in the *2008 Comprehensive Plan*, Chapter 15: Implementation, specifically on pages 183 and 184 of the Plan.

The proposed amendment was initially part of the series of amendments reviewed by the Planning Commission on February 22, 2011, but due to an administrative error involving the associated rezoning application, the proposed amendment was delayed, along with the rezoning application.

The attachments include: Map 12-1B – Amendments to the Land Development Plan Map and a table titled "2011 City of Dover Land Development Plan Map Changes 12-1". This table lists the parcels proposed to be amended in the proposed amendments to the *2008 Comprehensive Plan.*

Land Use Classification Change from Industrial to Residential High Density (Map 12-1)

This proposed amendment is an applicant-initiated amendment, where the applicant is requesting that certain properties located north of College Road to the east of the railroad tracks be changed from Industrial and Public Utilities land use classification to Residential High Density land use classification. This is associated with application number Z-11-02 Lands of College Road Management at Railroad Avenue. The affected parcels include the following:

- ED-05-067.00-02-53.00-000
- ED-05-067.00-02-54.00-000
- ED-05-067.00-02-55.00-000
- ED-05-067.00-02-56.00-000

According to the applicant:

> *The property is currently zoned industrial/manufacturing. It is adjacent to residential zoning and institutional zoning (Delaware State University). Its zoning as RG-5 is the same as a large adjacent parcel (Mishoe Towers). As such, the proposed comprehensive plan amendment and zoning is more compatible with neighboring uses. It is a unique isolated parcel, not likely to result in an undesirable precedent for other parcels. The pattern of development as high density residential is more consistent with surrounding development than would be manufacturing.*

The subject parcel is a somewhat land-locked group of parcels, bound on the west by the railroad tracks, on the south by College Settlement and Mishoe Towers, on the east by Fork Branch, and on the north by a large agricultural parcel that lies in Kent County. There are a number of

unimproved and/or marginally improved platted streets that connect the parcels with College Road, both along the railroad tracks and through College Settlement. The subject property was annexed into the City in 2006, and was the subject of subdivision application number SB-08-01C – College Road Professional Park. This proposed subdivision did not proceed to the preliminary or final phases of subdivision, and has expired.

There are a number of constraints on the site that would need to be addressed in the context of a development application for the site. These include: access, brownfield considerations, and the presence of flood plain and wetlands along the stream corridor.

Regarding High Density Residential uses, on Chapter 12 – Land Development, page 147 and 148, the *2008 Comprehensive Plan* recommends the following:

> The Comprehensive Land Development Plan recommends that high density residential be dispersed throughout the City along arterial roadways in close proximity to other high-density residential uses, schools, neighborhood commercial areas, transit service, and other compatible non-residential land use areas. High density residential development is also appropriate in some areas of the downtown, most of which are shown as mixed use on the Land Development Plan.

The subject site is located along College Road, which is identified as an Urban Minor Arterial in the *2008 Comprehensive* Plan. It is within proximity to North Dover Elementary School, Delaware State University, a number of employers, other high density residential development, and transit service. However, the railroad tracks provide an impediment to accessing some of these services by foot. There is no supporting commercial use in the immediate vicinity. Additionally, the limited road access to the site combined with the environmental constraints make it less suitable for high density residential development. Apartments could be constructed on the site under a medium density zoning classification. Based on the recommendations of the *2008 Comprehensive Plan* relative to medium density residential versus high density residential, a medium density residential designation would support up to eight dwelling units per acre, while high density designation would support density greater than eight dwelling units per acre.

While in most cases, changing the land use designation from Industrial and Public Utilities would be viewed as hindering opportunities for economic development, in this case, site access will likely include using the street system in College Settlement, a residential area.

Land Use Classification Change from Institutional to Residential High Density (Map 12-1)

This proposed amendment is an applicant-initiated amendment, where the applicant is requesting that certain properties located north of Forrest Avenue (Delaware Route 8) west of Saulsbury Road be changed from Institutional land use classification to Residential High Density land use classification. This is associated with application number Z-11-03 Lands of CRM Mid-Atlantic, LLC. The affected parcel is ED-05-076.07-01-30.00-000.

According to the applicant:

> *Doveview was approved by the City as an aged restricted apartment complex under the Planned Neighborhood Design Senior Housing Option. The approved project*

> *consists of 192 units within 4 – four story buildings. Construction stopped in 2008, leaving two partially completed, four-story buildings. CRM Mid-Atlantic obtained ownership of the project through foreclosure proceedings. As the senior housing market is no longer financially viable due to current economic conditions, CRM Mid-Atlantic LLC requests that a comprehensive plan amendment and change in zone to allow the apartments to be rented by the general public. The current land use designation and zoning are institutional and institutional/office (IO), respectively. CRM Mid-Atlantic LLC seeks a change in the land use designation to high density residential, and to rezone the property to general residence (RG-5). RG-5 is the only zone that will permit the existing four story apartment buildings to remain without requiring a variance in the height and number of stories from the Board of Adjustment. Although RG-5 allows for higher density (approx 326 units), the number of units that can actually exist on this property is dictated by the parking requirements in the zoning code. Doveview (as approved) has 246 parking spaces, which is 1.3 spaces per unit. Rezoning to RG-5 requires 2.25 parking spaces per unit. Doveview is located in an area surrounded by commercial, institutional, and residential uses. The requested zoning is consistent with the goals of the Comprehensive Plan because Doveview is close to services, jobs, and transit.*

The subject parcel was previously approved as DoveView Apartments, a Planned Neighborhood Design – Senior Citizen Housing Option. Under the provisions of the *Zoning Ordinance* in Article 3 §24 for the Planned Neighborhood Design Option (File Number C-03-08 and C-06-02), a property zoned IO (Institutional and Office Zone) is permitted to be considered for development with the PND: Senior Citizen Housing Option through the Conditional Use review process.

The DoveView PND – Senior Citizen Housing Option plan included 192 dwelling units in four four-story apartment buildings. The plan as approved would include 246 parking spaces and an overall density of 28.52 dwelling units per acre.

The City issued building permits for the four buildings that make up DoveView in late 2007 and early 2008. Construction began on two buildings and ultimately ceased. The property went into foreclosure and is now owned by CRM Mid-Atlantic, LLC (Sun Trust Bank). Because construction ceased for more than one year, the site development plan associated with DoveView has expired (*Zoning Ordinance,* Article 10 §2.491(a)). Site development plan approval is required prior to initiation of any construction activity on the site, regardless of the outcome of the request to amend the *Comprehensive Plan*.

Regarding High Density Residential uses, on Chapter 12 – Land Development, page 147 and 148, the *2008 Comprehensive Plan* recommends the following:

> The Comprehensive Land Development Plan recommends that high density residential be dispersed throughout the City along arterial roadways in close proximity to other high-density residential uses, schools, neighborhood commercial areas, transit service, and other compatible non-residential land use areas. High density residential development is also appropriate in some areas of the downtown, most of which are shown as mixed use on the Land Development Plan.

The subject site is located off Saulsbury Road and Delaware Route 8, both of which are identified as Urban Minor Arterials in the *2008 Comprehensive Plan.* It is also within proximity (walking distance) to schools (Booker T. Washington Elementary School, William Henry Middle School, and the Academy of Dover), commercial areas (including the TD Bank and Walgreens Drug Store on adjacent parcels and the Gateway West Shopping Center to the south, across Forrest Avenue), transit service, and other services (including medical offices).

Recommendation of the Planning Staff and Planning Commission:

Land Use Classification Change from Industrial to Residential High Density (Map 12-1)
Staff recommended against changing the land use classification of properties north of College Road from Industrial and Public Utilities to Residential High Density. Staff supported amending the Land Development Plan Map in this area to Residential Medium Density land use classification. (#18-21 on Table: 2011 City of Dover Land Development Plan Map Changes 12-1)

The reason that staff supported Residential Medium Density rather than Residential High Density relates to the constraints inherent in the site, particularly site access and environmental constraints. While the site does have access to transit and proximity to some services, site access, environmental constraints, and the lack of commercial and other supporting services make it less suited for high density residential development. Because access to the site would most likely be provided through College Settlement, the request for a residential use is more compatible with the area than the current Industrial and Public Utilities classification. Adequate access to the site must be addressed in any subsequent development application.

Staff recommendations were made prior to public hearing. At the Planning Commission meeting on March 21, 2011, the applicant made the case in favor of a Residential High Density land use classification, stating that the type of apartment building permitted in a high density residential zone would have less impact on the sensitive resources on the site. He stated that the bulk standards and features on the site would prevent the full utilization of high density on the stie, but would give design flexibility that would allow for less impact on the environmental resources on the site. Following a public hearing before the Planning Commission on March 21, 2011, the Planning Commission unanimously voted to recommend that the City Council approve the requested Comprehensive Plan amendment from Industrial to Residential High Density land use classification.

Land Use Classification Change from Institutional to Residential High Density (Map 12-1)
Staff recommends in favor of changing the land use classification of property north of Forrest Avenue and west of Saulsbury Road, known as DoveView from Institutional to Residential High Density land use classification. Staff also believes that the proposed rezoning supports the articulated need for affordable housing within the City of Dover. This need is articulated in the *2008 Comprehensive Plan*, and has also been consistently articulated by City Council at their annual retreats. (#17on Table: 2011 City of Dover Land Development Plan Map Changes 12-1)

The location of the site near the intersection of two Urban Minor Arterial streets, within walking distance to a variety of goods and services, and served by public transportation, make this a suitable site for high density residential development. Additionally, one of the challenges

typically encountered when considering high density residential development is the resistance from residential neighbors living in lower density residential developments. This location is not directly adjacent to other, lower density residential development that would generate these types of conflicts.

Staff recommendations were made prior to the public hearing before the Planning Commission. Following a public hearing on February 22, 2011, where several members of the public spoke with regards to the requested Land Development Plan change, the Planning Commission voted to recommend in favor of the proposed amendments to the *2008 Comprehensive Plan* with seven members voting in favor and two members absent.

On March 14, 2011, City Council held a public hearing on the proposed amendments to the 2008 Comprehensive Plan, where members of the public expressed concern about the required cross-access drive between the Modern Maturity Center and the DoveView site if the DoveView apartments were to be open to non-senior citizen residents. Following the public hearing, City Council moved to defer action until the Planning Commission had considered a request by the Modern Maturity Center to eliminate the cross-access requirement between the sites. On March 21, 2011, after a public hearing where members of the public testified with regards to this request, the Planning Commission voted to eliminate the requirement for a cross-access drive, continuing to require a cross-access path for pedestrians and golf carts, with seven members in favor, one member voting in opposition of the motion, and one member absent.

Attachments: Map 12-1B Land Development Plan Proposed Amendments
Map 12-1A Land Development Plan
Table entitled “2011 City of Dover Land Development Plan Map Changes 12-1”
Excerpt from DRAFT Planning Commission Minutes of March 21, 2011
Excerpt from Planning Commission Minutes of February 22, 2011



City of Dover, Delaware

Map 12-1B
Land Development Plan
Proposed Amendments

Legend

- Residential High Density
- Dover Boundary
- Dover Parcels

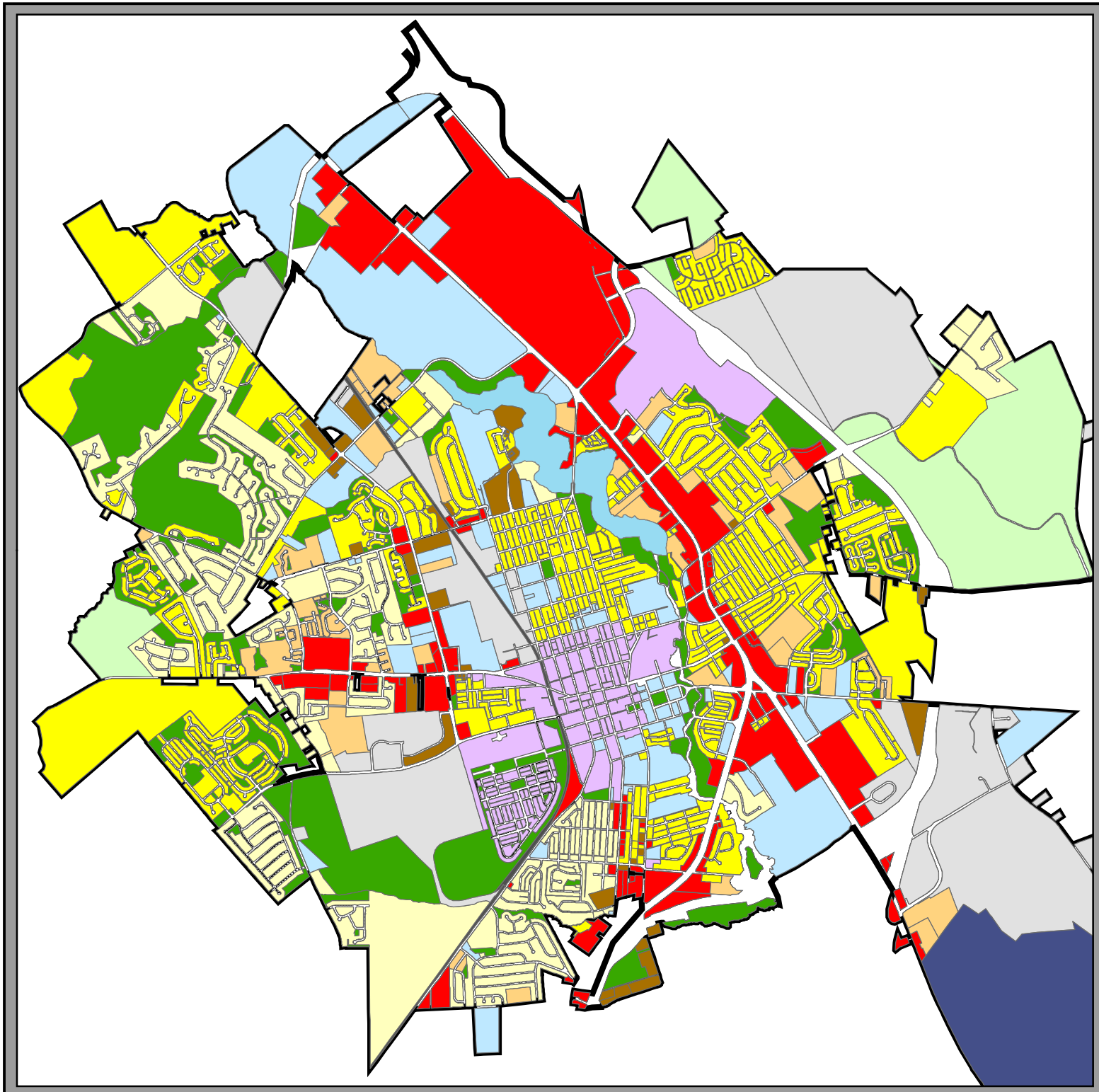
Adopted February 2009

0 1,100 2,200 4,400 6,600 8,800 Feet

Map Created By:
Planning Office
Date Map Created: 12-14-10
Date Map Printed: 3-30-11

City of Dover, Delaware

Map 12-1A
Land Development Plan



Legend

- Active Agriculture
- Commercial
- DoverAFB
- Industrial and Public Utilities
- Institutional
- Mixed Use
- Office
- Open Space, Conservation, Recreation
- Residential High Density
- Residential Low Density
- Residential Medium Density
- Train Track
- Water
- Dover Boundary
- Dover Parcels

Adopted February 2009

0 1,100 2,200 4,400 6,600 8,800 Feet

Map Created By:
Planning Office
Date Map Created: 12-14-10
Date Map Printed: 3-30-11

2011 City of Dover Land Development Plan Map Changes 3-30-11 (MI-11-01)

ID	Parcel #	Property Address	Existing Land Use Classification	Proposed Land Use Classification	Use	Current Zoning	Proposed Zoning	Reference	Staff Recommendation	Planning Commission Recommendation	City Council Action
17	ED-05-076.07-01-30.00	101-405 DoveView Dr.	Institutional	Residential High Density	Vacant	IO	RG-5	Z-11-03	Residential High Density	Residential High Density	
18	ED-05-067.00-02-55.00	College Settlement	Industrial	Residential High Density	Vacant	M	RG-5	Z-11-02	Residential Medium Density	Residential High Density	
19	ED-05-067.00-02-54.00	College Settlement	Industrial	Residential High Density	Vacant	M	RG-5	Z-11-02	Residential Medium Density	Residential High Density	
20	ED-05-067.00-02-53.00	Grove St.	Industrial	Residential High Density	Vacant	M	RG-5	Z-11-02	Residential Medium Density	Residential High Density	
21	ED-05-067.00-02-56.00	College Settlement	Industrial	Residential High Density	Vacant	M	RG-5	Z-11-02	Residential Medium Density	Residential High Density	

Excerpt from DRAFT Planning Commission Minutes of March 21, 2011

MI-11-01 Comprehensive Plan Amendments 2011 (Part B) - Public Hearing and Review for Recommendation to City Council of an Amendment to the *2008 Comprehensive Plan*, as amended, for a request to revise the Land Use Classification associated with a series of properties of application Z-11-02. Ordinance #2011-08. *Consideration of this request for Land Use Classification revision (Items #18-21) associated with rezoning application Z-11-02 was rescheduled at the February Planning Commission Meeting.*

Z-11-02 Lands of College Road Management Inc, Kent Storage Facilities Inc. & Loralex Company, LLC at Railroad Avenue - Public Hearing and Review for Recommendation to City Council on a rezoning application consisting of four parcels of land totaling of 30.78 acres ±. The property is currently zoned M (Manufacturing Zone). The proposed zoning is RG-5 (General Residence Zone for Mid-rise Apartments). The subject property is located north of College Road and east of the railroad corridor and Railroad Avenue. The owners of record are College Road Management Inc., Kent Storage Facilities, LLC and Loralex Company, LLC. Property Addresses: Grove Street and Railroad Avenue. Tax Parcels: ED05-067.00-02-53.00-000, ED05-067.00-02-54.00-000, ED05-067.00-02-55.00-000, and ED05-067.00-02-56.00-000. Council District 4. Ordinance #2011-04. *This application was removed from the February Meeting agenda due to complications with the Public Notice requirements.*

Representative: Conny Malmberg, Principal of the Project.

Mrs. Townshend stated the proposed amendment to the *2008 Comprehensive Plan* Part B, as you recall, this was pulled from the list of amendments from last month due to an error in public notice, no fault of the applicant. This is a request to change the Land Use Classification from Industrial to Residential High Density on property adjacent to Railroad Avenue and Grove Street just north of College Road behind College Settlement. The application includes four (4) parcels of land currently zoned IPM and shown as Industrial in the Comprehensive Plan. It did come forward to the Planning Commission as a manufacturing subdivision for a builder/contractor yard or something of that nature. The challenge was that the only access was adjacent to the railroad tracks which created issues with DelDOT approvals in terms of queuing on the tracks and being an unsafe condition. The only other potential access is to come through College Settlement. The applicant is requesting to change the Land Development Plan to allow for High Density Residential because since they will need to take access through a residential community, a residential use would be more appropriate than an industrial use.

Mrs. Townshend further stated that again, the Comprehensive Plan recommends that High Density Residential be dispersed throughout the City along arterial roadways in close proximity to other High Density Residential uses, schools, neighborhood commercial areas, transit service, and other compatible non-residential land use areas. In terms of this particular property, it is located just off of College Road which is identified as an urban minor arterial in the Comprehensive Plan. It is near but across the railroad tracks from North Dover Elementary School. It is also near Delaware State University. A number of employers include the College Road Business Park adjacent to the site and on the other side of the railroad tracks are other high density residential development and transit services. The railroad tracks do impose somewhat of an impediment accessing these services by foot. There is no neighborhood commercial in the immediate location. There is limited road access. Access will need to be addressed at the time of development and there are environmental constraints that could make it less suitable for high density. There are significant woodlands on the eastern portion of the site wetlands as well. It is adjacent to the Fork Branch Natural area.

Mrs. Townshend further stated that Staff would suggest that Medium Density Residential would be more appropriate and that would allow for up to eight dwelling units per acre. High Density would support more than that. We do believe that residential is more appropriate because the access will need to take place through the residential development of College Settlement.

Mr. Malmberg stated that the original plan that we did some engineering on was an industrial yard or a contractor's storage yard. There is a lot of need for that because of restrictions, especially the County on outdoor storage on people's lots and houses. With regards to contractor equipment, we went through the process with DelDOT and their concern was that left turning traffic onto the existing industrial road which is Railroad Avenue has a fifty-five foot wide access which would be adequate. We would be queuing on the railroad tracks that are immediately to the left of the four (4) parcels that make up this application except for the one in the middle which is Mishoe Towers. Left hand turning traffic would be queuing on the railroad tracks and they were concerned with big vehicles. There was really no good way of getting in there. We looked at jug handles and things like that and there was just no good right-of-way to make it work. The College has tried to purchase the property a couple of times, but has never been able to get it together to pull the trigger so that caused a lot of the delay between then and now. We need to move forward and are looking for a reasonable use of the property. High Density Residential made the most sense to them and requires access again for safety reasons not most likely down Railroad Avenue but through College Development or Grove Street that would require some improvements on our part. DelDOT disfavors if not actually prohibits industrial traffic through residential neighborhoods. It is fairly obvious that it had to be residential since we cannot access it very well for industrial purposes down Railroad Avenue and it does not make sense to go through the residential neighborhood. Staff supports the change in zoning from its current Industrial use. He questioned if he is doing their zoning and the Comprehensive Plan change together?

Responding to Mr. Malmberg, Mrs. Townshend stated that it is two separate public hearings; however, the case is the same for both so you can address both now.

Mr. Malmberg further stated that the Planning Department supports the residential use because of the logical reasons that he just illustrated. The only difference we have is whether it is High Density Residential or Medium Density Residential and the reasons that they suggest Medium Density Residential are reasons that I would suggest you support High Density Residential. The site has a very distinct drop-off almost like a cliff with it being a fairly high site and then it drops off significantly down to the stream that runs down underneath the bridge next to DSU. The site is contiguous to DSU and the site is about thirty (30) acres. Twelve to thirteen of those acres are on the other side of the drop off which is basically all wetlands which leaves about seventeen (17) acres. Three (3) of those seventeen acres are under restriction until 2019 for monitoring because a long time ago part of this site was used for encasing bad stuff, some sort of hazardous materials in concrete and then shipping it out. There are monitoring wells on those three acres of the site which makes them unusable for the next eight (8) years. Because of other constraints of setbacks and things like that, by the time you factor all those things in, engineering, roadways, and parking, we would not request and would commit to not putting more units in there than would be allowable under the Medium Density Residential which is 240 apartment units; however, we need a high density zoning classification so that we can achieve that because without that because of design constraints, he does not think with three story garden style apartments were permitted under the zoning classification suggested by Staff, we would be able to achieve the density. We would commit to not exceeding the 240 units which

Staff is okay with; however, we would like the design ability to design buildings that would allow us to achieve those 240 units.

Mr. Malmberg further stated that a couple of things that would suggest that you support this position are that this is on an arterial roadway which is supportive of the high density zoning that has been requested. There is, as noted by the Staff report, the transit services available. It says it is not supporting commercial use; however, this property is adjacent to DSU and less than a mile from the Acme Shopping Center and Dover Downs. It is a logical place for this use of the property and for construction and design we think it is important to have the High Density Residential zoning that we have requested.

Mr. Holt questioned that they would rather go with the High Density than the Medium Density is that correct? Responding to Mr. Holt, Mr. Malmberg stated that the request is for RG-5 and was surprised that it was not supported by the Planning Staff. Responding to Mr. Malmberg, Mrs. Townshend stated that the height issues would prevent, without a PND, clustering of the density in a taller building.

Mr. Friedman stated that his understanding in reading that the Staff's concerns were primarily the environmental constraints and those are defined specifically as the cliff drop off and the wetlands that reside below. Responding to Mr. Friedman, Mrs. Townshend stated yes, these were the concerns.
Mr. Friedman stated that with regards to the limited street access, he did not quite understand that. Are we talking about percentage, could you explain further? Responding to Mr. Friedman, Mrs. Townshend stated that they are not public streets so there is quite a bit that needs to be figured out.

Also responding to Mr. Friedman, Mr. Koenig stated that not to mention that they are not public streets; however, there is property that is not actually in City limits so there is property that is located in Kent County. These are paper streets that were platted many, many years ago and in some cases, there may be encroachments on those platted paper streets. The City has not monitored this because the streets are located in Kent County. There are a number of challenges related to access to the property that would have to be resolved for future development.

Mr. Hemmig questioned did you do the calculations for how many units you could build with Medium Density versus High Density? Responding to Mr. Hemmig, Mr. Malmberg stated that Medium Density is easy to figure out; it is eight (8) units per acre and there is thirty (30) acres so it is 240 units. High density he does not even know if there is a density limit.

Also responding to Mr. Hemmig, Mrs. Townshend stated that High Density is based on the minimum square footage which is 900 square foot per unit; however, the arithmetic only gets you so far because as Mr. Malmberg indicated, once you factor in certain things like parking. Interjecting Mr. Malmberg stated that his figure would be forty-five (45) units per acre and unless we are going to build a skyscraper that is not going to happen. He would be willing to commit to not creating more than the 240 units which would be under the Medium Density category. It just gives us more design flexibility for buildings that could actually get to that point if we are down to a useable twelve (12) acres.

Mrs. Townshend stated that we cannot, through the zoning process, restrict any commitments made during the rezoning process. It cannot be enforced as conditions on a development application. That becomes the challenge; however, again the site restraints are going to push

down the density from a theoretical density of forty-five (45) units because the land area is not there to support it once you take out the restrained portions. The other option would be under the Medium Density zoning classification a Planned Neighborhood Design could be implemented to allow for the bulk standard waivers to get that density higher up.

Mr. Hemmig stated that we essentially have a situation where we have to take Mr. Malmberg's word for it, if we allow High Density that he will not exceed 240 units.

Mrs. Townshend stated that you can do two public hearings at once consecutively since we discussed both matters.

Mr. Hemmig opened the public hearing for MI-11-01 Comprehensive Plan Amendments 2011 (Part B) and after seeing no one wishing to speak closed the public hearing.

Mr. Hemmig opened a public hearing for Z-11-02 Lands of College Road Management, Inc., Kent Storage Facilities Inc & Loralex Company, LLC at Railroad Avenue.

Mr. James Galvin – Staff Member of Kent County MPO – Stated that in the comments that they made on the rezoning application, which we technically do not do, one of the things that we are concerned about is maintaining rail access into the City and County. The fact that this property is immediately adjacent to the rail line and they share a right-of-way, the MPO would like to see some kind of buffer between the rail line and the residential units. He is not sure how you could use the property, but something to make it part of the project so that you do not have the immediate nuisance of the rail with the residents of the property.

Mr. Hemmig closed the public hearing after seeing no one else wishing to speak.

Mr. Hemmig stated that this is one of his major concerns as well and apartment complex right next to the railroad tracks. He has the occasion to be in JP Court quite often and that is a brick building of masonary construction and it is a good 100 feet away from the railroad tracks and that building shakes like crazy when a train comes through even at a very slow speed. He does not know why anyone would want to live in an apartment right next to railroad tracks. Will you be able to meet the MPO's recommendation of the buffer?

Responding to Mr. Hemmig, Malmberg stated that he assures you that it would be in both the uses best interest as well as the railroads best interest to give as much separation as possible for the reasons that you just stated.

Mr. Friedman moved to forward to City Council approval of MI-11-01 Comprehensive Plan Amendments 2011(Part B) from Industrial to Residential High Density, seconded by Mr. Tolbert and the motion was unanimously approved 8-0 with Colonel Welsh absent.

Excerpt from Planning Commission Minutes of February 22, 2011

MI-11-01 Comprehensive Plan Amendments 2011 - Public Hearing and Review for Recommendation to City Council of a series of Amendments to the *2008 Comprehensive Plan*, as amended, by replacing Table 12-1: Land Use and Zoning Matrix and Map 12-1: Land Development Plan. The amendment to Table 12-1 is to add zoning classifications to the Open Space land use classification in the Land Use and Zoning Matrix. The series of amendments to Map 12-1: Land Development Plan Map will revise the Land Use Classification from Open

Space for certain properties to more appropriate classifications based on the property uses and surrounding uses.

Representative: Staff

Mrs. Townshend stated that there are two (2) Staff recommended changes to the *Comprehensive Plan*. Both are fine tuning things that happen as the Plan is implemented. You will recall that back in July; the Planning Commission looked at the rezoning of properties to the Recreational and Open Space (ROS) zoning classification that had been created earlier in 2010. When Staff was going through to determine which properties to bring forward for rezoning to that classification, we picked up some errors. Essentially, areas that for example may have been a house that somehow were made green on the Land Development Plan Map. We did not bring forward a recommendation to rezone the uses that are not consistent with the Open Space classification to the Recreational and Open Space zoning. The first part of this application is to correct the areas that were picked up in the green areas on the Development Plan Map which is what is expected in the Comprehensive Rezoning phases when you get into more of the parcel level analysis rather than the broad brush that you do at the Comprehensive Plan level.

Mrs. Townshend further stated that if you look at the table that was included in your packet, you are looking at numbers 1 through 16 which are essentially properties that were painted green in the *Comprehensive Plan* that when we went to apply that zoning classification, we determined that this was not in fact the current use or the intended used for those areas. This is a clean-up for the *Comprehensive Plan*.

Mrs. Townshend further stated that the second part of this relates to the implementation of the Recreational and Open Space Zone. Staff is proposing a number of amendments to the Land Development Plan chapter in the Land Use and Zoning Matrix which is Table 12-1 of the *Comprehensive Plan* that would, instead of having the language of: "Lands that are on the Land Development Plan as Open Space are not proposed for rezoning. They will remain as zoned as of this printing. Once an Open Space Zone is developed, some areas will be proposed for rezoning for this designation." Following the implementation of the Open Space Zone or what turned out to be the Recreational and Open Space Zone, recommendation is to amend this Table as it relates to Open Space by putting the ROS (Recreation and Open Space Zone) and the RC (Recreational and Commercial Zone) as the appropriate zoning classifications for that Land Use category.

Mr. Hemmig questioned if there were any Commission member comments or questions at this time and there were none.

Mr. Hemmig questioned that the second part of the Open Space is going to be Recreational and Commercial Zone, what is the commercial part? Responding to Mr. Hemmig, Mrs. Townshend stated that these two zoning classifications are the classifications that would be acceptable in this area. When Staff was looking at what to rezone to recreation and open space areas, the Maple Dale Country Club is shown as Open Space in the Comprehensive Plan. They had some concerns about rezoning that as it would take them from Recreational and Commercial Zone to the Recreational and Open Space Zone. At the time of the proposed rezoning, they voiced their concerns on the record and the decision was recommended by the Planning Commission and approved by City Council to have them retain their zoning of RC. When you look at what the appropriate land use classifications are, it makes more sense to change the table then it would to change the map.

Mr. Hemmig further questioned regarding Table 12-1 where there are general land use categories and low and high density, he noticed certain zonings are in more than one category. Responding to Mr. Hemmig, Mrs. Townshend stated that essentially, the intent of this Table is to give guidance so that when a rezoning application comes before the City, the Planning Commission, City Council and Staff that you can use that Table as a basis to determine if this is what the *Comprehensive Plan* intended. In some cases, for instance, a zoning classification that falls into more than one would be the R-8 which is a one family classification. It is a single family detached zoning designation which has some of the lower density attributes; however, it is a higher density than some of the others.

Mrs. Townshend further stated that in terms of #3 listed in the report this is being pulled out entirely. It will be brought forward next month as a separate amendment to the *Comprehensive Plan*. The other applicant initiated Comprehensive Plan Amendment is a change in classification from Institutional to Residential High Density.

Mr. Hemmig questioned if there was a representative at the meeting for DoveView and if they would please come down to the podium.

Representative: Mr. Gregg Moore, Becker Morgan Group, Inc. representing Sun Trust Bank.

Mrs. Townshend stated that in the report what you have is the verbiage provided by the applicant to justify the change in the *Comprehensive Plan* as well as the analysis of Staff. Essentially, DoveView, if you will recall, was previously approved as a Senior Citizen Housing Option project under the PND for 192 dwelling units and age restricted for 55 aged and over. The apartments were under construction and construction ceased in about 2008 and nothing has moved forward. What we have now is two (2) partially completed buildings and an expired Site Plan. Regardless of the zoning classification and whether it remains what it is zoned now or whether it is rezoned, you will see it back as a Site Development Plan application.

Mrs. Townshend further stated that the applicant is requesting to use the housing style and the housing density that was approved for DoveView, but not have it age restricted. It is clear that they will not be able to achieve the number of units that DoveView was approved for because there are parking issues. DoveView did not provide 2.25 parking spaces per unit because when it was senior housing it was less. She believes, based on what DelDOT recommended during the PLUS review, that there will be a Traffic Impact Study required or at least the discussion of that with the potential of paying into the area-wide study. What they are looking to do is utilize the infrastructure that was put in place for DoveView and to capture a portion of that density through multi-story apartment buildings; however, not age restricted. They are requesting, in terms of the *Comprehensive Plan*, a change to Residential High Density in terms of the zoning which will be #3 on the agenda; they are requesting RG-5. This will be a separate action by the Planning Commission once the Comprehensive Plan Amendment is dealt with because the two are tied together. It is important that the applicant speaks on the matter and that the public speak during the public hearing.

Mr. Moore stated that Sun Trust Bank has been in suit with the previous developer DoveView, LLC and prevailed in that suit. Around the 16th to the 20th of February a new deed was filed in the name of the bank and that deed is CRM Mid-Atlantic, LLC which was setup by the bank to own it. This transfer to the bank has just occurred in the last week or ten days and what the bank is trying to do is act quickly and get this property back into productive use. They want to clean the property up and bring on a developer to continue to build or rebuild these buildings.

They understand to do that they have to go back through the Site Plan process and have talked to Staff with regards to the process of doing that. We, at Becker Morgan Group, have evaluated the plan and believe that there will be significantly less units than you have seen before in an RG-5 project with 2.25 parking spaces per unit under the RG-5 zoning classification. It was 1.25 with the senior project with 246 parking spaces to serve 192 units.

Mr. Moore further stated that they have done a Concept Plan for the bank and have estimated for them the total number of units as an RG-5 project would be somewhere around 120 and 144 units not 190, so it is coming down significantly. We believe that a whole building will be dropped off of the plan as there will not be four (4) buildings; however, there will be no more than three (3). There will be fewer units with less folks on the property with it being a non-senior project. The banks intention is to sell this project to a developer who will be the entity that reconstructs, operates, owns, and managers the new project once we get it conceived and the bank is prepared to continue through the Site Plan process. We also need to go through a complete building evaluation to make sure we do the right thing with these buildings because they have been sitting there for a number of years. There are structural and environmental evaluations that they are doing to make sure that we properly bring these buildings back into service without causing a problem.

Mr. Hemmig opened a public hearing.

Mr. Leonard Iacono - Stated that he has some concerns regarding what the request is. From afar, he has been following this project as a major developer in the area. From what he understands, this original project was initially approved for condominiums. There was then a trade-off done changing it from a condominium unit to allow for age restricted apartments. He questions the validity of putting out and lifting age restricted requirements given what the original intent was. He does not know where all of this is going at the end of the day; however, if he is correct, this is the history here. He personally thinks that it should stay that way.

Mrs. Carolyn Fredericks – Executive Director, Modern Maturity Center – Stated that she believes that there is a great need for affordable senior housing in Dover. She understands the buildings need to have some work done and obviously she would like to have a nice neighbor there as well. Her concern is, and we have filed the appropriate paperwork, to get rid of the connectivity between the two properties should the zoning be changed.

Mr. James Hutchison – 15 Glen Eagles Court- Stated that he is currently a board member of the Modern Maturity Center and for the record, he feels that it is very important that you keep in mind the Modern Maturity Center has over 20,000 members. When he looks next door at the DoveView Apartments, the complex itself was originally designed for senior citizens that have changed. Making it compatible between the two facilities is not so at this point. He would urge all of you to consider that for a public safety point of view. When he looks at the number of people who are going in and out of the senior center every single day many of these people are much older than average and have disabilities and some have severe disabilities. So again, I urge you to look at this as far as any connection between roadways for the application and the Modern Maturity Center.

Mr. Hemmig stated with regards to clarification we are not considering any connection tonight on whether it should exist or not. That will be a separate application by the Modern Maturity Center should they desire to bring that forward. Tonight, we are only considering the land use consideration and the rezoning of that property.

Mrs. Joyce Breasure-Herrick – President, Modern Maturity Center - Stated that she would like to encourage you to consider the wonderful opportunity Dover has to use the facility, the Modern Maturity Center and have dedicated senior citizen housing which we desperately need in Kent County and specifically in Dover. What a wonderful environment it would be for someone to be able to come out of the apartment or condominium cross a little bridge, come into our facility for medical services, physical therapy services, lunch, line dancing, art classes, and higher education classes. It needs to be 55-plus housing as we desperately need the housing.

Mr. Hemmig closed the public hearing after seeing no one else wishing to speak.

Mr. Hemmig stated that he would like to clarify that the Commission is considering Items #1 thru #17 on the Land Use Classification Map. Items #18 through #21 apply to the item that was taken off of the agenda this evening. Under the proposed amendments, we are considering Items #1, 2 and 4 for Land Use Classifications under MI-11-01 application.

Colonel Welsh stated that while not applicable at this time his concern has to do with the senior housing as DoveView. He does not know the details as to why construction stopped on DoveView. He would assume it has something to do with finances. He does not know if it had anything to do with demand. While all of us envisioned having senior housing and hoped that it would be, it certainly has been an eyesore for a couple of years. The question is do we continue with the eyesore or do we go with someone who will move forward with this project and develop it as something other than the original intent of senior housing. Did they not foresee a need for senior housing in the area?

Responding to Colonel Welsh, Mr. Moore stated that the bank has been trying to find a partner/developer to take the project on as it has been in a lawsuit trying to get control of the property and has not been able to find any partner or developer to take it on as a full senior development. The bank believes that this is because of the market as it has dropped significantly for senior housing. They believe to be able to market this property and bring it back into use. They are going to need to be able to do that with more than just senior apartments given the realities of what has happened. Their goal is to bring it back into code compliant construction standards and continue the construction. They need to be able to do that with the diversity of the housing with not just the senior option.

Colonel Welsh further questioned if there was no chance that the bank may be willing to stay with it to try and find a developer for senior housing? Responding to Colonel Welsh, Mr. Moore stated that the bank does not feel that it is viable as a senior only project.

Mr. Hemmig questioned if Sun Trust Bank or your firm as representative or the potential developer has done any actual market surveys to indicate that a rental apartment would be as or more viable than a senior housing apartment? Responding to Mr. Hemmig, Mr. Moore stated that they have met with, talked with, and negotiated with developers to take it over. They will be bringing a partner in to actually do the construction because they are a bank and this is not what they do so they have relied on their partners. The name that this comes from, CRM Mid-Atlantic actually has the expertise and that is what they are drawing on to make that conclusion which is why he is here tonight.

Mr. Tolbert asked if their plan is to develop the site for both senior citizens as well as others. Responding to Mr. Tolbert, Mr. Moore stated that yes they would. As you have heard this from other developers such as the Seskinore project which was one that started as simply a senior

project and struggled in being able to market to others than just seniors. They came back and said that they could have a more viable project if they could open up to non-seniors. Clearly this is a good position for senior apartments as they have elevators and the project can be good for seniors to live there; however, at a 140 plus or minus units, we do not believe that it is viable in this market to be able to bring it back into and pump the money in that is necessary to redo the buildings.

Mr. Tolbert further stated that the question that comes to mind is that when you develop a site for seniors as well as others, seniors require additional kinds of amenities in their apartments than people who are under senior citizen age, would that not be a problem? Responding to Mr. Tolbert, Mr. Moore stated that no in fact, the two buildings that are there, their strategy will be to follow through on the way that they were being built to accommodate only seniors. Our project will accommodate seniors and will attract seniors in a large way; we do believe that. However, we do not believe that at the numbers we are at, the senior housing is viable with just seniors. We need to have the opportunity to get others to make it financially viable for a developer and reconstruction of the buildings. There is significant reconstruction to consider in these buildings because they have been open for so long. They have environmental issues, there are some structural issues and they are evaluating those; so, it is not like they are just going to come in and start putting siding on these buildings. There is a lot of money that needs to be pumped in to some degree to go backwards a little before we can go forward to get them into a code compliant component of a building.

Colonel Welsh stated that this is the thought process that he had as we were going along and we heard the testimony from the public. Just because it is no longer age restricted does not mean that seniors cannot obviously rent an apartment there and move in and still have full use of the Modern Maturity Center and the other facilities. It is an ideal location with the bank right there, Walgreens, and the Modern Maturity Center. He would think this would attract a great number of seniors. Responding to Colonel Welsh, Mr. Moore stated that the bank and the developers that they have talked to have the same idea. There will be a large amount of seniors that will want to come here because of the position of where it is and what it offers. The numbers are just not strong enough to revitalize the whole project.

Mr. Ambruso questioned what they are voting on separately? Responding to Mr. Ambruso, Mr. Hemmig stated on the proposed amendment there are three (3) items. The first item will be the Land Use and Zoning Matrix Table to include the new Recreational and Open Space Zone and the Recreational and Commercial Zone. The second item is the Land Development Map plan change Items #1 through #17 to change the existing land use classification to what is shown as proposed. To take them out of Open Space and put them into one of the various residential or institutional land use classifications. The third item will be the specific land use classification change from institutional to Residential High Density for what is known as the DoveView apartments. Their zoning will be a separate issue.

Colonel Welsh moved to forward to City Council approval of MI-11-01 Comprehensive Plan Amendments 2011 to adopt the Land Use Table and the changes associated with it. That we adopt the map that depicts the Land Use changes (Items #1-16) and that we make a recommendation to change the Land Use classification for DoveView Apartments (Item #17). This excludes Items #18 through #21 on the Land Development Plan Map changes. Seconded by Mr. Tolbert and the motion was unanimously carried 7-0 with Mr. Friedman and Mr. Holt absent.

FINAL READING

CITY OF DOVER
PROPOSED ORDINANCE #2011-08

AN ORDINANCE AMENDING THE 2008 COMPREHENSIVE PLAN BY REPLACING MAP 12-1: LAND DEVELOPMENT PLAN

WHEREAS, the City Council of the City of Dover, on February 9, 2009, adopted the 2008 Comprehensive Plan pursuant to Title 22, Section 702 of the Delaware Code; and

WHEREAS, the Honorable Jack Markell, Governor of the State of Delaware, certified the 2008 Comprehensive Plan on April 24, 2009; and

WHEREAS, the City Council of the City of Dover, on November 23, 2009, adopted the 2009 Comprehensive Rezoning Project and 2009 Comprehensive Plan Amendments; and

WHEREAS, the 2008 Comprehensive Plan allows for an annual amendment process; and

WHEREAS, a property owner has requested an amendment to the Land Development Plan Map (Map 12-1) in accordance with the process set forth in the 2008 Comprehensive Plan, and an administrative error caused incomplete public notice with regards to the rezoning application associated with this request, causing a delay in the Planning Commission hearing the application on the originally scheduled date of February 22, 2011; and

WHEREAS, the Planning Commission held a public hearing on March 21, 2011, after which the Commission made a recommendation in regards to the proposed amendments to the Land Development Plan related to the above request.

NOW, THEREFORE, BE IT ORDAINED THAT the Mayor and Council of the City of Dover hereby amend Map 12-1: Land Development Plan of the 2008 Comprehensive Plan, as amended on November 23, 2009 and on March 14, 2011, by replacing the referenced map with the Amended Map 12-1 presented to City Council on April 11, 2011.

SYNOPSIS

The proposed ordinance would adopt amendments to the 2008 Comprehensive Plan, as amended on November 23, 2009 and March 14, 2011.

Actions History

April 11, 2011 - Public Hearing/Final Reading – Council
March 21, 2011 - Planning Commission Review
February 28, 2011 - First Reading – Council

DRAFT

PETITION TO AMEND AND ZONING DISTRICT
Public Hearing before the
Dover City Council
April 11, 2011

Applicants/Owners:	College Road Management Inc. Loralex Company, LLC Kent Storage Facilities Inc.
Address:	1.696 Ac. Grove St., Dover LT 207-211 College Settlement, Dover LT 212-215 College Settlement, Dover LT 197-201 College Settlement, Dover
Location:	North side of College Road, east of the Railroad tracks, north of College Settlement and Mishoe Towers
Tax Parcel ID #s:	ED-05-067.00-02-53.00-000 ED-05-067.00-02-54.00-000 ED-05-067.00-02-55.00-000 ED-05-067.00-02-56.00-000
Size:	30.78+/- acres
Present Use:	Vacant
Present Comprehensive Plan Designation:	Industrial and Public Utilities
Proposed Comprehensive Plan Designation:	Residential High Density
Present Zoning:	M (Manufacturing Zone)
Proposed Zoning:	RG-5 (General Residence for Mid-Rise Apartments Zone)
Reason for Request:	To allow for the development of residential dwellings.
File Number:	Z-11-02

This rezoning application consists of four parcels of land totaling approximately 30.78 acres, owned by College Road Management, LLC; Loralex Company, LLC; and Kent Storage Facilities, LLC. The property is currently zoned M (Manufacturing Zone). The proposed zoning is RG-5 (General Residence Zone for Mid-Rise Apartments). The subject area is located north of College Road and Mishoe Towers and east of the railroad tracks. Tax Parcel: ED-05-067.00-02-53.00-000, ED-05-067.00-02-54.00-000, ED-05-067.00-02-55.00-000, ED-05-067.00-02-56.00-000.

The rezoning proposal is made in conjunction with a request to amend the *2008 Comprehensive Plan*, Map 12-1 Land Development Plan, to change the subject parcel from Industrial and Public Utilities land use classification to Residential High Density land use classification. Analysis of this request is in the report for file MI-11-01 – 2011 Comprehensive Plan Amendments.

Existing Property:
The subject parcel is a somewhat land-locked group of parcels, bound on the west by the railroad tracks, on the south by College Settlement and Mishoe Towers, on the east by Fork Branch, and on the north by a large agricultural parcel that lies in Kent County. There are a number of unimproved and/or marginally improved platted streets that connect the parcels with College Road, both along the railroad tracks and through College Settlement. The subject property was annexed into the City in 2006, and was the subject of subdivision application number SB-08-01C – College Road Professional Park. This proposed subdivision did not proceed to the preliminary or final phases of subdivision, and has expired.

There are a number of constraints on the site that would need to be addressed in the context of a development application for the site. These include: access, the presence of a brownfield area, the presence of flood plain and wetlands along the stream corridor.

Surrounding Land Uses:
There are a variety zoning classifications and land uses surrounding the subject property. Immediately south of the subject site, between the subject property and College Road, are a series of properties that are zoned RM-2 (Medium Density Residence Zone), RG-5 (General Residence Zone for Mid-Rise Apartments), and IO (Institutional and Office Zone). The RG-5 property is Mishoe Towers, a mid-rise apartment building directly adjacent to the subject site. The RM-2 properties are a combination of residentially developed properties and vacant properties comprising College Settlement. The IO property includes the Delaware State University Sports Annex and Peoples Place shelter and transitional housing.

The property to the east of the subject parcels, across the Fork Branch, is zoned IO (Institutional and Office Zone) and is the Delaware State University campus. The property to the north of the subject site is in unincorporated Kent County, and consists of an approximately 146-acre agricultural parcel that is zoned RS-1 (Single Family Residential District) and bisected by the railroad tracks. This area is identified in the *2008 Comprehensive Plan* as Industrial and Public Utilities land use classification.

To the west of the subject site, across the railroad tracks, is the College Road Business Park, which includes M (Manufacturing Zone) and CPO (Commercial and Professional Office District).

Comprehensive Plan:
In the *2008 Comprehensive Plan*, the Land Development Plan (Map 12-1 as amended, dated 11/23/2009) recommends that this property be used for Industrial and Public Utilities Uses. As previously stated, the rezoning request is associated with a request to amend the *2008 Comprehensive Plan* to reflect the land use on Map 12-1 as Residential High Density. The requested zone is consistent with the requested land use classification, but not with the existing land use classification.

The Land Development Plan (Chapter 12) of the *2008 Comprehensive Plan* states the following with regard to high density residential development:

> The Comprehensive Land Development Plan recommends that high density residential be dispersed throughout the City along arterial roadways in close proximity to other high-density residential uses, schools, neighborhood commercial areas, transit service, and other compatible non-residential land use areas. High density residential development is also appropriate in some areas of the downtown, most of which are shown as mixed use on the Land Development Plan.

The subject site is located along College Road, which is identified as an Urban Minor Arterial in the *2008 Comprehensive* Plan. It is within proximity to North Dover Elementary School, Delaware State University, a number of employers, other high density residential development, and transit service. However, the railroad tracks provide an impediment to accessing some of these services by foot. There is no supporting commercial use in the immediate vicinity.

Request for RG-5 (General Residence Zone for Mid-Rise Apartments)
Within the RG-5 Zone, the following uses are permitted: one-family detached dwellings; mid-rise apartments; public buildings, structures and uses; raising of field and garden crops, vineyards and orchards, and nurseries.

According to Article 12 of the *Zoning Ordinance*, the definition of mid-rise apartments is as follows:

> *Mid-rise apartment:* Multiple dwellings where individual dwelling units share a common outside access, and elevators serve each floor. The dwelling units share a common lot area, which is the sum of the required lot areas of all dwelling units within the building.

The following is a summary of the bulk standards, as specified in Article 4, Section 4.6.

			For Multiple Dwellings:
Minimum required:			
	Lot area (sq. ft.)		900 per dwelling unit
	Lot width (ft.)		100

	Lot depth (ft.)		125
	Front yard (ft.)		25
	Side yard (ft.)		At the ground level or at any setback level, one-sixth of the height of the nearest outside wall of the building measured in each case from the average level of thefinished grade along the side of the building, but in no case less than 25 feet.
	Rear yard (ft.)		At the ground level or at any setback level, one-sixth of the height of the nearest outside wall of the building measured in each case from the average level of the finished grade along the rear of the building, but in no case less than 25 feet.
	Off-street parking spaces		2/Du
	Accessory commercial uses parking spaces		1 per employee or 1 per 300 sq. ft. of floor area, whichever is greater.
	Open space		25% of the lot area shall be devoted to open area, not including parking areas.
Maximum permitted:			
	Building height		
		Stories	6
		Feet	70

Recommendation of the Planning Staff:

This request is to rezone land from M (Manufacturing) to RG-5 (General Residence Zone for Mid-Rise Apartments). This request is made in conjunction with a request to amend the *2008 Comprehensive Plan*, Map 12-1 Land Development Plan, as it relates to this property. The approval of this rezoning request is contingent upon the approval of the associated amendment to the *2008 Comprehensive Plan*.

As stated in the report for MI-11-01 – 2011 Comprehensive Plan Amendments, staff did not support the change from Industrial and Public Utilities to Residential High Density, and the associated rezoning of the subject property from M (Manufacturing) to RG-5 (General Residence Zone for Mid-Rise Apartments). Staff believed that the constraints on the site, specifically the environmental constraints and limited street access to the site make it unsuitable for high density residential use. Staff supports changing the site from Industrial and Public Utilities to Residential Medium Density in the *2008 Comprehensive Plan* rezoning the subject parcels from M (Manufacturing) to a medium density zoning classification (RM-1, RM-2, or RG-2) accordingly. A medium density zoning classification could be coupled with the Planned Neighborhood Design (PND) to cluster the units on the site.

This recommendation was made prior to the public hearing held by the Dover Planning Commission. The Planning Commission held a public hearing on the proposed rezoning at its meeting on March 21, 2011. At this meeting, the applicant made the case for the requested RG-5 (General Residence Zone for Mid-Rise Apartments) zoning, stating that the type of apartment building permitted in the RG-5 zone would have less impact on the sensitive resources on the site. He stated that the bulk standards and features on the site would prevent the full utilization of high density on the site, but would give design flexibility that would allow for less impact on the environmental resources on the site. Staff acknowledged this to be the case, also noting that this could be accomplished through a Planned Neighborhood Design.

Following the public hearing on March 21, 2011, where one member of the public spoke with regards to the rezoning application, the Planning Commission unanimously voted (8 members voting in favor and 1 member absent) to recommend that City Council approve the rezoning from M (Manufacturing) to RG-5 (General Residence Zone for Mid-Rise Apartments) as requested by the applicant.

Excerpt from the DRAFT Planning Commission Minutes of March 21, 2011

MI-11-01 Comprehensive Plan Amendments 2011 (Part B) - Public Hearing and Review for Recommendation to City Council of an Amendment to the *2008 Comprehensive Plan*, as amended, for a request to revise the Land Use Classification associated with a series of properties of application Z-11-02. Ordinance #2011-08. *Consideration of this request for Land Use Classification revision (Items #18-21) associated with rezoning application Z-11-02 was rescheduled at the February Planning Commission Meeting.*

Z-11-02 Lands of College Road Management Inc, Kent Storage Facilities Inc. & Loralex Company, LLC at Railroad Avenue - Public Hearing and Review for Recommendation to City Council on a rezoning application consisting of four parcels of land totaling of 30.78 acres ±. The property is currently zoned M (Manufacturing Zone). The proposed zoning is RG-5 (General Residence Zone for Mid-rise Apartments). The subject property is located north of College Road and east of the railroad corridor and Railroad Avenue. The owners of record are College Road Management Inc., Kent Storage Facilities, LLC and Loralex Company, LLC. Property Addresses: Grove Street and Railroad Avenue. Tax Parcels: ED05-067.00-02-53.00-000, ED05-067.00-02-54.00-000, ED05-067.00-02-55.00-000, and ED05-067.00-02-56.00-000. Council District 4. Ordinance #2011-04. *This application was removed from the February Meeting agenda due to complications with the Public Notice requirements.*

Representative: Conny Malmberg, Principal of the Project.

Mrs. Townshend stated the proposed amendment to the *2008 Comprehensive Plan* Part B, as you recall, this was pulled from the list of amendments from last month due to an error in public notice, no fault of the applicant. This is a request to change the Land Use Classification from Industrial to Residential High Density on property adjacent to Railroad Avenue and Grove Street just north of College Road behind College Settlement. The application includes four (4) parcels of land currently zoned IPM and shown as Industrial in the Comprehensive Plan. It did come forward to the Planning Commission as a manufacturing subdivision for a builder/contractor yard or something of that nature. The challenge was that the only access was adjacent to the railroad tracks which created issues with DelDOT approvals in terms of queuing on the tracks and being an unsafe condition. The only other potential access is to come through College Settlement. The applicant is requesting to change the Land Development Plan to allow for High Density Residential because since they will need to take access through a residential community, a residential use would be more appropriate than an industrial use.

Mrs. Townshend further stated that again, the Comprehensive Plan recommends that High Density Residential be dispersed throughout the City along arterial roadways in close proximity to other High Density Residential uses, schools, neighborhood commercial areas, transit service, and other compatible non-residential land use areas. In terms of this particular property, it is located just off of College Road which is identified as an urban minor arterial in the Comprehensive Plan. It is near but across the railroad tracks from North Dover Elementary School. It is also near Delaware State University. A number of employers include the College Road Business Park adjacent to the site and on the other side of the railroad tracks are other high density residential development and transit services. The railroad tracks do impose somewhat of an impediment accessing these services by foot. There is no neighborhood commercial in the immediate location. There is limited road access. Access will need to be addressed at the time of development and there are environmental constraints that could make it less suitable for high density. There are significant woodlands on the eastern portion of the site wetlands as well. It is adjacent to the Fork Branch Natural area.

Mrs. Townshend further stated that Staff would suggest that Medium Density Residential would be more appropriate and that would allow for up to eight dwelling units per acre. High Density would support more than that. We do believe that residential is more appropriate because the access will need to take place through the residential development of College Settlement.

Mr. Malmberg stated that the original plan that we did some engineering on was an industrial yard or a contractor's storage yard. There is a lot of need for that because of restrictions, especially the County on outdoor storage on people's lots and houses. With regards to contractor equipment, we went through the process with DelDOT and their concern was that left turning traffic onto the existing industrial road which is Railroad Avenue has a fifty-five foot wide access which would be adequate. We would be queuing on the railroad tracks that are immediately to the left of the four (4) parcels that make up this application except for the one in the middle which is Mishoe Towers. Left hand turning traffic would be queuing on the railroad tracks and they were concerned with big vehicles. There was really no good way of getting in there. We looked at jug handles and things like that and there was just no good right-of-way to make it work. The College has tried to purchase the property a couple of times, but has never been able to get it together to pull the trigger so that caused a lot of the delay between then and now. We need to move forward and are looking for a reasonable use of the property. High Density Residential made the most sense to them and requires access again for safety reasons not most likely down Railroad Avenue but through College Development or Grove Street that would require some improvements on our part. DelDOT disfavors if not actually prohibits industrial traffic through residential neighborhoods. It is fairly obvious that it had to be residential since we cannot access it very well for industrial purposes down Railroad Avenue and it does not make sense to go through the residential neighborhood. Staff supports the change in zoning from its current Industrial use. He questioned if he is doing their zoning and the Comprehensive Plan change together?

Responding to Mr. Malmberg, Mrs. Townshend stated that it is two separate public hearings; however, the case is the same for both so you can address both now.

Mr. Malmberg further stated that the Planning Department supports the residential use because of the logical reasons that he just illustrated. The only difference we have is whether it is High Density Residential or Medium Density Residential and the reasons that they suggest Medium Density Residential are reasons that I would suggest you support High Density Residential. The site has a very distinct drop-off almost like a cliff with it being a fairly high site and then it drops off significantly down to the stream that runs down underneath the bridge next to DSU. The site is contiguous to DSU and the site is about thirty (30) acres. Twelve to thirteen of those acres are on the other side of the drop off which is basically all wetlands which leaves about seventeen (17) acres. Three (3) of those seventeen acres are under restriction until 2019 for monitoring because a long time ago part of this site was used for encasing bad stuff, some sort of hazardous materials in concrete and then shipping it out. There are monitoring wells on those three acres of the site which makes them unusable for the next eight (8) years. Because of other constraints of setbacks and things like that, by the time you factor all those things in, engineering, roadways, and parking, we would not request and would commit to not putting more units in there than would be allowable under the Medium Density Residential which is 240 apartment units; however, we need a high density zoning classification so that we can achieve that because without that because of design constraints, he does not think with three story garden style apartments were permitted under the zoning classification suggested by Staff, we would be able to achieve the density. We would commit to not exceeding the 240 units which

Staff is okay with; however, we would like the design ability to design buildings that would allow us to achieve those 240 units.

Mr. Malmberg further stated that a couple of things that would suggest that you support this position are that this is on an arterial roadway which is supportive of the high density zoning that has been requested. There is, as noted by the Staff report, the transit services available. It says it is not supporting commercial use; however, this property is adjacent to DSU and less than a mile from the Acme Shopping Center and Dover Downs. It is a logical place for this use of the property and for construction and design we think it is important to have the High Density Residential zoning that we have requested.

Mr. Holt questioned that they would rather go with the High Density than the Medium Density is that correct? Responding to Mr. Holt, Mr. Malmberg stated that the request is for RG-5 and was surprised that it was not supported by the Planning Staff. Responding to Mr. Malmberg, Mrs. Townshend stated that the height issues would prevent, without a PND, clustering of the density in a taller building.

Mr. Friedman stated that his understanding in reading that the Staff's concerns were primarily the environmental constraints and those are defined specifically as the cliff drop off and the wetlands that reside below. Responding to Mr. Friedman, Mrs. Townshend stated yes, these were the concerns.
Mr. Friedman stated that with regards to the limited street access, he did not quite understand that. Are we talking about percentage, could you explain further? Responding to Mr. Friedman, Mrs. Townshend stated that they are not public streets so there is quite a bit that needs to be figured out.

Also responding to Mr. Friedman, Mr. Koenig stated that not to mention that they are not public streets; however, there is property that is not actually in City limits so there is property that is located in Kent County. These are paper streets that were platted many, many years ago and in some cases, there may be encroachments on those platted paper streets. The City has not monitored this because the streets are located in Kent County. There are a number of challenges related to access to the property that would have to be resolved for future development.

Mr. Hemmig questioned did you do the calculations for how many units you could build with Medium Density versus High Density? Responding to Mr. Hemmig, Mr. Malmberg stated that Medium Density is easy to figure out; it is eight (8) units per acre and there is thirty (30) acres so it is 240 units. High density he does not even know if there is a density limit.

Also responding to Mr. Hemmig, Mrs. Townshend stated that High Density is based on the minimum square footage which is 900 square foot per unit; however, the arithmetic only gets you so far because as Mr. Malmberg indicated, once you factor in certain things like parking. Interjecting Mr. Malmberg stated that his figure would be forty-five (45) units per acre and unless we are going to build a skyscraper that is not going to happen. He would be willing to commit to not creating more than the 240 units which would be under the Medium Density category. It just gives us more design flexibility for buildings that could actually get to that point if we are down to a useable twelve (12) acres.

Mrs. Townshend stated that we cannot, through the zoning process, restrict any commitments made during the rezoning process. It cannot be enforced as conditions on a development application. That becomes the challenge; however, again the site restraints are going to push

down the density from a theoretical density of forty-five (45) units because the land area is not there to support it once you take out the restrained portions. The other option would be under the Medium Density zoning classification a Planned Neighborhood Design could be implemented to allow for the bulk standard waivers to get that density higher up.

Mr. Hemmig stated that we essentially have a situation where we have to take Mr. Malmberg's word for it, if we allow High Density that he will not exceed 240 units.

Mrs. Townshend stated that you can do two public hearings at once consecutively since we discussed both matters.

Mr. Hemmig opened the public hearing for MI-11-01 Comprehensive Plan Amendments 2011 (Part B) and after seeing no one wishing to speak closed the public hearing.

Mr. Hemmig opened a public hearing for Z-11-02 Lands of College Road Management, Inc., Kent Storage Facilities Inc & Loralex Company, LLC at Railroad Avenue.

Mr. James Galvin – Staff Member of Kent County MPO – Stated that in the comments that they made on the rezoning application, which we technically do not do, one of the things that we are concerned about is maintaining rail access into the City and County. The fact that this property is immediately adjacent to the rail line and they share a right-of-way, the MPO would like to see some kind of buffer between the rail line and the residential units. He is not sure how you could use the property, but something to make it part of the project so that you do not have the immediate nuisance of the rail with the residents of the property.

Mr. Hemmig closed the public hearing after seeing no one else wishing to speak.

Mr. Hemmig stated that this is one of his major concerns as well and apartment complex right next to the railroad tracks. He has the occasion to be in JP Court quite often and that is a brick building of masonary construction and it is a good 100 feet away from the railroad tracks and that building shakes like crazy when a train comes through even at a very slow speed. He does not know why anyone would want to live in an apartment right next to railroad tracks. Will you be able to meet the MPO's recommendation of the buffer?

Responding to Mr. Hemmig, Malmberg stated that he assures you that it would be in both the uses best interest as well as the railroads best interest to give as much separation as possible for the reasons that you just stated.

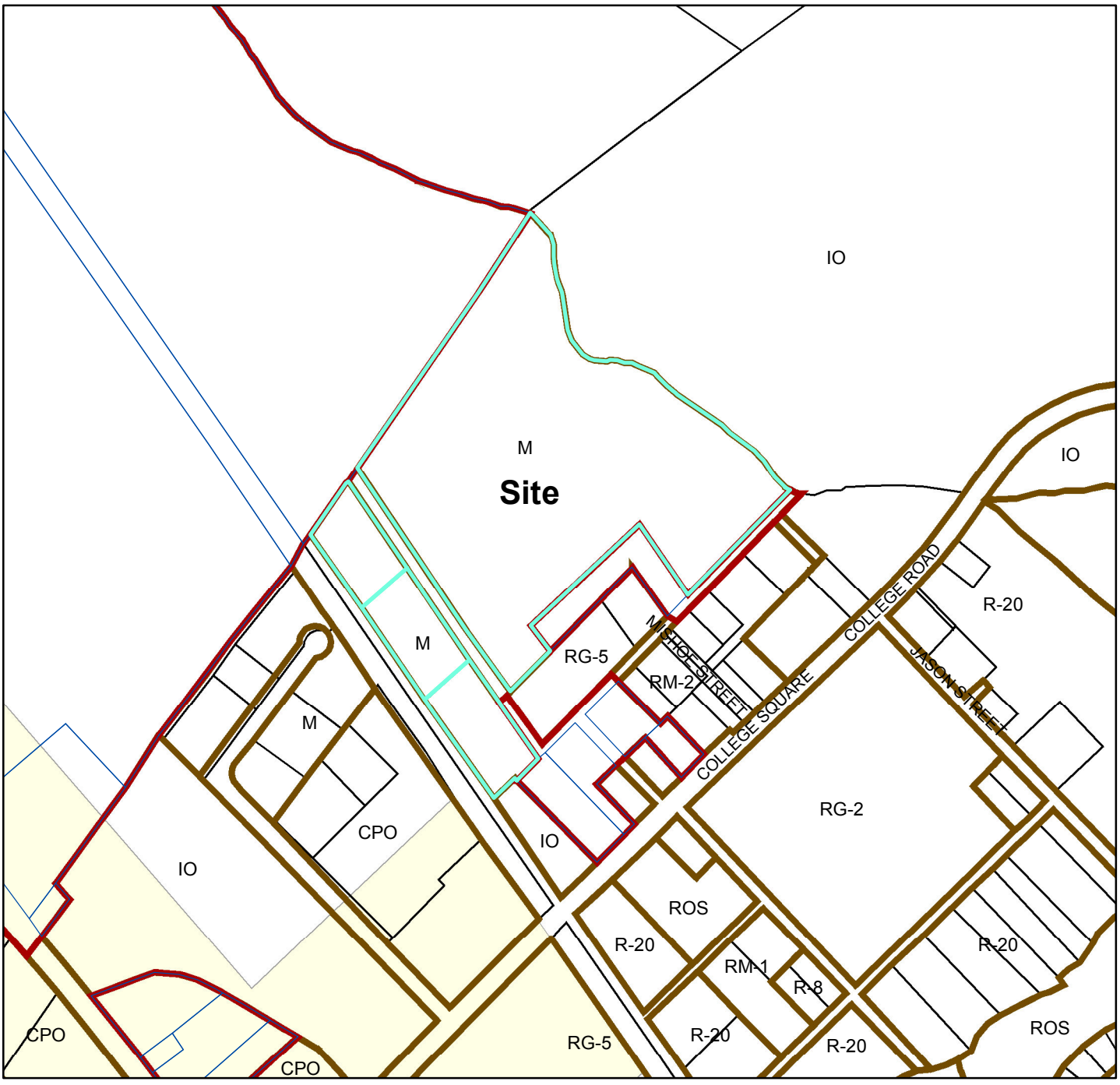
Mr. Friedman moved to forward to City Council approval of MI-11-01 Comprehensive Plan Amendments 2011(Part B) from Industrial to Residential High Density, seconded by Mr. Tolbert and the motion was unanimously approved 8-0 with Colonel Welsh absent.

Mr. Friedman moved to forward to City Council approval of Z-11-02 Lands of College Road Management, Inc., Kent Storage Facilities, Inc., and Loralex Company, LLC at Railroad Avenue with the four (4) parcels of lands associated with it and rezoning it to RG-5 as requested by the applicant, seconded by Mr. Nichols and the motion was unanimously carried 8-0 with Colonel Welsh absent.

City of Dover

Department of Planning & Inspections

Application No.: Z-11-02



Plan Title: College Road Management, LLC
Location: Railroad Ave.
Plan Type: Rezoning
Tax Parcels: ED-05-067.00-02-56.00
ED-05-067.00-02-55.00, ED-05-067.00-02-54.00, and
ED-05-067.00-02-53.00
Current Zoning: IO
Propsoed Zoning: RG-5
Owners: Kent Storage Facilities, LLC., Loralex Co, LLC
and College Road Management, LLC
Date: 1-13-11

Legend

- Dover Parcels
- Dover Boundary
- Zoning
- Corridor Overlay Zone

0 300 600 1,200 Feet

N W E S

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: FEBRUARY 3, 2011

CITY OF DOVER
PUBLIC UTILITIES
DEPARTMENT

APPLICATION: LANDS OF COLLEGE ROAD MANAGEMENT INC., KENT STORAGE FACILITIES INC. & LORALEX COMPANY, LLC AT RAILROAD AVENUE

FILE #: Z-11-02

REVIEWING AGENCY: City of Dover Public Utilities Department

CONTACT PERSON: Steve Enss - Electric
Sharon Duca, P.E. - Water, Wastewater, Stormwater

CONTACT PHONE #: 302-736-7070

THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY'S AUTHORITY AND AREA OF EXPERTISE.

THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESSED BY THE APPLICANT:

CITY AND STATE CODE REQUIREMENTS

ELECTRIC / WATER / WASTEWATER

1. Our office has no objection to the rezoning of tax parcels ED05-067.00-02-53.00-000, ED05-067.00-02-54.00-000, ED05-067.00-02-55.00-000 and ED05-067.00-02-56.00-000.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

ELECTRIC / WATER / WASTEWATER

1. None.

ADVISORY COMMENTS TO THE APPLICANT

ELECTRIC

1. None.

WATER / WASTEWATER

1. Should this site be redeveloped, which includes modifications to the use, the applicant / developer will be responsible for all costs associated with providing the appropriate service to this site based upon the use including any necessary system upgrades or extensions. The appropriateness and adequacy of water and sewer services and meters will be assessed at that time. Should the existing services no longer be required based upon the proposed use, they must be properly abandoned at the mains in accordance with all City of Dover Public Utilities Department standards and specifications.

IF YOU HAVE ANY QUESTIONS OR NEED TO DISCUSS ANY OF THE ABOVE COMMENTS, PLEASE CALL THE ABOVE CONTACT PERSON AND THE PLANNING DEPARTMENT AS SOON AS POSSIBLE.

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: February 3, 2011

D E L D O T

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APPLICATION: Lands of College Road Management Inc. Kent Storage Facilities Inc. & Loralex Company, LLC at Railroad Avenue

FILE#: Z-11-02 REVIEWING AGENCY: DelDOT

CONTACT PERSON: Julio F. Seneus PHONE#: 760-2145

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THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY'S AUTHORITY AND AREA OF EXPERTISE.

THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESSED BY THE APPLICANT:

CITY & STATE CODE REQUIREMENTS:

- The Department has no comments for the proposed rezoning.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

ADVISORY COMMENTS TO THE APPLICANT:

1. The department will require the applicant to provide the proper forms, fees, and plans in order to be issued an entrance permit.

2. According to Kent County Classification Maps, KCR 91 (College Road) is classified as a minor arterial road, which requires an 80-foot wide right of way (40-feet from the centerline). The department will require a Right-of-Way dedication for public use.

3. A Traffic Impact Study (TIS) will be required if the proposed development exceeds 50 VPH or 400 VPD.When the study is completed, DelDOT will review it and send recommendations for the improvements to the City. The improvements contained in

the study will be implemented by the developer per DelDOT's discretion. Please, contact Mr. Troy Brestel at (302) 760-2167 or e-mail: Troy.Brestel@state.de.us to set up a scoping meeting for this project.

4. If the proposed development exceeds 200 ADT, a pre-submittal meeting will be required prior to submitting plans for review.

5. A Traffic Generation Diagram will need to be included turning movement counts, frontage road posted speed limit, site ADT, truck percentage for the site, existing frontage road AADT from DelDOTs Traffic Summary 2009, Total ADT (site ADT + frontage road AADT), and reference the ITE Manual, 8th Edition. Right turn lane, left turn lane or bypass lane warrants and pavement sections will be determined using the site ADT and total AADT.

6. Offsite improvements will be required in order to prevent accumulation of vehicles on the railroad track cause by the left turning traffic into the site.

If you have any questions or need to discuss any of the above comments, please call the above contact person and the planning department as soon as possible.

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: February 10, 2011

Dover/Kent County Metropolitan Planning Organization

APPLICATION: Lands of College Road Management, et. al., at Railroad Ave

FILE #: Z-11-02 REVIEWING AGENCY: Dover/Kent County MPO

CONTACT PERSON: Jim Galvin, AICP PHONE #: (302) 387-6030

The Dover/Kent County MPO has participated in the State's Preliminary Land Use Services (PLUS) process for several months. The MPO requested the opportunity to bring the recommendations on issues of our concern to the City as well. The MPO will limit comments to projects to development proposals and applications that may lead to new development. Issues of concern to the MPO are effective transit, reducing the amount of vehicle emissions by shortening or eliminating trips, and facilities for alternative modes of transportation, including bicycle and pedestrian access. The MPO considers the bicycle facilities required by the City of Dover to be the standard for all applications, not to be waived.

City of Dover Planning Commission 2/22/2011

Project Review

Z-11-02 Lands of College Road Management, et. al., at Railroad Ave

The Dover/Kent County MPO typically does not comment on rezoning. This rezoning, however, is adjacent to the Railroad right-of-way (ROW) and tracks used to transport freight to and through Dover and Kent County. A concern of the MPO is to preserve the railroad as a method of transporting goods and materials in the area. One of the most threatening issues is the construction of residential developments adjacent to the ROW and then the noise and safety issues inherent with trains . In an attempt to lessen the interaction, the MPO requests no residential lots be created within 100 feet of the ROW. We further request no activity be promoted within the 100 feet buffer.

This is the standard for Dover created with the subdivision of Eden Hill Farm to preserve railroad access through the community while lessening the potential impacts on residents.

If you have any questions or need to discuss any of the above comments, please call the above contact person and the Planning Department as soon as possible.

FINAL READING

CITY OF DOVER
PROPOSED ORDINANCE #2011-04

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER BY CHANGING THE ZONING DESIGNATION OF PROPERTY LOCATED AT GROVE STREET AND RAILROAD AVENUE

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 M (Manufacturing Zone) to RG-5 (General Residence Zone for Mid-Rise Apartments).

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 M (Manufacturing Zone) to RG-5 (General Residence Zone for Mid-Rise Apartments) on that property located at Grove Street and Railroad Avenue, north of College Road and east of the railroad corridor and Railroad Avenue, consisting of four (4) parcels of land totaling $30.78^{+/-}$ acres, owned by College Road Management, Inc.; Kent Storage Facilities, LLC; and Loralex Company, LLC.
   (Tax Parcels: ED05-067.00-02-53.00-000, ED05-067.00-02-54.00-000, ED05-067.00-02-55.00-000, and ED05-067.00-02-56.00-000; Planning Reference Z-11-02)

ADOPTED: *

S:\PACKETS\2011\Council\04-11-2011\A. Proposed Ordinance 2011-04 - Rezoning of Property Located at Grove Street and Railroad Avenue- FINAL Rdg.wpd

Actions History
April 11, 2011 - Proposed Public Hearing/Final Reading - Council
March 21, 2011 - Review by Planning Commission
February 28, 2011 - Public Hearing Rescheduled - Council
January 24, 2011 - First Reading - Council

Draft

PETITION TO AMEND AND ZONING DISTRICT
Update of Report to
Dover City Council
April 11, 2011

Applicants/Owners:	CRM Mid-Atlantic, LLC Sun Trust Bank
Address:	101-405 DoveView Drive, Dover
Location:	North side of Forrest Avenue, west of Saulsbury Road
Tax Parcel ID #:	ED-05-076.07-01-30.00-000
Size:	6.735+/- acres
Present Use:	Vacant Apartment Buildings - partially constructed
Present Comprehensive Plan Designation:	Institutional
Proposed Comprehensive Plan Designation:	Residential High Density
Present Zoning:	IO (Institutional/Office Zone) COZ-1 (Corridor Overlay Zone)
Proposed Zoning:	RG-5 (General Residence for Mid-Rise Apartments Zone) COZ-1 (Corridor Overlay Zone)
Reason for Request:	To allow for the development of multi-family residential dwellings.
File Number:	Z-11-03

This rezoning application consists of one parcel of land, of approximately 6.735 acres, owned by CRM Mid-Atlantic, LLC. The property is currently zoned IO (Institutional and Office Zone), and subject to the COZ-1 (Corridor Overlay Zone). The proposed zoning is RG-5 (General Residence Zone for Mid-Rise Apartments). The subject area is located north of Forrest Avenue (Delaware Route 8) and west of Saulsbury Road. Tax Parcel: ED-05-076.07-01-30.00-000.

The rezoning proposal is made in conjunction with a request to amend the *2008 Comprehensive Plan*, Map 12-1 Land Development Plan, to change the subject parcel from Institutional land use classification to Residential High Density land use classification. Analysis of this request is in the report for file MI-11-01 – 2011 Comprehensive Plan Amendments.

Existing Property:
The subject parcel was previously approved as DoveView Apartments, a Planned Neighborhood Design – Senior Citizen Housing Option. Under the provisions of the *Zoning Ordinance* in Article 3 §24 for the Planned Neighborhood Design Option, a property zoned IO (Institutional and Office Zone) is permitted to be considered for development with the PND: Senior Citizen Housing Option through the Conditional Use review process. The applications associated with this project include:

- C-03-08 – Approved by Planning Commission in February 2004 as FountainView PND – Senior Citizen Housing Option
- C-06-02 – Approved by Planning Commission in August 2006 as DoveView PND – Senior Citizen Housing Option. The Planning Commission granted a one-year extension in August 2007.

The DoveView PND – Senior Citizen Housing Option plan included 192 dwelling units in four four-story apartment buildings. The plan as approved would include 246 parking spaces and an overall density of 28.52 dwelling units per acre.

The City issued building permits for the four buildings that make up DoveView in late 2007 and early 2008. Construction began on two buildings and ultimately ceased. The property went into foreclosure and is now owned by CRM Mid-Atlantic, LLC (Sun Trust Bank). Because construction ceased for more than one year, the site development plan associated with DoveView has expired (*Zoning Ordinance*, Article 10 §2.491(a)). Site development plan approval is required prior to initiation of any construction activity on the site, regardless of the outcome of the rezoning application.

The subject property is located within the COZ-1 (Corridor Overlay Zone) due to its location along Delaware Route 8 and Saulsbury Road. Any development of the site shall comply with the requirements of this zone.

Surrounding Land Uses:
There are a variety zoning classifications and land uses surrounding the subject property. Immediately south of the subject site, between the subject property and Forrest Avenue, are two properties that are zoned C-2A (Limited Central Commercial Zone); one is vacant, and the other is TD Bank. Other adjacent properties to the east between the subject site and Saulsbury Road are zoned C-2A (Limited Central Commercial Zone) as well. Included among these is the Walgreens Drug Store located at the corner of Forrest Avenue and Saulsbury Road.

The property located to the north of the proposed site is zoned IO (Institutional and Office Zone) and is the location of the Academy of Dover (school). Immediately west of the site is the Modern Maturity Center, which is zoned IO (Institutional and Office Zone).

Comprehensive Plan:

In the *2008 Comprehensive Plan*, the Land Development Plan (Map 12-1 as amended, dated 11/23/2009) recommends that this property be used for Institutional Uses. As previously stated, the rezoning request is associated with a request to amend the *2008 Comprehensive Plan* to reflect the land use on Map 12-1 as Residential High Density. The requested zone is consistent with the requested land use classification, but not with the existing land use classification.

The Land Development Plan (Chapter 12) of the *2008 Comprehensive Plan* states the following with regard to high density residential development:

> The Comprehensive Land Development Plan recommends that high density residential be dispersed throughout the City along arterial roadways in close proximity to other high-density residential uses, schools, neighborhood commercial areas, transit service, and other compatible non-residential land use areas. High density residential development is also appropriate in some areas of the downtown, most of which are shown as mixed use on the Land Development Plan.

The subject site is located off Saulsbury Road and Delaware Route 8, both of which are identified as Urban Minor Arterials in the *2008 Comprehensive Plan.* It is also within proximity (walking distance) to schools (Booker T. Washington Elementary School, William Henry Middle School, and the Academy of Dover), commercial areas (including the TD Bank and Walgreens Drug Store on adjacent parcels and the Gateway West Shopping Center to the south, across Forrest Avenue), transit service, and other services (including medical offices).

Request for RG-5 (General Residence Zone for Mid-Rise Apartments)

Within the RG-5 Zone, the following uses are permitted: one-family detached dwellings; mid-rise apartments; public buildings, structures and uses; raising of field and garden crops, vineyards and orchards, and nurseries. See *Zoning Ordinance*, Article 3 §5 and referenced sections.

According to Article 12 of the *Zoning Ordinance*, the definition of mid-rise apartments is as follows:

> *Mid-rise apartment:* Multiple dwellings where individual dwelling units share a common outside access, and elevators serve each floor. The dwelling units share a common lot area, which is the sum of the required lot areas of all dwelling units within the building.

The following is a summary of the bulk standards, as specified in Article 4, Section 4.6. The *Zoning Ordinance* defines Multiple Dwellings as "A building, or portion thereof, containing more than two dwelling units."

			For Multiple Dwellings:
Minimum required:			
	Lot area (sq. ft.)		900 per dwelling unit
	Lot width (ft.)		100
	Lot depth (ft.)		125
	Front yard (ft.)		25
	Side yard (ft.)		At the ground level or at any setback level, one-sixth of the height of the nearest outside wall of the building measured in each case from the average level of the finished grade along the side of the building, but in no case less than 25 feet.
	Rear yard (ft.)		At the ground level or at any setback level, one-sixth of the height of the nearest outside wall of the building measured in each case from the average level of the finished grade along the rear of the building, but in no case less than 25 feet.
	Off-street parking spaces		2/Du
	Accessory commercial uses parking spaces		1 per employee or 1 per 300 sq. ft. of floor area, whichever is greater.
	Open space		25% of the lot area shall be devoted to open area, not including parking areas.
Maximum permitted:			
	Building height		
		Stories	6
		Feet	70

Recommendation of the Planning Staff and Planning Commission:
This request is to rezone land from IO (Institutional and Office), subject to the COZ-1 (Corridor Overlay Zone) to RG-5 (General Residence Zone for Mid-Rise Apartments), subject to the COZ-1 (Corridor Overlay Zone). This request is made in conjunction with a request to amend the *2008 Comprehensive Plan*, Map 12-1 Land Development Plan, as it relates to this property. The approval of this rezoning request is contingent upon the approval of the associated amendment to the *2008 Comprehensive Plan*.

As stated in the report for MI-11-01 – 2011 Comprehensive Plan Amendments, staff supports the land use classification change from Institutional to Residential High Density, and the associated rezoning of the subject property from IO (Institutional and Office) to RG-5 (General Residence

Zone for Mid-Rise Apartments). Staff believes that the rezoning and amendment to the Comprehensive Plan are consistent with the policies stated in the *2008 Comprehensive Plan* regarding location of high density residential uses. As previously stated, the subject property is within proximity to a variety of goods and services, including transit service, schools, places of employment, commercial uses, and other supporting services. Additionally, one of the challenges typically encountered when considering high density residential development is the resistance from residential neighbors living in lower density residential developments. This location is not directly adjacent to other, lower density residential development that would generate these types of conflicts.

All Staff recommendations were made prior to the public hearing before the Planning Commission. Following a public hearing on February 22, 2011, where several members of the public spoke in opposition of the rezoning request, the Planning Commission voted to recommend in favor of the proposed amendments to the *2008 Comprehensive Plan* with six members voting in favor and one member voting against the request.

On March 14, 2011, City Council held a public hearing on the proposed rezoning application. Following public testimony expressing concern about the required cross access between the Modern Maturity Center and the subject site if apartments on the site were not to be restricted to senior citizen residents, the City Council deferred action on this request until the Planning Commission renders a decision on the Modern Maturity Center's request to remove the requirement for cross access between the sites.

Following a public hearing before the Planning Commission on March 21, 2011, the Planning Commission voted to remove the requirement for a vehicular cross access between the Modern Maturity Center and the DoveView site. This vote was approved with 7 members voting in favor, on member voting in opposition, and one member absent. The Planning Commission retained the requirement that the Modern Maturity Center provide a cross access between the sites for golf carts and pedestrians.

Excerpt from DRAFT Minutes of the February 22, 2011 Planning Commission Meeting (Minutes scheduled for adoption on March 21, 2011)

Z-11-03 DoveView Apartments at 101-405 DoveView Drive – Public Hearing and Review for Recommendation to City Council on a rezoning application consists of one parcel of land totaling of 6.735 acres ±. The property is zoned IO (Institutional/Office Zone) and subject to the COZ-1 (Corridor Overlay Zone). The proposed zoning is RG-5 (General Residence Zone for Mid-rise Apartments) and subject to the COZ-1 (Corridor Overlay Zone). The property is located on the north side of Forrest Avenue (Route 8) just west of the Saulsbury Road intersection. The owner of record is CRM Mid-Atlantic, LLC and SunTrust Bank. Property Addresses: 101-405 DoveView Drive. Tax Parcel: ED05-076.07-01-30.00-000. Council District 1. Ordinance #2011-05.

Representatives: Mr. Gregg Moore, Becker Morgan Group, Inc.

Mrs. Townshend stated that this application is similar to the previous application that you just saw in terms of surrounding Land Uses. There are other properties adjacent to this property that are zoned C-2A (Limited Central Commercial), one is vacant, the other is TD Bank, Walgreens Pharmacy, and another parcel that is zoned C-2A as well. To the north of this site is property that is zoned Institutional and Office and is the location of The Academy of Dover which is a charter school. Immediately west of the site is the Modern Maturity Center where you heard people associated with the Modern Maturity Center speaking. In terms of the *Comprehensive Plan* in order for this to go through, it is dependent upon that plan change. There is language in the *Comprehensive Plan* that addresses High Density. We have included the bulk standards for what RG-5 would include. She would state for the record that the Site Development Plan associated with DoveView has expired and those approvals were specifically for senior housing; therefore, the Site Plan will have to come back for consideration at that time.

Mr. Hemmig stated for clarification if the Land Use Classification change fails to pass City Council, then this rezoning would become null and void. Responding to Mr. Hemmig, Mrs. Townshend stated that City Council will be made aware that they go together and if they approve one the other will also need to be approved unless they go back and reconsider the first one.

Mr. Moore stated for clarification that he is aware that there was a tax bill that was due on this parcel of land that had not been paid by the developer. The bank was advised by its legal counsel that upon the deed being recorded, they would pay the bill. That bill has now been paid.
Colonel Welsh stated that to clarify a point for those who testified previously from the public, this is only a recommendation for a rezoning application. For those who had concerns regarding connectivity with the Modern Maturity Center, that would not be considered until they come forward with a Site Plan for the apartments.

Mr. Moore stated that they will reach out to the Modern Maturity Center with them separately. Now we have the chance to make that connection before we file a plan before the Commission so that we can talk to them about what we plan to do.

Mr. Hemmig opened a public hearing.

Mr. Leonard Iacono – Stated that he would like to make a comment about the whole aspect of this project. He challenges the bank to produce a market study that states that the need for senior housing is not required. He also suggests, as a major developer in Dover and one of the largest apartment owners here, no one has ever contacted him regarding the ability of taking the project over and developing a senior housing project. If the bank contacted someone, he has no idea who they contacted. He still does not understand the connection between the fact that the City already changed it from a condominium project to a senior housing project and is now changing it back. He just does not understand the whole flow.

Responding to Mr. Iacono, Mrs. Townshend stated that it has always been senior housing. Changing it to a condominium project is a form of ownership not a unit type. Essentially, what we have seen from the beginning has always been apartments as a unit type. Initially, the intent in that they would be condominiums for sale and then it

changed to apartments; however, from a zoning standpoint there is no difference. The *Zoning Ordinance,* in terms of the housing style, specifically states multi-family; it does not state multi-family condominium or multi-family rental.

Mr. Iacono stated that it would be his error because he was under the impression that it started off initially as a condominium project and then went back to the City to request that it be a rental property and specifically a senior housing project. Responding to Mr. Iacono, Mrs. Townshend stated that it was "senior" from the beginning and was initially intended to be condominiums. They asked if they needed approval; however, Staff stated that approval was for senior housing and not necessarily the ownership or rental aspect of it.

Mr. Iacono stated that if the bank is still interested in considering a senior housing aspect; he would be interested.

Mrs. Carolyn Fredericks – Stated that her concern is that she does not know what the timeframe is for the Site Plan and when it would come back; however, the condition of her receiving a Certificate of Occupancy for her building was to build that connection. She is going to be ready to obtain a Certificate of Occupancy by the first of April because their building is almost completed. She is unsure how long the process would take before they would come back with their Site Plan.

Responding to Mrs. Fredericks, Mrs. Townshend stated that in terms of the Modern Maturity Center at this point, it is part of their Site Plan. They have received the request from the Modern Maturity Center to come to the Planning Commission which will happen next month with their request to remove that interconnection cross access.

Colonel Welsh stated that to throw out an opinion he stated that they may want to think about this for awhile because he really thinks that it would be mutually beneficial for both of you to have that interconnectivity both for bringing new people into the Modern Maturity Center and having that use. Responding to Colonel Welsh, Mrs. Fredericks stated that they would discuss this issue next month as it is a major safety issue.

Mr. Nichols questioned when DoveView was proposed to be built, wasn't interconnectivity there at one time and they wanted to bring the road across the ditch over to that point and they abandoned the road idea; however, there would still be a small path across there to get back to the Modern Maturity Center? Responding to Mr. Nichols, Mrs. Townshend stated that there were two things. One, there was a small pedestrian golf cart type access between the two properties. There was also, at that point, even though there was not anything on the Modern Maturity side there was the requirement to provide a cross access easement on the DoveView side; however, they were not required to build it until something happened at the Modern Maturity Center. When Modern Maturity Center came through for their expansion that is currently underway, the location where the interconnection was put at DoveView was something that caused them (Modern Maturity Center) concern. It was at their request that the interconnection in terms of the location on their property was moved further to the front of the property. When DoveView comes in or the vacant parcel or anything adjacent we will have to determine how that connects with the Modern Maturity piece if it stays.

Mr. Nichols further stated that this area was originally shifted he believes to the back. Responding to Mr. Nichols, Mrs. Townshend stated yes and now has been shifted to the front because of concerns of traffic going through the parking lot and the ability of going around the front of the building.

Mr. Hemmig questioned that the Modern Maturity Center's Certificate of Occupancy is tied to completion of the interconnectivity, has that been built? Responding to Mr. Hemmig, Mrs. Fredericks stated that they have not built it yet and our building is almost completed. When they finish with their building, they cannot obtain a Certificate of Occupancy until that interconnectivity has been completed.

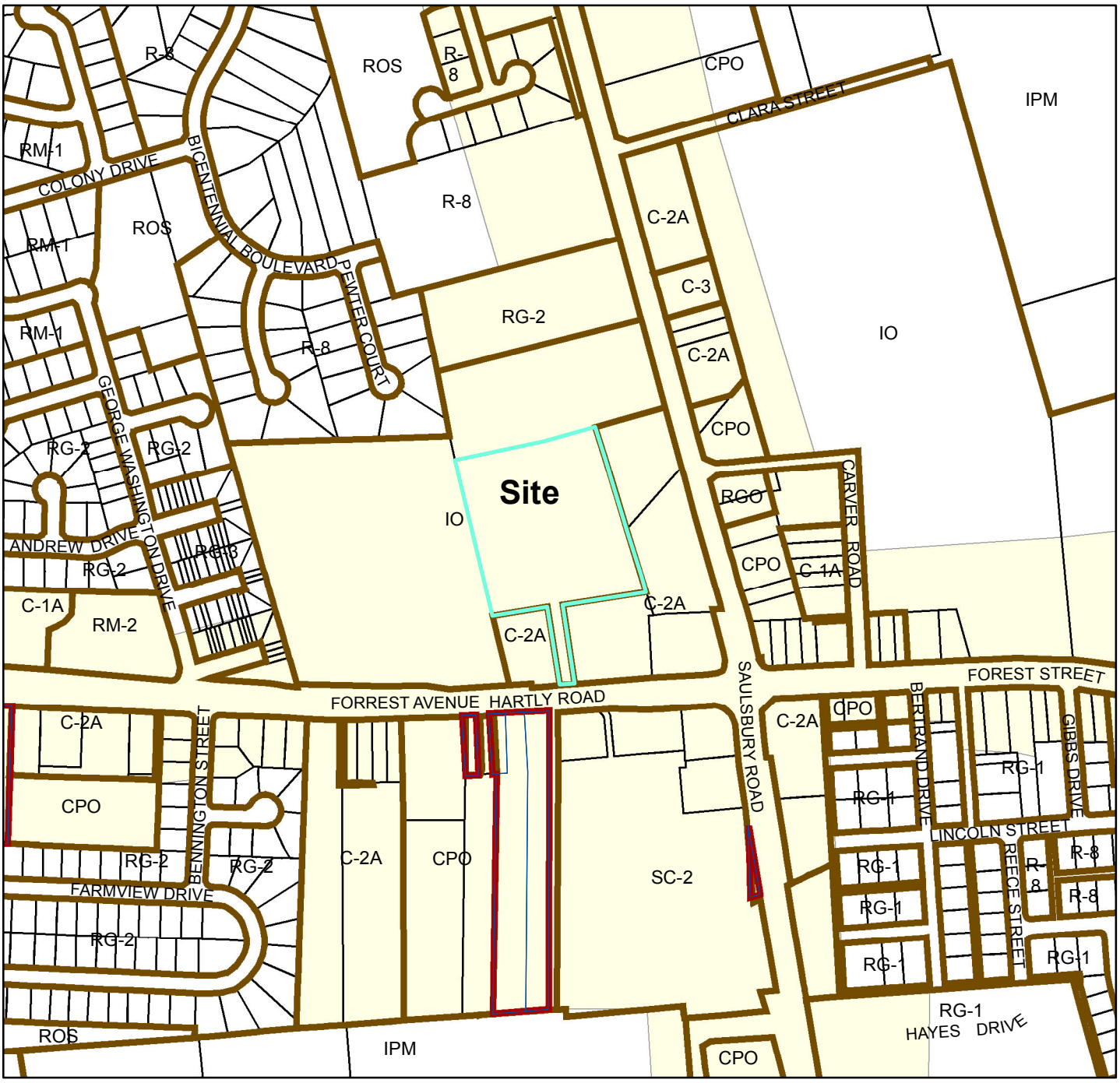
Mr. Hemmig further stated for clarification, this zoning is taking the property from I/O to RG-5. Under the I/O we were able to do a Conditional Use for senior housing. Under the RG-5 can it still be senior housing? Responding to Mr. Hemmig, Mrs. Townshend stated that they could voluntarily age restrict it under RG-5 or they could come back with another senior citizen PND under the RG-5. RG-5 does not preclude it from being senior housing; it just does not require it. Under the I/O, the residential uses aside from the senior citizen PND are prohibited.

Colonel Welsh moved to forward to City Council recommendation of approval of Z-11-03 DoveView Apartments located at 101-405 DoveView Drive from I/O Institutional Office subject to the Corridor Overlay Zone (COZ-1) to RG-5 General Residence Zone for mid-rise apartments and subject to the Corridor Overlay Zone (COZ-1), and for reasons stated in the Staff Report and general discussion this evening, seconded by Mr. Nichols and the motion was carried 6-1 with Mr. Friedman and Mr. Holt absent and Mr. Ambruso opposed.

City of Dover

Department of Planning & Inspections

Application No.: Z-11-03



Plan Title: DoveView
Location: 101-405 Doveview Dr.
Plan Type: Rezoning
Tax Parcel: ED-05-076.07-01-30.00
Current Zoning: IO, COZ-1
Propsoed Zoning: RG-5, COZ-1
Owner: CRM Mid-Atlantic, LLC
Sun Trust Bank
Date: 1-13-11

Legend

- Dover Parcels
- Zoning
- Corridor Overlay Zone

0 300 600 1,200 Feet

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: FEBRUARY 3, 2011

CITY OF DOVER

PUBLIC UTILITIES

DEPARTMENT

APPLICATION: **DOVEVIEW APARTMENTS, 101-405 DOVEVIEW DRIVE**

FILE #: **Z-11-03**

REVIEWING AGENCY: **City of Dover Public Utilities Department**

CONTACT PERSON: **Steve Enss - Electric**
Sharon Duca, P.E. - Water, Wastewater, Stormwater

CONTACT PHONE #: **302-736-7070**

THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY'S AUTHORITY AND AREA OF EXPERTISE.

THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESSED BY THE APPLICANT:

CITY AND STATE CODE REQUIREMENTS

ELECTRIC / WATER / WASTEWATER

1. Our office has no objection to the rezoning of tax parcels ED05-076.07-01-30.00-000.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

ELECTRIC / WATER / WASTEWATER

1. None.

ADVISORY COMMENTS TO THE APPLICANT

ELECTRIC / WATER / WASTEWATER

1. The utilities on this site have already been installed based upon the originally approved layout. As such, it is preferred that changes to the site be planned accordingly. Should this site be redeveloped, which includes modifications to the use or layout, the applicant / developer will be responsible for all costs associated with providing the appropriate service to this site based upon the use including any necessary system upgrades, extensions or relocations. The appropriateness and adequacy of water and sewer services and meters will be assessed at that time. Should the existing infrastructure no longer be required based upon the proposed use, it must be properly abandoned in accordance with all City of Dover Public Utilities Department standards and specifications.

IF YOU HAVE ANY QUESTIONS OR NEED TO DISCUSS ANY OF THE ABOVE COMMENTS, PLEASE CALL THE ABOVE CONTACT PERSON AND THE PLANNING DEPARTMENT AS SOON AS POSSIBLE.

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: February 3, 2011

D E L D O T

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APPLICATION: Doveview Apartments at 101-145 Doveview Drive
FILE#: Z-11-03 REVIEWING AGENCY: DelDOT

CONTACT PERSON: Julio F. Seneus PHONE#: 760-2145

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THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY'S AUTHORITY AND AREA OF EXPERTISE.

THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESSED BY THE APPLICANT:

CITY & STATE CODE REQUIREMENTS:

1. DelDOT has no comments for the proposed rezoning.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

ADVISORY COMMENTS TO THE APPLICANT:

- A Traffic Impact Study (TIS) will be required if the proposed development exceeds 50 VPH or 400 VPD.When the study is completed, DelDOT will review it and send recommendations for the improvements to the City. The improvements contained in the study will be implemented by the developer per DelDOT's discretion. Please, contact Mr. Troy Brestel at (302) 760-2167 or e-mail: Troy.Brestel@state.de.us to set up a scoping meeting for this project.

- If the proposed amended subdivision will generate fewer than 2000 trips per day or less than 200 vehicles in any hour of the day, DelDOT will allow payment towards an Area-Wide Study Fee, in lieu of a TIS. The Area-Wide Study Fee, calculated as $10 per daily trip, would be payable to DelDOT prior to the re-issuance of a Letter of No Objection. Payment of it would exempt the developer from the need to do a TIS, but would not exempt them from participation in off-site improvements or the need to do a Traffic Operational Analysis if one is required in the re-review of their entrance plans. If the developers would like to pay the fee in lieu of doing a TIS, the developer should contact me at (302) 760-2145.

If you have any questions or need to discuss any of the above comments, please call the above contact person and the planning department as soon as possible.

FINAL READING

CITY OF DOVER
PROPOSED ORDINANCE #2011-05

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER BY CHANGING THE ZONING DESIGNATION OF PROPERTY LOCATED AT 101-405 DOVEVIEW DRIVE

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 IO (Institutional and Office Zone) and subject to COZ-1 (Corridor Overlay Zone) to RG-5 (General Residence Zone for Mid-Rise Apartments) and subject to COZ-1 (Corridor Overlay 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 IO (Institutional and Office Zone) and subject to COZ-1 (Corridor Overlay Zone) to RG-5 (General Residence Zone for Mid-Rise Apartments) and subject to COZ-1 (Corridor Overlay Zone) on that property located at 101-405 Doveview Drive (on the north side of Forrest Avenue (Route 8) just west of the Saulsbury Road intersection), consisting of $6.735^{+/-}$ acres, owned by CRM Mid-Atlantic, LLC and SunTrust Bank.
(Tax Parcel: ED05-076.07-01-30.00-000; Planning Reference: Z-11-03)

ADOPTED: *

S:\PACKETS\2011\Council\04-11-2011\A. Proposed Ordinance 2011-05-Rezoning of Property Located at 101-405 Doveview Drive - Final Rdg (revised) (04-11-2011).wpd

Actions History

April 11, 2011 - Proposed Final Reading - Council
March 21, 2011 - Reconsidered by the Planning Commission
March 14, 2011 - Public Hearing - Deferred by Council and Referred Back to the Planning Commission
February 22, 2011 - Review - Planning Commission
January 24, 2011 - First Reading - Council

Draft

SPECIAL PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE

A Special Parks, Recreation, and Community Enhancement Committee meeting was held on March 24, 2011, at 10:00 a.m. with Chairwoman Russell presiding. Members present were Dr. McGlumphy (arrived at 10:11 a.m.), Mr. Ruane (arrived at 10:29 a.m.), Mrs. Horsey, and Mr. Lewis.

AGENDA ADDITIONS/DELETIONS

Mrs. Horsey moved for approval of the agenda, seconded by Mr. Lewis and unanimously carried.

Community Development Block Grant (CDBG) Application Review

Mrs. Tracey Harvey, Community Development Manager, noted that members would be serving as the Community Development Block Grant (CDBG) Review Panel for the CDBG Applications for Fiscal Year 2011. As such, members were provided with a list of applicants, staff reports summarizing each application, a CDBG Interview Schedule, a breakdown of federal resources available for use, the total amount of grant funds requested, CDBG scoring criteria, and a 2011 CDBG Review Panel Scoring Sheet for each applicant. She requested that members summarize their evaluation of each application on the CDBG Grant Application Review Sheet and provide a score based on the information presented. Mrs. Harvey explained that the numbers in parenthesis next to each measure indicate the maximum score for a given category and that the maximum total points is 100.

Mrs. Harvey advised members that the total amount of grant funds available for activities is $228,406 and explained the allocation requirements of the grant, as follows:

CDBG Funds Allocation	$270,000
Anticipated Program Income	$ 15,507
Total Grant Allocation	$285,507
20% of the grant must be allocated for Program Administration	$285,507 x.20
	$57,101
Grant Funds Available for Activities	$228,406
Total Grant Funds Requested by Applicants	$540,347

Mrs. Harvey cautioned that, according to CDBG requirements, funds awarded for public service activities cannot exceed 15% of the total grant allocation ($42,826).

Mrs. Ann Marie Townshend, Director of Planning and Community Development, advised members that until the federal budget process is complete, the funding level of the City's CDBG allocation is uncertain. She noted that the City's representative from the Department of Housing and Urban Development suggested using the City's FY 2009 allocation for budgeting purposes. Mrs. Townshend stated that members should understand that subgrant funding levels may need to be adjusted after Congress adopts a final budget.

By unanimous consent (Mr. Ruane absent during this portion of the meeting), members agreed that they would abide by a procedure adopted in previous years whereby applications that receive fewer than 70 points in the scoring process would be removed from consideration.

Oral Presentations

Each applicant was provided an opportunity to make oral presentations before the committee, as follows:

Dover Interfaith Mission for Housing

Ms. Jeanine Kleimo, Chair, Dover Interfaith Mission for Housing (DIMH), reviewed a grant application in the amount of $46,000. She explained that DIMH is an interfaith community organization which provides shelter, meals, and assistance to homeless men from the greater Dover community. Ms. Kleimo indicated that DIMH has opened a shelter at 684 Forest Street in Dover which can accommodate up to 36 lodgers. She stated that the 4,800 square-foot building is leased from the Downtown Dover Partnership and was renovated using a previous $60,000 CDBG award from the City of Dover. Ms. Kleimo noted that all shelter guests are assessed for counseling, treatment, and employment needs and referrals are made to local agencies that provide for mental health and addiction counseling, and social services. She advised members that the shelter program is one of Dover's largest volunteer efforts and is well-supported and accepted by the community. Ms. Kleimo stated that DIMH's grant request is for operating funds for the building, including utility and lease costs.

In response to Mr. Lewis, Ms. Kleimo stated that very few shelter guests return for additional services, estimating that approximately 15-20 of the 400 individuals served were returnees. She noted that these guests were granted an additional 30-day stay and provided further counseling. She reiterated that the goal of the DIMH is to shelter and feed men and restore them as productive members of the community.

First State Resource Conservation and Development Council

Mr. Frederick Traute, Manager, Home Repair Project, First State Resource Conservation and Development Council, Inc. (RC & D) reviewed a grant application, in the amount of $50,000, for funding for the organization's Emergency Home Repair Program. He explained that this program provides assistance to low-income homeowners to eliminate conditions in their homes that are an immediate threat to the occupants' health, safety, or security. Mr. Traute noted that RC & D provides materials and volunteers or contractors to complete repairs with no cost to the homeowner. He emphasized that these repairs are much needed and that receipt of the organization's services is often the occupant's last resort before becoming homeless. Mr. Traute explained that, if the CDBG funds are secured, RC & D expects to carry out repairs on up to 20 low-income, owner-occupied homes in the City over the next 12 months and plans to average three (3) completions per quarter.

In response to Mrs. Russell, Mr. Traute indicated that current program guidelines permit RC & D to spend up to $5,000 per year on homes. He emphasized that RC & D is not an ongoing maintenance program and that staff encourages owners to take responsibility for maintaining their homes in good repair after services are provided.

Connections Community Support Program

Mr. Chris Devaney, Vice President of Operations, and Mr. Brad Milton, Director of Homeless Program, Connections Community Support Programs, Inc. (Connections), reviewed a grant application in the amount of $20,000. Mr. Devaney explained that Connections was founded in 1985 primary medical, mental health and substance abuse treatment, employment, and housing opportunities and to help individuals and families receiving services to become accepted and productive members of their communities. He noted that CDBG funds would be used to increase homeless shelter capacity in Dover by providing motel vouchers for homeless individuals and families who have no other immediate housing alternatives.

Mr. Devaney stated that Connections also proposes to use CDBG funds to offer an alternative to emergency shelter during the coldest nights of the year by operating a homeless café in the City from December 15, 2011 through March 15, 2012, replicating a similar Connections program in Wilmington. He noted that this facility would serve individuals who are unwilling or unable to stay in traditional shelters due to fear, mental health problems, or other barriers. Mr. Devaney noted that it is proposed to use Connections' Dover Homeless Outreach Center, which currently provides daytime outreach services for the homeless, for this purpose. He stated that this facility is located at 621 W. Division Street.

In response to Mr. Ruane, Mrs. Townshend indicated that the current zoning of the Division Street property would not permit use as a homeless café. Mr. Devaney stated that Connections would be willing to consider another property owned by the organization, located at 696 S. Bay Road, as an alternative location.

Mr. Ruane suggested that Connections staff explore the possibility of linking services with the Dover Public Library, noting that the Library has an employment counselor and could also benefit from outreach efforts made to the homeless in the area.

Diamond State Community Land Trust

Mr. Van Temple, Executive Director, Diamond State Community Land Trust (DSCLT), reviewed a grant application in the amount of $40,000. Mr. Temple explained that DSCLT was founded in 2006 to create permanent, affordable housing for individuals who are 60% below the area median income. He noted that, under the DSCLT model, homeowners purchase the home; however, DSCLT retains ownership of the land. Mr. Temple indicated that DSCLT clients sign 99-year renewable leases for exclusive rent of the land for a set, below-market fee. He stressed that, under this model, DSCLT homes are made affordable for the first time buyer and for future buyers of the property. Mr. Temple stated that CDBG funds would be used to purchase two (2) vacant, foreclosed homes in Northwest Dover Heights, Lincoln Park, or surrounding areas for low-income families. He noted that one (1) of the criteria for selecting homes would be the roof orientation and size, so that solar panels could be installed to generate electricity and heat for hot water.

Mr. Temple provided members an updated economic summary for their review ***(Attachment #1).***

Mr. Ruane requested that staff provide members a list of homes in the City that have been rehabilitated by DSCLT.

Elizabeth W. Murphey School. Inc.

Mr. Michael Kopp, Executive Director, The Elizabeth W. Murphey School, Inc., reviewed a grant application in the amount of $49,347. He advised members that the Elizabeth Murphey School is a group home that serves neglected and abused homeless children. Mr. Kopp noted that the State has requested the Murphey School to open an additional building to serve children who need emergency placement. He stated that this building will house children as young as six (6) years of age who are homeless and also have mental health concerns that will be addressed through school staff and the services of other area professionals.

Mr. Kopp indicated that the cost of providing heat and moderate air conditioning to school buildings has severely impacted the organization's ability to serve more children and that conversion to geothermal heating is crucial to the organization's financial stability. Mr. Kopp advised members that the CDBG funds will be used to provide a geothermal unit which will provide heat, hot water, and air conditioning to a building which will accommodate children placed in the Murphey School's care on an emergency basis.

Downtown Dover Partnership

Mr. William Neaton, Executive Director, and Mr. Ed Perez, Coordinator, Downtown Dover Partnership (DDP), reviewed a grant application in the amount of $42,000. Mr. Neaton explained that CDBG funds were requested for the development of microenterprises in the Downtown Dover area. He stated that funds would be used to provide: 1) grants, loans, loan guarantees and other forms of financial support; 2) technical assistance, advice, and business services; 3) general support to owners of microenterprises and persons developing microenterprises including child care, transportation, counseling and peer support groups; and 4) training and technical assistance or other support services to increase the capacity of small business owners.

In response to Mrs. Russell, Mr. Neaton noted that many small businesses fail due to lack of a solid business plan, lack of funds, or lack of proper marketing. He stated that, with the use of CDBG funds, the DDP hopes to provide assistance in these three (3) areas to microenterprises.

In response to Mrs. Russell, Mr. Perez requested that any negative reviews of the DDP be brought to the attention of Mr. Neaton promptly so that they can be addressed.

Responding to Mrs. Russell, Mr. Neaton stated that the DDP is responsive to all prospective business developers who approach the organization for assistance, including minorities.

In response to Mr. Ruane, Mr. Perez indicated that the Small Business Administration would provide technical assistance to the DDP in administering a loan program. Mr. Neaton added that $25,000 in the current departmental budget has been allocated to the DDP's Incentive and Loan Program Subcommittee, and that guidelines and procedures for loan administration are under development.

In response to Mr. Ruane, Mr. Neaton stated that the $42,000 allocation requested would be supplemental to the $25,000 currently budgeted for a loan program. He indicated that $28,000 of the CDBG funds requested would be dedicated to loans and $14,000 to providing technical assistance to loan recipients to assist them in managing their businesses.

In response to Dr. McGlumphy, Mr. Neaton stated that CDBG funds will not be used to supplant funding granted to the DDP by the City of Dover.

In response to Mrs. Harvey, Mr. Neaton explained that staff would be responsible for providing documentation related to job creation and retention for the life of the loan.

In response to Mrs. Horsey, Mr. Perez stated that the statistics provided regarding the percentage of low-to-moderate income individuals to be served reflect that individuals who wish to start businesses must qualify for loans and, therefore, typically have some capital.

By unanimous consent, the meeting recessed at 12:06 p.m. and reconvened at 12:42 p.m.

City of Dover - Streets Project

Mr. Scott Koenig, Public Services Manager/Director of Public Works, reviewed a grant application for the City of Dover Streets Project - Concrete and Pavement Rehabilitation in the amount of $203,000. He stated that the proposed locations for rehabilitation include South New Street, Janes Road, and Mays Lane, noting that these locations must be confirmed with census data to ensure that residents of these areas are on a low or moderate income census track. Mr. Koenig explained that the proposed work on South New Street would include the removal and replacement of old and deteriorated concrete sidewalks, curbs, and drains; however, concrete rehabilitation on Janes Road and Mays Lane would be limited to drainage structures. He stated that the pavement surface would be milled and repaved at all three (3) locations and accessibility improvements would be made at all practical locations. Mr. Koenig noted that receiving CDBG funds would allow staff to leverage additional funds for an overall City street program. He advised members that the investment would be expected to last 15-20 years and would have an immediate and long-term impact for residents in the area.

Mr. Ruane noted that the targeted sections of Janes Road and Mays Lane are situated in isolated and neglected portions of the City which are not likely to receive State support.

Housing Rehabilitation Program

Mrs. Tracy Harvey, Community Development Manager, reviewed a grant application, in the amount of $50,000, for the City of Dover Housing Rehabilitation Program. She indicated that this program provides repairs on owner-occupied homes for low-to-moderate income individuals and assists in bringing these homes up to code. She stated that there is a high demand for this program, noting that the waiting list has been closed since 2009; however, she still receives several calls weekly from interested individuals. Mrs. Harvey noted that the project will focus

on preserving existing housing stock in the City, with the goal of rehabilitating four (4) to (5) homes, using up to $15,000 per household to perform needed repairs. Mrs. Harvey advised members that this program would be severely impacted if not funded during this grant cycle.

Homeownership Assistance Program

Mrs. Tracey Harvey, Community Development Manager, reviewed a grant application, in the amount of $40,000, for the City of Dover Homeownership Assistance Program. She indicated that this program provides first-time homebuyers assistance with down payment or closing costs, allowing them to purchase affordable housing in the City of Dover. Mrs. Harvey advised members that there is a high demand for this program and that CDBG funds would be used to provide up to $10,000 each to four (4) first-time homebuyers to assist in the purchase of properties in the City. She noted that all purchasers must complete a homeownership counseling session with the National Council on Agricultural Life and Labor Research, Inc. (NCALL) before signing a sales contract.

Review/Scoring of Community Development Block Grant (CDBG) Applications

Members reviewed and discussed the various CDBG grant applications to develop a score for each applicant.

After a period of discussion, members conducted a review of each grant application and provided individual scores on the CDBG Grant Application Scoring Sheet for applicants *(as on file in the Office of the City Clerk)* and staff tallied the scoring sheets.

Mr. Ruane moved that the full amount of CDBG funds permitted for public service activities ($43,826) be dedicated for this purpose, seconded by Mrs. Horsey and unanimously carried.

Dr. McGlumphy moved to consider those applications addressing public service activities (Dover Interfaith Mission for Housing, Connections Community Support Program, and the Downtown Dover Partnership) separately from the non-public service applications, seconded by Mr. Ruane and unanimously carried.

Mr. Lewis moved to recommend that $10,000 of the City's CDBG grant allocation be distributed to Community Connections Support Program and the remaining non-public service funds be awarded to the Dover Interfaith Mission for Housing.

Mrs. Horsey moved to amend the motion by decreasing the amount of funds to be awarded to Community Connections Support Program to $5,000, seconded by Mr. Lewis. The motion to recommend that $5,000 of the City's CDBG grant allocation be distributed to Community Connections Support Program and the remaining non-public services funds ($37,826) be awarded to the Dover Interfaith Mission unanimously carried.

Members then scored the CDBG applications for non-public service programs.

Based on the scoring of the grant applications by the Committee, Mr. Ruane moved to recommend approval of the distribution of the City's Community Development Block Grant (CDBG) monies for non-public service programs as follows:

Applicant	Amount Requested	Amount Recommended
R C & D	$ 40,000	$ 40,000
City of Dover Streets Program	$ 203,000	$ 65,580
City of Dover Community Development Projects:		
Housing Rehabilitation Program	$ 50,000	$ 40,000
Homeownership Assistance Program	$ 40,000	$ 40,000

The motion was seconded by Mr. Lewis and carried with a vote of four (4) yes, and one (1) no (Dr. McGlumphy).

Dr. McGlumphy stated that he disagreed with the CDBG allocation process and did not believe that the City should be involved in the process in this manner.

Mr. Ruane moved to include a stipulation that all funds recommended for distribution to the City of Dover Streets program be allocated to the rehabilitation of South New Street, seconded by Mrs. Horsey and carried with a vote of four (4) yes and (1) abstention (Dr. McGlumphy).

Mrs. Horsey moved for adjournment, seconded by Mr. Lewis and unanimously carried.

Meeting Adjourned at 1:58 P.M.

Respectfully submitted,

Sophia R. Russell
Chairwoman

SR/JS/ac/dd/tm
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Attachment
Attachment #1 - Diamond State Community Land Trust Economic Summary, Dated March 24, 2011

Diamond State CLT

3/24/11

DOVER CDBG GRANT REQUEST

AFFORDABLE HOMEOWNERSHIP, PERMANENT AFFORDABILITY

Project: two single-family homes in Northwest Dover Heights, Lincoln Park, or equivalent neighborhoods. Thoroughly renovated with energy-efficiencies including solar hot-water & solar electric panels.

Homebuyers: From 53% to 80% Area Median Income (AMI).

Economics:

	Per Home	Total Request
Acquisition	$124,000	
Rehabilitation, Holding, Stewardship	$45,000	
Renewable Energy Investment	$20,000	
Total Development Cost:	**$189,000**	
CLT Sales Price	**$105,000**	
Interim GAP:	$84,000	
Dover CDBG - requested	**$20,000**	**$40,000**
DSHA - Housing Development Fund	$19,999	
NSP1 recycled & NSP2 (Kent)	$44,001	
Final GAP:	$0	$0

Timing:

Acquisition planned for August/September 2011
Rehabilitation & energy enhancements - October-November
Sale period - December-January
Relationship with owner-occupant - continuing

THANKS FOR CONSIDERING OUR REQUEST!

363 Saulsbury Road

Dover, DE 19904

UTILITY COMMITTEE

The Utility Committee Meeting was held on March 28, 2011 at 5:00 p.m. with Chairman Ruane presiding. Members present were Mr. Bonar, Mr. McGiffin, Major Kosior and Mr. Snaman. Members of Council present were Council President Hogan (arrived at 5:27 p.m., departed at 5:29 p.m., and returned at 5:43 p.m.) Mr. Leary (arrived at 5:40 p.m.). Mayor Carey (arrived at 5:34 p.m.) was also present.

AGENDA ADDITIONS/DELETIONS

By unanimous consent, the agenda was approved, as presented.

Evaluation of Proposals - Energy Management Agreement

Mr. Anthony DePrima, City Manager, reminded members that on May 4, 2006, the City of Dover entered into an Energy Management Agreement with Pace Global Asset Management, LLC (PACE) to assist the City with its energy procurement, energy sales, purchase of fuels, establishment and management of risk policies, development and management of hedging protocols, provision of power plant oversight and bidding strategy, and related energy procurement processes. He noted that this agreement will expire on June 30, 2011.

Due to the extreme importance of this contract, Mr. DePrima stated that a staff team (including himself, Donna Mitchell, Controller/Treasurer; Ronald Lunt, Public Utilities Director; and due to the confidentially of the various proposals, Mr. Kirk Betts, Counsel from Betts and Holt LLP) was organized to solicit proposals from potential bidders. He stated that the team issued a Request for Qualifications to sixteen (16) firms and that seven (7) responses were received. After evaluating the responses received, the team selected three (3) finalists and a Request for Proposal (RFP) was sent to these parties. He noted that, as a part of the RFP request, the current Energy Management Agreement was included in the package to be used as a basis for the new agreement. Mr. DePrima advised members that on February 8th and 9th, interviews were conducted with the three (3) finalists. Subsequent to these interviews, he stated that a "best and final" offer was requested and due by February 28th so that the team could have ample time to develop a final recommendation. He stated that of the three (3) proposals that were submitted, one (1) was rejected as non-compliant and not considered for the final recommendation; however, the proposals submitted by PACE and The Energy Authority, Inc. (TEA) were comprehensive and fully complied with the RFP. A summary of the recommendation from the team was provided to members, which included details of the analysis.

Staff recommended that the City Manager be authorized to execute a five (5) year contract with an annual fee of $996,000, plus additional services as required, with The Energy Authority, Inc. (TEA) as per the terms of the RFP.

Mr. DePrima stated that TEA was less costly than PACE Global and will also bring a certain depth of services, as well as an association with other power companies that the City currently does not have.

In response to Mr. Snaman, Mr. Ron Lunt, Public Utilities Director, stated the importance of understanding the structure of TEA. He explained that TEA is a creation of public power utilities, rather than a vendor who provides services to members of the authority. Mr. Lunt indicated that

TEA members provide services to themselves; therefore, it is difficult to obtain references. He stated that TEA's largest utility customer is Orlando Utilities and that the presentation by TEA includes an outline of its owners.

Mr. McGiffin questioned if the City would become an owner if the City entered into a contract with TEA. Responding, Mr. Lunt stated that, at this point, the City would be taking services from the authority as a customer. TEA currently provides services to 38 customers who are not members. He stated that he has spoken with another customer of TEA, Franklin Public Utility District, who indicated their satisfaction.

Noting that TEA has offices located in Florida and on the West Coast, Mr. Snaman questioned if TEA has any offices in the Northeast and how long TEA has been in business. Responding, Mr. DePrima stated that TEA became incorporated in 1997; however, he noted that all companies in this business are new since these companies were created to address the deregulation of the wholesale power market. In regards to TEA's office locations, Mr. DePrima noted that there are provisions in the contract that require TEA to be in Dover on a monthly basis to meet with City staff.

Responding to Mr. McGiffin, Mr. DePrima stated that TEA is a Limited Liability Corporation (LLC) that has 14 members who are equitable owners (partners and members of the Board of Directors). He noted that there are 38 additional power companies who are customers of TEA and, as he understands, there is an option for a customer to become an equitable owner of the corporation, explaining that it is not a closed LLC.

Mr. Ruane referred to Exhibit #1 - Recommendation of Energy Manager and requested an explanation of the cost reduction provided by PACE that imposes several new conditions, one of which is a generation cumulative run-time limit of 100 unit run-hours/year (the sum total of all run-hours of all units, including for PJM testing - over 100 hours triggers an hourly fee). Mr. DePrima stated that in order to reduce their flat fee, PACE put a restriction on the run-time of the plant, explaining that once the plant runs over the 100 hours, there would be an additional fee for their services for running the plant. He confirmed that this was a factor in the development of the recommendation.

Responding to Mr. Bonar, Mr. Lunt stated that, last year, there were several days that the plant ran over 100 hours, noting that this past summer, there were 24 days that the plants ran over 100 hours. Mr. DePrima stated that if there was a year that the plants were not run at all, there would be approximately 100 hours of run-time for the required testing.

At the request of Mr. Ruane, Mr. DePrima explained that PACE provided two (2) proposals: one based on a base fee and another based on PACE sharing the revenue acquired from the Auction Revenue Rights (ARR), which is a transmission strategy to mitigate the cost of congestion. He confirmed that the recommendation was based on the base fee proposal rather than the ARR option, since specific amounts would be difficult to determine.

In response to Mr. Ruane, Mr. DePrima stated that TEA has more experience with trading in various energy markets and would bring a 24/7 experience to the City of Dover. Elaborating, Mr. Lunt explained that the value of a trading floor is that they are always working in the markets and are able to follow trends and flows of power marketing. TEA's floor consists of several traders, working on a 24-hour basis, who monitor power costs to discover opportunities to sell or buy power on a short-term basis. He stated that having their own trading floor allows TEA to better estimate, follow, monitor, and track where the power supply is and where the costs and possible revenues are as well. It was his belief that TEA's ability to continuously schedule and bid in the market may provide the City an opportunity that would not be available otherwise.

Mr. Ruane noted that a representative of PACE has been involved with the 2030 Committee and questioned the effect that a change in contract would have in this regard. Responding, Mr. DePrima assured members that, like PACE, TEA has committed to providing basic services to the 2030 Committee and, if there are more detailed negotiations or contracts over and above the basic services, they would be paid (as PACE is). Therefore, it was his feeling that, other than specific individuals being different and there being a learning curve required, there would be no changes. He advised members that the City will retain the services of PACE for the negotiations related to the LS Power Project in West Deptford, New Jersey.

In response to concerns of Mr. Ruane, Mr. DePrima stated that the North American Energy Services Corporation (NAES) is an independent company from PACE and that the contract with NAES is effective for an additional year. He confirmed that NAES will remain responsible for the plant operations at this time.

As mentioned by staff, Mr. Ruane reiterated that PACE provided the City of Dover with excellent service during the past several years.

Responding to Mr. Snaman, Mr. DePrima stated that TEA would be submitting a monthly report.

Mr. DePrima introduced Mr. Jamie Mahne, Member Services Manager for TEA, who will be working with the City, serving as a project manager for coordinating services.

Mr. Mahne reviewed a Presentation - *Overview of The Energy Authority* ***(Attachment #1)***. He relayed the importance of a true partnership and that TEA does a good job at not only maintaining customer satisfaction but also tracking customer satisfaction, which is part of TEA's annual process. He advised members that every employee of TEA is compensated based on the results of customer satisfaction surveys. He indicated that TEA's goal is to produce "extremely satisfied" results from customers. He stated the importance of value focused delivery, and requested that if the City values a service that TEA is not providing, that TEA be informed in order to make necessary changes.

Responding to Mr. McGiffin regarding the non-profit status of TEA, Mr. Mahne explained that there are two (2) IRS private letter rulings indicating that TEA is a 501(c)(3) organization and, as such, is tax-exempt and not permitted to provide services to "for profit" companies. *(City Clerk's Office Note: At the request of Mr. McGiffin, members were provided an explanation of TEA's non-profit status in an email dated March 30, 2011* ***(Attachment #2).***

Mr. Bonar moved to recommend that the City Manager be authorized to execute a five (5) year contract with an annual fee of $996,000, plus additional services as required, with The Energy Authority, Inc. (TEA), as per the terms of the Request for Proposal (RFP). The motion was seconded by Mr. McGiffin and unanimously carried.

By unanimous consent, the meeting adjourned at 5:54 p.m.

Respectfully submitted,

Eugene B. Ruane
Chairman

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Attachment to Original Minutes and File Copy
Attachment #1 - Presentation - Overview of The Energy Authority
Attachment #2 - Emailed dated March 30, 2011 - Explanation of TEA's Non-Profit Status

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

The Legislative, Finance, and Administration Committee meeting was held on March 28, 2011 at 6:00 p.m. with Chairman Leary presiding. Members present were Mr. McGiffin, Mr. Salters, Dr. Jones, and Mr. Shevock. Members of Council present were Council President Hogan, Mr. Bonar, and Mr. Ruane. Mayor Carey was also present.

AGENDA ADDITIONS/DELETIONS

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

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.

Administrative Assistant - Police Department

Police Chief James Hosfelt reviewed a request to recruit for an Administrative Assistant to the Chief of Police. He advised members that a vacancy will be created with the retirement of the Department's current Administrative Assistant in December 2011. Due to the lengthy process involved in filling a position within the Police Department, which requires a background investigation, he requested permission to begin recruitment at this time.

Mr. McGiffin moved to recommend approval of the request to recruit for the Administrative Assistant to the Chief of Police, as recommended by staff. The motion was seconded by Dr. Jones and unanimously carried.

FY 2012 Five-Year Capital Investment Plan (CIP) ***(Deferred on March 14, 2011 Due to Time Constraints)***

During their meeting on March 14, 2011, members deferred review of the FY 2012 Five-Year Capital Investment Plan (CIP) due to time constraints.

Mr. Anthony DePrima, City Manager, reviewed the FY 2012 Five-Year CIP and noted that all new projects have been highlighted.

In response to Dr. Jones, Mr. DePrima stated that he would with consult Mr. Scott Koenig, Public Services Manager/Director of Public Works, to determine if the Salt Storage Facility at Schutte Park should be deferred until after the trial of the Brine Manufacturing System.

Responding to Dr. Jones, Mr. DePrima stated that there are no plans to provide air conditioning for the Pitts Center at Schutte Park.

In response to Mr. Ruane, Mr. DePrima indicated that the Customer Notification System by E-IVR Automated Dialing is similar to the Reverse 911 System, serving as a more cost-effective way of notifying customers of disconnection, outages, etc. He stated that the Reverse 911 System was

included in the proposed budget and has not been included in the CIP because there are no equipment costs.

With regard to disconnection calls, Mr. Bonar suggested that staff obtain customers' permission to leave such messages if there is no answer, since this could cause consumer credit issues and legal ramifications.

By unanimous consent, members recommended acceptance of the FY 2012 Five-Year Capital Investment Plan (CIP) as presented.

Review of Hospitality and Civic Function Policy *(Committee Deferred on March 14, 2011 Pending Additional Information)*

During their meeting of February 28, 2011, members considered a request from Mayor Carleton E . Carey, Sr. to include certain functions offered by the Central Delaware Chamber of Commerce and Kent County Tourism in the City's Hospitality and Civic Function Policy. Mayor Carey noted that these events are not covered under the City's existing Policy. At that time, members deferred action and requested that Mayor Carey provide the cost for each of the events listed and the annual cost for members to attend these events.

During their meeting of March 14, 2011, members were provided details regarding the costs associated for members of Council to attend these functions and deferred action to allow staff the opportunity to make revisions to the Hospitality and Civic Function Policy.

Mrs. Donna Mitchell, Controller/Treasurer, reviewed the proposed revisions to the Hospitality and Civic Function Policy, noting that additions to the policy were noted in red font and deletions were noted with strikeouts.

Mr. Salters moved to recommend approval of the revisions to the Hospitality and Civic Function Policy *(Attachment #1)*, seconded by Mr. Shevock and unanimously carried.

Reallocation of State Bond Funds *(Request of Councilman Bonar)*

Mr. Bonar stated he did not feel that the City of Dover has been receiving its "fair share" of State funding and that he made a commitment to take any action necessary to ensure this would be accomplished. He reminded members that, several years ago, there was discussion regarding building a civic center in the area at an estimated cost of $13M, including the purchase of land. He stated that the Legislative Bond Bill Committee (under former Senator Nancy Cook and the late Senator James Vaughn) allocated funds specifically for this project. To date, he noted that there is $6M in the fund.

Mr. Bonar stated that, due to budgetary constraints, the City never took action on this project, other than being involved in related discussions and studies. Since the City has not moved forward with this project, and due to the current economic situation in the State, Mr. Bonar advised members that the Governor wants to de-authorize the $6M in the fund and reallocate the funds to other projects.

Mr. Bonar stated that one (1) of the projects being considered is a soccer complex near Frederica that would peripherally benefit the City of Dover; however, it was his feeling that since the funds were allocated specifically for and within the City, they should remain dedicated to City projects.

Understanding that the State will need some of the funds from the account, Mr. Bonar suggested that the City establish a group to meet with legislators to request that a significant portion of the $6M be set aside specifically for economic development projects in the City that would benefit the residents of the State of Delaware. As an example, he stated that the City is in early discussions regarding the possibility of a combined-cycle natural gas generator to be built on the Garrison Tract in the City of Dover. Mr. Bonar suggested that the City propose that the State allocate $4M of the $6M for the purpose of building roads, water, wastewater, and other infrastructure that will be necessary at the Garrison Tract. He stated that this project would employ hundreds of workers during construction and other employees once the facility is complete. He felt that this project would benefit all residents of the City, as well as the State of Delaware, by reducing electric bills.

Mr. Bonar reminded members that the purpose of the $6M originally allocated to the City was to encourage economic development and that the creation of jobs and a reduction in electric fees would provide such economic development and a benefit to all residents. He noted that, in accordance with the State Controller General's Office, construction of these types of infrastructure improvements is a permitted use for the allocated funds.

Mr. Bonar reiterated his request for the Committee to recommend that Council establish a committee to encourage the legislators, the Bond Bill Committee, and the Governor to ensure that this allocation is accomplished in this legislative year, ending July 1, 2011.

Responding to Mr. Ruane, Mr. Bonar confirmed that, in addition to the proposed soccer complex, a portion of these funds is proposed for the civil air terminal. He stated that the request for funds exceeds $4M for both projects, and it is his understanding that the additional $1.5M to $2M would be reallocated by the Bond Bill Committee.

In response to Mr. Shevock, Mr. Bonar stated that the Bond Bill Committee has not made a final decision regarding the reallocation of the funds.

Mayor Carey referred to a letter received from the Chamber of Commerce ***(Attachment #2)*** requesting the City to support their efforts in the re-allocation of these funds for the Kent County Sports Complex. He suggested that members respond to the Chamber of Commerce regarding the City's position in this regard.

In addition to the infrastructure mentioned by Mr. Bonar, Mr. Anthony DePrima, City Manager, indicated that there are 14 additional 10-acre lots available at the Garrison Tract for development; therefore, an investment in the infrastructure would make 140 acres "shovel ready" for other types of economic development at that location.

Mr. Salters moved to recommend that City Council authorize the formation of a committee to meet with and encourage State Legislators, the Bond Bill Committee, and the Governor to ensure that a significant portion of the $6M, currently authorized for the construction of a civic center, be specifically allocated for an economic development project within the City of Dover that will benefit every resident of the State of Delaware, such as the construction of a combined-cycle natural gas generator at, or infrastructure that will be necessary to, the Garrison Tract, and that this allocation be accomplished in this legislative year, ending July 1, 2011, and that a letter be sent in response to related correspondence received from the Central Delaware Chamber of Commerce, dated March 2, 2011. The motion was seconded by Mr. McGiffin and unanimously carried. *(Clerk's Office Note: As a result of the Committee's recommendation, City Council will consider the approval of a letter to the Central Delaware Chamber of Commerce on April 11, 2011* ***(Attachment #3).***

By unanimous consent, the meeting adjourned at 6:30 P.M.

Respectfully submitted,

Thomas J. Leary
Chairman

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Attachments
Attachment #1 - Revised Hospitality and Civic Function Policy
Attachment #2 - Letter Dated March 2, 2011 from the Central Delaware Chamber of Commerce
Attachment #3 - Draft Letter to the Central Delaware Chamber of Commerce

CITY OF DOVER
HOSPITALITY & CIVIC FUNCTION POLICY

A. PURPOSE

There are occasions when the judicious extension of hospitality in connection with official City of Dover business is in the best interests of the City of Dover, hereinafter referred to as *"City."* There are also occasions where attendance at civic events and functions which are not sponsored by the City are in the best interests of the City, and thus may require attendance. This policy outlines City policy and procedures governing the manner and extent to which the City's employees, public officials, and appointees may extend hospitality while attending civic functions and events.

II. SCOPE

This policy applies to all hospitality and civic function expenses incurred by the City regardless of the source of funding, and to all City employees, public officials and appointees to City Boards, Commissions and Committees.

III. ALLOWABLE EXPENSES AND APPROVAL

A. Allowable Expenses and Occasions

Expenses for hospitality and civic functions must be directly related to, or associated with the conduct of ~~official~~ City business. If the occasion is not sponsored by an organization of which the City sponsors or is a member of, then the occasion must serve a clear City interest ~~business purpose~~, with negligible personal benefit derived by the official host or other City employees, public officials, and appointees. In addition, the expenditure of funds for hospitality and civic functions should be cost effective and in accordance with the best use of public funds.

Examples of Prohibited/Restricted Expenses:
- Personal Memberships
- Political Expenses
- Holiday Gatherings for non-City affiliated organizations
- ~~Fundraising~~ Non-budgeted Cash Donations

B. Approval of Transactions

When determining whether a hospitality or civic event expense is appropriate, the approving authority must evaluate the importance of the event in terms of the costs that will be incurred, the benefits to be derived from such an expense, the availability of funds, and any alternatives that would be equally effective in accomplishing the desired objectives.

C. Payment of Expenses

The Finance Department shall process the payment of hospitality and civic functions expenses upon receipt of the invitation, invoice, or proper support documentation, as determined by Finance, with the signature of the Mayor, a Member of Council, and/or City Manager.

Approved by Council: ~~March 24, 2005~~ (To be revised when approved)

Central Delaware
Chamber of Commerce

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Lisa S Hastings

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Honorary Board Members
Honorable Bradley S Eaby
Col Manson O Morris

President
Judy Diogo, CFRE, IOM

Staff
Gina Aurora
Cristal Brenneman
Sandy Dale
Anne-Marie Koewing

March 2, 2011

City Council of Dover
15 E. Loockerman Street
Dover, DE 19901

Dear City Council Members:

Included in the Governor's current budget proposal is the de-authorization of $6M previously authorized for a Civic Center. The Civic Center project was advanced over a period of many years in the spirit of economic development for Kent County, but never gained sufficient momentum or support to come to fruition, and has languished in recent years.

The CDCC, Kent County Tourism Commission, Greater Dover Committee, and Kent Economic Partnership feel strongly that our best opportunity to keep these funds in Kent County, directed towards economic development, is to put our collective energies into asking that they be reallocated to the proposed Kent County Sports Complex project.

While $6M was only a small portion of what would have been needed to build the Civic Center, it represents the lion's share of what is needed for the Sports Complex. It will advance the timeline for completion, and the feasibility studies have shown that the Sports Complex will be self-sustaining and revenue generating for the region.

Presenting a unified front in this initiative sends a strong message to our legislators and the Governor that this is a priority for a large constituency, and we ask you to join us in this effort.

Thank you!

Sincerely,

Lisa Hastings
Board Chair, CDCC

ACCREDITED
★ ★ ★

"The Central Delaware Chamber of Commerce is the network of choice for Premier Businesses in Central Delaware"

435 N. DuPont Hwy. • Dover, Delaware 19901
302.734.7513 • fax 302.678.0189
www.cdcc.net • email:info@cdcc.net

City of Dover

MAYOR AND COUNCIL

April 12, 2011

Ms. Lisa Hastings, Board Chair, CDCC
435 North DuPont Highway
Dover, DE 19901

Ms. Hastings:

Thank you for expressing your concern regarding the Governor's proposal to de-authorize State Bond Funds authorized for a civic center in the City of Dover.

During their regular meeting of April 11, 2011, City Council approved the recommendation of the Legislative, Finance, and Administration Committee and authorized the formation of a committee to meet with and encourage State Legislators, the Bond Bill Committee, and the Governor to ensure that a significant portion of the $6M, currently authorized for the construction of a civic center, be specifically allocated for an economic development project within the City of Dover that will benefit every resident of the State of Delaware, such as the construction of a combined-cycle natural gas generator at, or infrastructure that will be necessary to, the Garrison Tract, and that this allocation be accomplished in this legislative year, ending July 1, 2011.

On behalf of the members of City Council, we appreciate your continued efforts in support of economic development initiatives for the City of Dover and Kent County.

Sincerely,

Kenneth L. Hogan
Council President

Carleton E. Carey, Sr.
Mayor

KLH/CEC/dld
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SAFETY ADVISORY AND TRANSPORTATION COMMITTEE

The Safety Advisory and Transportation Committee Meeting was held on March 30, 2011 at 5:02 p.m. with Chairwoman Williams presiding. Members present were Mr. Bonar, Mrs. Russell (arrived at 5:14 p.m.), Mr. Davis, and Mr. Harmon.

AGENDA ADDITIONS/DELETIONS

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

FY 2012 Five-Year Capital Investment Plan (CIP)

Mr. Anthony DePrima, City Manager, reviewed the FY 2012 Five-Year Capital Investment Plan (CIP) and noted that all new projects have been highlighted.

Noting that the City's Annual Contribution in the CIP has decreased, Fire Chief Jack Fortney advised members that, prior to his taking office, an error was made on the reporting regarding the purchase of Ladder 2. He explained that the information originally indicated that the loan would be paid in 2012; however, he stated that it will not be paid until September 2014. Chief Fortney also advised members that Engine 7 was due to be replaced in 2013 at a cost of $584,997 (amortized over seven (7) years with yearly payments of $83,571). He stated that he and other fire line reviewed the need to replace Engine 7 and determined that, due to the economic situation, replacement of this engine could be deferred since it is utilized as a spare. He explained that in 2015 Engine 3 will be due for replacement, and it is planned to replace Engine 7 at that time and utilize Engine 3 as a spare.

Chief Fortney explained his request to outfit the heavy Rescue 1 truck at Station 1 with Holmatro equipment. He stated that several years ago, the Fire Chief outfitted all engines with Holmatro equipment; however, Rescue 1 was not outfitted and has Hurst equipment, which he advised members is not interchangeable. Chief Fortney stated that it was necessary to have repair work performed on the Hurst equipment recently and that the cost was over $2,100 and did not include the power unit. At the time of the repairs, it was noted that new blades would be necessary. As a result, the Chief stated that it would be necessary to make purchases either from Hurst or Holmatro. In order for the equipment to be interchangeable and provide consistency, he requested funding, in the amount of $56,234, to outfit Rescue 1 with Holmatro Equipment.

For informational purposes, Chief Fortney provided a Holmatro/Hurst Comparison Chart ***(Attachment #1)***. It was his opinion that Holmatro has surpassed Hurst in terms of technology.

Although not provided in the CIP report, Mr. DePrima stated that staff has included the standard Street Improvement Program, budgeted $300,000 in the General Fund, and will seek Community Transportation Funds. He stated that $50,000 has been included for the Sidewalk Replacement Program.

Responding to Mr. Harmon, Mr. DePrima stated that when a fire truck is purchased, a bank note is issued to the Fire Department and the sale of the old fire truck is generally used to finance the equipment that will go on the new truck.

Mr. Bonar moved to recommend acceptance of the FY 2012 Five-Year Capital Investment Plan (CIP) as presented, seconded by Mr. Harmon and unanimously carried.

Announcement of Public Workshop - Alternatives for the Clarence Street Extended Project
Mr. Anthony DePrima, City Manager, announced that the City of Dover, in conjunction with the Federal Highway Administration, will hold a workshop to present recommended alternatives for the Clarence Street Extended Project. He stated that these improvements are part of the City's overall "Strategic Development Plan for the West Side" to further enhance the downtown area. Mr. DePrima stated that the Workshop will be held on Tuesday, April 12, 2011, from 4:00 p.m. to 7:00 p.m. at Union Missionary Baptist Church, 883 Lincoln Street, Dover.

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

Meeting Adjourned at 5:25 P.M.

Respectfully submitted,

Beverly C. Williams
Chairwoman

BCW/AC/jg/js/dd/tm
S:\AGENDAS & MINUTES\Committee-Minutes\2011\03-30-2011 SA&T.wpd

Attachment
Attachment #1 - Holmatro/Hurst Comparison Chart

HOLMATRO/HURST COMPARISON CHART									
HOLMATRO					**HURST**				
	Spreading/ Cutting Force	NFPA Comp.	Tool Weight	Operating Pressure		Spreading/ Cutting Force	NFPA Comp.	Tool Weight	Operating Pressure
				10,500 psi					5,000 psi
Spreaders	33,625	Yes	42		Spreaders	31,000	Yes	62	
Cutters	208,000	Yes	35		Cutters	72,000	Yes	40	
Combi Tool	16,600 / 67,600	Yes	35		Combi Tool	13,000 / 60,000	Yes	42	
Small Ram	49,145	Yes	27		Small Ram	14,830	Yes	40	
Medium Ram	49,145	Yes	40		Medium Ram	14,830	Yes	47	
Fluid: Mineral Oil, a non toxic, not caustic material					Fluid: Hydralic Fluid, causes skin irritation and elevated temps may cause release of toxic vapors which are harmful if inhaled				

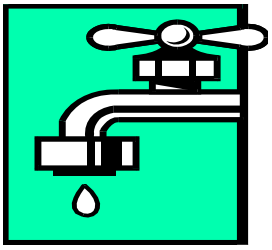
CITY OF DOVER

FINANCE DEPARTMENT

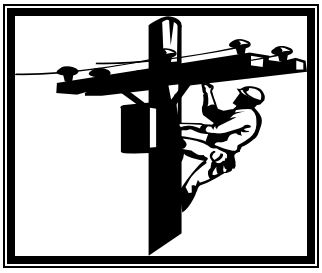
MONTHLY BUDGET REPORT

FEBRUARY 2011









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

February 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	752			2,275		
Total Amount of All Deposits	$ 90,965,032			$ 101,523,502		
PAYROLL						
	Hours	%	Amount	Hours	%	Amount
Gross wages per registers	**667,412**	**100.0%**	**$ 14,548,024**	**629,550**	**100.0%**	**$ 14,171,556**
Wages and Hours Worked						
Regular	538,286	80.7%	$ 11,348,826	525,254	83.4%	$ 11,262,318
All over time	27,895	4.2%	$ 1,071,027	24,103	3.8%	$ 997,509
Other Paid or Unpaid Wages and Hours						
Vacation	39,466	5.9%	$ 1,019,082	38,732	6.2%	$ 984,135
Sick	13,182	2.0%	$ 297,058	13,844	2.2%	$ 318,416
Furlough	15,780	2.4%	$ -	1,506	0.2%	$ -
Terminal Leave - Retiree Vacation/Sick Payout	15,001	2.2%	$ 447,669	3,220	0.5%	$ 91,298
Comp Time (Police)	3,947	0.6%	$ 120,772	4,900	0.8%	$ 155,372
Personal	1,165	0.2%	$ 31,242	1,126	0.2%	$ 31,864
Leave Without Pay	3,536	0.5%	$ -	2,434	0.4%	$ -
Other (description below)	9,155	1.4%	$ 212,347	14,433	2.3%	$ 330,644

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

Other Activity						
Number of Pay Periods	18			18		
Number of Payroll Checks & Direct Deposits Issued	7,800			7,396		
Number of Pension Checks Issued	1,835			1,808		
Total Pension Benefits Paid - Defined Benefit Plan	$ 2,894,563			$ 3,025,321		

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	4,802			4,350		
Number of EFT Vouchers	1,164			1,423		
Vouchers Dollar Amount Disbursed	$ 76,757,138			$ 96,735,941		

City of Dover
Finance Department
Monthly Report – February 2011

General Fund Summary

	Budget	Revised Budget	YTD	Balance	67% of Budget
Beginning Balance	$ 2,277,575	$ 2,654,528	$ 2,655,562	$ (1,034)	100.0%
Revenues					
Court of Chancery Fees	645,000	645,000	359,200	285,800	55.7%
Fines & Police Revenues	881,502	881,502	656,543	224,959	74.5%
Franchise Fees	486,000	486,000	273,869	212,131	56.4%
Grants	831,850	831,850	425,072	406,778	51.1%
Intrafund Services	4,347,834	4,347,834	2,683,192	1,664,642	61.7%
Library & Recreation Revenues	665,689	665,689	408,905	256,784	61.4%
Licenses & Permits	2,457,675	2,457,675	2,081,867	375,808	84.7%
Property Taxes (Includes BID Revenue) (1)	11,035,326	11,035,326	10,868,048	167,278	98.5%
Sanitation Revenues	2,387,511	2,387,511	1,508,201	879,310	63.2%
Other Miscellaneous Revenues	365,250	365,250	135,506	229,744	37.1%
Transfers-In from Special Funds & Utilities					
Civil Traffic Penalties	930,000	930,000	557,318	372,682	59.9%
Municipal Street Aid Fund	526,843	526,843	395,500	131,343	75.1%
Transfer Taxes	1,000,000	650,000	1,142,833	(492,833)	175.8%
Electric Fund	8,856,000	8,856,000	7,828,000	1,028,000	88.4%
Total Revenues	35,416,480	35,066,480	29,324,054	5,742,426	83.6%
Total Beginning Balance & Revenues	**$ 37,694,055**	**$ 37,721,008**	**$ 31,979,616**	**$ 5,741,392**	84.8%
Expenditures					
City Clerk & Council	$ 418,172	$ 418,172	$ 240,222	$ 177,950	57.4%
Mayor, City Manager & Human Resources	1,008,803	1,008,803	679,787	329,016	67.4%
Police & Police Extra Duty	12,907,889	12,907,889	8,220,781	4,687,108	63.7%
Public Services	4,574,682	4,574,682	2,823,024	1,751,658	61.7%
Central Services	2,422,663	2,422,663	1,489,823	932,840	61.5%
Planning & Inspections	1,943,804	1,943,804	1,306,070	637,734	67.2%
Finance, Info Tech & Customer Services	2,444,787	2,444,787	1,528,226	916,561	62.5%
Library & Recreation	1,904,696	1,904,696	1,161,757	742,939	61.0%
Fire Department	709,862	709,862	451,148	258,714	63.6%
Assessor	197,249	197,249	118,963	78,286	60.3%
Insurance	600,000	600,000	407,270	192,730	67.9%
OPEB - Retiree's Health Care Contribution	1,297,509	1,297,509	973,129	324,380	75.0%
Police Pension Trust Contribution - State Grant	620,000	620,000	127,000	493,000	20.5%
Appropriation to Pension Fund	1,090,000	1,090,000	841,250	248,750	77.2%
Street Lights	985,000	985,000	631,766	353,234	64.1%
Debt Service	331,800	331,800	330,850	950	99.7%
Transfer to CDBG	6,000	6,000	-	6,000	0.0%
Provision for Uncollectible	10,000	10,000	10,000	-	100.0%
Transfers Out					
Capital Projects Fund	1,307,839	1,307,839	1,307,839	-	100.0%
Total Expenditures	34,780,755	34,780,755	22,648,905	12,131,850	65.1%
Budget Balance - Working Capital	2,913,300	2,940,253	-	2,940,253	0.0%
Total Budget Balance & Expenditures	**$ 37,694,055**	**$ 37,721,008**	**$ 22,648,905**	**$ 15,072,103**	60.0%
Reserve Balances					
Contingency	$ 417,971	$ 553,493	$ 538,084		

(1) Property Taxes are the taxes billed and not cash received. The outstanding receivable balance as of 2/28/11 is $544,044 as compared to $394,252 in February 2010.

City of Dover
Finance Department
Monthly Report – February 2011

Water/Wastewater Fund Summary

	Budget	Revised Budget	YTD	Balance	67% of Budget
Beginning Balance - Water	$ 943,545	$ 1,236,193	$ 1,236,546	$ (353)	100.0%
Beginning Balance - Wastewater	$ 585,053	$ 902,719	$ 902,366	$ 353	100.0%
Beginning Balance - Kent County Treatment	$ (1,632,876)	$ (1,872,081)	$ (1,872,081)	$ -	100.0%
Revenues					
Water Fees	4,206,700	4,206,700	3,461,079	745,621	82.3%
Wastewater Fees	3,308,300	3,308,300	2,516,789	791,511	76.1%
Kent County Treatment Fees	4,275,600	2,925,600	2,091,526	834,074	71.5%
Ground Water Adjusment Fees	-	1,350,000	798,914	551,086	59.2%
Water Tank Leases	299,400	299,400	188,337	111,063	62.9%
Miscellaneous	72,515	72,515	64,403	8,112	88.8%
Impact Fees - Water	357,000	357,000	160,533	196,467	45.0%
Impact Fees - Wastewater	323,000	323,000	143,767	179,233	44.5%
Total Revenues	12,842,515	12,842,515	9,425,348	3,417,167	73.4%
Total Beginning Balance & Revenues	**$ 12,738,237**	**$ 13,109,346**	**$ 9,692,179**	**$ 3,417,167**	73.9%
Expenses					
Water/Wastewater Operating Divisions					
Engineering & Inspection	$ 642,878	$ 642,878	$ 312,631	$ 330,247	48.6%
Water	412,588	412,588	237,702	174,886	57.6%
Water Treatment Plant	1,499,857	1,499,857	965,378	534,479	64.4%
Wastewater	969,762	969,762	582,159	387,603	60.0%
Construction & Inspection	392,561	392,561	260,087	132,474	66.3%
Kent County Treatment Fees	4,235,403	4,235,403	2,320,545	1,914,858	54.8%
Intrafund Services	1,272,331	1,272,331	709,866	562,465	55.8%
OPEB - Retiree's Health Care Contribution	177,427	177,427	133,068	44,359	75.0%
Pension Trust Contribution - Unfunded liability	372,000	372,000	279,000	93,000	75.0%
Debt Service	562,601	562,601	269,276	293,325	47.9%
Transfers Out					
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	110,597	-	110,597	0.0%
Impact Fee Reserve - Wastewater	6,802	6,802	-	6,802	0.0%
Total Expenses	11,854,807	11,854,807	7,269,712	4,585,095	61.3%
Budget Balances					
Budget Balance - Working Capital - Water	1,348,501	1,641,149	-	1,641,149	0.0%
Budget Balance - Working Capital - Wastewater	1,127,608	1,445,274	-	1,445,274	0.0%
Budget Balance-Working Capital - Kent County Treatment	(1,592,679)	(1,831,884)	-	(1,831,884)	0.0%
Total Budget Balances	883,430	1,254,539	-	1,254,539	0.0%
Total Budget Balances & Expenses	**$ 12,738,237**	**$ 13,109,346**	**$ 7,269,712**	**$ 5,839,634**	55.5%
Reserve Balances					
Contingency-Water	$ 126,607	$ 125,991	$ 124,031		
Contingency-Wastewater	$ 141,575	$ 140,887	$ 138,793		
Impact Fee Reserve - Sewer	NO BUDGET	NO BUDGET	$ 3,889,576		
Impact Fee Reserve - Water	NO BUDGET	NO BUDGET	$ 246,737		
Bond Coverage Ratio (Covenant 1.20)	4.76	4.79	9.73		

City of Dover
Finance Department
Monthly Report – February 2011

Electric Revenue Fund Summary

	Budget	Revised Budget	YTD	Balance	67% of Budget
Beginning Balance	$ 12,086,275	$ 13,537,864	$ 13,537,864	$ -	100.0%
Revenues					
Sales to Customers	96,595,300	96,595,300	69,710,936	26,884,364	72.2%
Purchased Power Adjustment - Credit	(2,000,000)	(2,000,000)	(1,413,891)	(586,109)	70.7%
Utility Tax	1,864,800	1,864,800	1,341,865	522,935	72.0%
Weyandt Hall Rents	186,816	186,816	121,393	65,423	65.0%
Miscellaneous Revenues	1,085,500	1,085,500	783,946	301,554	72.2%
Intrafund Service Receipts Water/Wastewater	299,442	299,442	111,400	188,042	37.2%
Total Revenues	98,031,858	98,031,858	70,655,649	27,376,209	72.1%
Total Beginning Balance & Revenues	**$ 110,118,133**	**$ 111,569,722**	**$ 84,193,513**	**$ 27,376,209**	75.5%
Expenses					
Power Supply & Generation					
Power Supply	$ 48,059,699	$ 48,059,699	$ 32,832,884	$ 15,226,815	68.3%
Power Supply Management/Incentive	2,280,000	2,280,000	1,565,137	714,863	68.6%
Capacity Charges	11,618,223	11,618,223	8,450,736	3,167,487	72.7%
PJM Charges - Load	11,850,876	11,850,876	10,484,846	1,366,030	88.5%
Total Power Supply	73,808,798	73,808,798	53,333,603	20,475,195	72.3%
Plant Operations	5,694,315	5,694,315	3,875,717	1,818,598	68.1%
Generation Fuels	297,820	297,820	3,354,881	(3,057,061)	1126.5%
Capacity Credits	(11,488,785)	(11,488,785)	(7,858,523)	(3,630,262)	68.4%
PJM Credits	(720,797)	(720,797)	(5,629,528)	4,908,731	781.0%
Total Generation	(6,217,447)	(6,217,447)	(6,257,453)	40,006	100.6%
Total Power Supply & Plant	67,591,351	67,591,351	47,076,150	20,515,201	69.6%
Electric Operating Divisions:					
Transmission/Distribution	3,206,515	3,206,515	1,975,274	1,231,241	61.6%
Electrical Engineering	1,842,903	1,842,903	798,989	1,043,914	43.4%
Administration	609,169	609,169	725,675	(116,506)	119.1%
Meter Reading	222,908	222,908	130,281	92,627	58.4%
Systems Operations	518,053	518,053	317,283	200,770	61.2%
Intrafund Services	3,374,945	3,374,945	2,084,726	1,290,219	61.8%
Utility Tax	1,864,800	1,864,800	1,341,865	522,935	72.0%
Interest on Deposits	54,500	54,500	17,677	36,823	32.4%
OPEB - Retirees Health Care Contribution	639,110	639,110	479,337	159,773	75.0%
OPEB Trust Contribution	1,200,000	1,200,000	1,200,000	-	100.0%
Pension Trust Contribution - Unfunded liability	833,000	833,000	624,750	208,250	75.0%
Green Energy Payment to DEMEC	128,600	128,600	95,797	32,803	74.5%
Accounts Receivable Write-Offs	135,000	135,000	135,000	-	100.0%
Inventory Write-Offs	175,000	175,000	175,000	-	100.0%
Pike Engineering	-	-	95,361	(95,361)	0.0%
Debt Service	4,058,700	4,058,700	1,801,097	2,257,603	44.4%
Transfers Out:					
General Fund	8,856,000	8,856,000	7,828,000	1,028,000	88.4%
Electric Improvement & Extension Fund	3,500,000	3,500,000	875,000	2,625,000	25.0%
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	101,360,554	70,327,262	31,033,292	69.4%
Budget Balance - Working Capital	8,757,579	10,209,168	-	10,209,168	0.0%
Total Budget Balance & Expenses	**$ 110,118,133**	**$ 111,569,722**	**$ 70,327,262**	**$ 41,242,460**	63.0%
Reserve Balances					
Contingency Reserve	$ 1,071,054	$ 1,071,054	$ 1,053,604		
Insurance Reserve	$ 408,503	$ 408,503	$ 402,281		
Rate Stabilization Reserve	$ 6,171,027	$ 6,171,027	$ 6,144,633		
Bond Coverage Ratio (Covenant 1.25)	1.51	1.57	1.99		
Megawatt Hours Sold & Purchased					
Sales to Customers MWh (excluding Street Light MWh)	707,536	707,536	514,263		
Sales per MWh	$ 136.514	$ 136.514	$ 135.601		
Purchased/Generated MWh	738,215	738,215	522,476		
All In MWh Supply & Generation	$ 91.561	$ 91.561	$ 90.102		

City of Dover
Finance Department
Monthly Report – February 2011

General Capital Project Fund Summary

	Budget	Revised Budget	YTD	Balance	67% 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	4,232,348	557,166	3,675,182	13.2%
Police Grant	18,000	18,000	-	18,000	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	-	2,363,732	0.0%
Transfer from Parkland Reserve	-	36,872	28,629	8,243	77.6%
Transfer from Capital Asset Reserve	140,000	-	-	-	0.0%
Interest Earnings	10,900	10,900	2,560	8,340	23.5%
Income from Sale of Assets	-	-	20,012	(20,012)	0.0%
Total Revenues	8,163,778	8,969,691	1,951,336	7,018,355	21.8%
Total Beginning Balance & Revenue	**$ 8,229,257**	**$ 9,231,866**	**$ 2,213,511**	**$ 7,018,355**	24.0%
Expenditures					
Fire	$ 288,210	$ 223,700	$ 221,786	$ 1,914	99.1%
Grounds Maintenance	63,675	63,675	46,149	17,526	72.5%
Library	6,687,039	7,630,663	867,840	6,762,823	11.4%
Recreation	45,000	81,872	38,453	43,419	47.0%
Police	282,380	335,880	231,925	103,955	69.0%
Streets	481,055	481,055	345,836	135,219	71.9%
Sanitation	246,075	246,075	212,369	33,706	86.3%
Information Technology	12,000	12,000	6,680	5,320	55.7%
Mayor	31,500	31,500	17,325	14,175	55.0%
Total Expenditures	8,136,934	9,106,420	1,988,363	7,118,057	21.8%
Budget Balance - Projects	92,323	125,446	-	125,446	0.0%
Total Budget Balance & Expenditures	**$ 8,229,257**	**$ 9,231,866**	**$ 1,988,363**	**$ 7,243,503**	21.5%
Reserve Balances					
Capital Asset Replacement Reserve	$ 116,465	$ 256,645	$ 252,758		
Library Reserve	$ 1,243,686	$ 1,217,579	$ 3,249,843		
Parkland/Recreation	$ 185,045	$ 191,522	$ 196,158		

City of Dover
Finance Department
Monthly Report – February 2011

Water/Wastewater Improvement & Extension Fund Summary

	Budget	Revised Budget	YTD	Balance	67% of Budget
Beginning Balance - Water	$ 743,431	$ 1,590,874	$ 1,590,874	$ -	100.0%
Beginning Balance - Wastewater	$ 257,168	$ (45,665)	$ (45,665)	$ -	100.0%
Beginning Balance - Bond Proceeds - Wastewater	$ 286,500	$ -	$ -	$ -	0.0%
Revenues					
Bond Issue Proceeds Series 2010	3,016,200	3,016,200	-	3,016,200	0.0%
Income from Sale of Assets	-	-	10,196	(10,196)	0.0%
Interest Earned	-	-	22,742	(22,742)	0.0%
State Loan-Water	-	2,404,017	65,770	2,338,247	2.7%
State Loan-Wastewater	-	5,597,956	2,500,786	3,097,170	44.7%
Transfer from Water Operating Fund for Water	500,000	500,000	500,000	-	100.0%
Department of Energy Grant	-	45,248	-	45,248	0.0%
Transfer from Wastewater Operating Fund for Wastewater	500,000	500,000	500,000	-	100.0%
Transfer from Impact Fee Reserve - Wastewater	242,040	758,821	-	758,821	0.0%
Total Revenues	4,258,240	12,822,242	3,599,494	9,222,748	28.1%
Total Beginning Balance & Revenues	**$ 5,545,339**	**$ 14,367,451**	**$ 5,144,703**	**$ 9,222,748**	35.8%
Expenses					
Water	$ 620,000	$ 3,605,055	$ 465,891	$ 3,139,164	12.9%
Wastewater	1,560,700	7,075,994	2,517,829	4,558,165	35.6%
Total Expenses	2,180,700	10,681,049	2,983,720	7,697,329	27.9%
Budget Bal-Working Capital - Wastewater Bond Proceeds	2,153,140	2,153,140	-	2,153,140	0.0%
Budget Balance - Working Capital - Water	623,431	889,836	-	889,836	0.0%
Budget Balance - Working Capital - Wastewater	588,068	643,426	-	643,426	0.0%
Total Budget Balances	3,364,639	3,686,402	-	3,686,402	0.0%
Total Budget Balances & Expenses	**$ 5,545,339**	**$ 14,367,451**	**$ 2,983,720**	**$ 11,383,731**	20.8%
Reserve Balances					
Capital Asset Replacement - Water	$ 319,003	$ 318,113	$ 314,870		
Capital Asset Replacement - Wastewater	$ 168,767	$ 168,476	$ 167,527		

City of Dover
Finance Department
Monthly Report – February 2011

Electric Improvement & Extension Fund Summary

	Budget	Revised Budget	YTD	Balance	67% 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	9,694	31,006	23.8%
Transfer from Electric Revenue Fund	3,500,000	3,500,000	875,000	2,625,000	25.0%
Insurance Claim Proceeds	-	280,000	265,643	14,357	94.9%
Department of Energy Grant	-	135,152	207,127	(71,975)	153.3%
Income from Sale of Assets	-	-	11,888	(11,888)	0.0%
State Reimbursement for Governor's Ave	-	254,757	-	254,757	0.0%
Total Revenues	3,540,700	4,210,609	1,369,352	2,841,257	32.5%
Total Beginning Balance & Revenues	**$ 5,229,561**	**$ 8,055,818**	**$ 5,214,561**	**$ 2,841,257**	64.7%
Expenses					
Power Plant	$ 1,480,068	$ 2,156,740	$ 1,523,971	$ 632,769	70.7%
Transmission/Distribution	739,000	739,000	345,506	393,494	46.8%
Electrical Engineering	1,390,429	1,598,982	988,906	610,076	61.8%
Transfer to Depreciation Reserve	-	1,000,000	1,000,000	-	100.0%
Total Expenses	3,609,497	5,494,722	3,858,383	1,636,339	70.2%
Budget Balance - Working Capital	1,620,064	2,561,096	-	2,561,096	0.0%
Total Budget Balance & Expenses	**$ 5,229,561**	**$ 8,055,818**	**$ 3,858,383**	**$ 4,197,435**	47.9%
Reserve Balances					
Depreciation Reserve	$ 9,572,390	$ 10,513,555	$ 10,388,660		
Future Capacity Reserve	$ 9,294,563	$ 9,294,627	$ 9,154,788		

City of Dover
Finance Department
Monthly Report – February 2011

Community Transportation Improvement Fund

	Budget	Revised Budget	YTD	Balance	67% of Budget
Beginning Balance	$ 100,913	$ 309,854	$ 309,851	$ 3	100.0%
Revenues					
Grants Revenue	1,000,000	1,000,000	235,211	764,789	23.5%
Transfer from General Fund	300,000	300,000	300,000	-	100.0%
Interest Earned	2,800	2,800	260	2,540	9.3%
Total Revenues	1,302,800	1,302,800	535,471	767,329	41.1%
Total Beginning Balance & Revenues	**$ 1,403,713**	**$ 1,612,654**	**$ 845,322**	**$ 767,332**	52.4%
Expenses					
Program Expenses - Grant related	$ 1,000,000	$ 1,000,000	$ 491,539	$ 508,461	49.2%
Program Expenses - City appropriated	300,000	300,000	179,271	120,729	59.8%
Total Expenses	1,300,000	1,300,000	670,810	629,190	51.6%
Budget Balance - Working Capital	103,713	312,654	-	312,654	0.0%
Total Budget Balances & Expenses	**$ 1,403,713**	**$ 1,612,654**	**$ 670,810**	**$ 941,844**	41.6%

CITY OF DOVER
SPECIAL REVENUE FUNDS
COMBINING STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN UNRESERVED FUND
PERIOD ENDED FEBRUARY 28, 2011

	POLICE GRANTS	LIBRARY GRANTS	CDBG/NSP HOUSING GRANTS	GIRLS CIRCLE & GAMES GRANT OF DOVER	SUBSTANCE ABUSE PREV. GRANT	TOTALS
REVENUES:						
State Grants received	$ 100,954	$ 4,000	$ -	$ -	$ 29,048	$ 134,002
Federal Grants received	137,880	124,498	538,269	31,453	-	832,100
Recreation revenue	-	-	-	-	4,935	4,935
Miscellaneous revenue	(5,130)	-	-	-	-	(5,130)
Investment income (loss)	381	-	-	-	-	381
TOTAL REVENUES	$ 234,085	$128,498	$ 538,269	$ 31,453	$ 33,983	$ 966,288
EXPENDITURES:						
Program expenditures	$ 120,570	$110,139	$ 459,054	$ 24,751	$ 92,998	$ 807,512
TOTAL EXPENDITURES	$ 120,570	$110,139	$ 459,054	$ 24,751	$ 92,998	$ 807,512
Excess (deficiency) of revenues over expenditures	$ 113,515	$ 18,359	$ 79,215	$ 6,702	$ (59,015)	$ 158,776
Other financing sources (uses): Operating transfers-out	(95,389)	-	(136,557)	-	-	(231,946)
Excess (deficiency) of revenues and other financing sources over expenditures & other uses	$ 18,126	$ 18,359	$ (57,342)	$ 6,702	$ (59,015)	$ (73,170)
UNRESERVED FUND BALANCE AT BEGINNING OF YEAR	$ 315,736	$ 35,505	$ 61,672	$ -	$ 10,710	$ 423,623
UNRESERVED FUND BALANCE AT END OF YEAR	$ 333,862	$ 53,864	$ 4,330	$ 6,702	$ (48,305)	$ 350,453

Notes:
Substance Abuse Prevention Grant: Negative Fund Balance is due to timing, the revenues are on a reimbursement basis.

Dover Police Department

Monthly Report
To
Mayor & City Council

"To Protect and Serve"

February 2011

DEPARTMENT OF POLICE

James E. Hosfelt, Jr.
Chief of Police
F.B.I.N.A.

400 South Queen Street
Dover, Delaware 19904
302/736-7111
Fax 302/672-1842

March 14, 2011

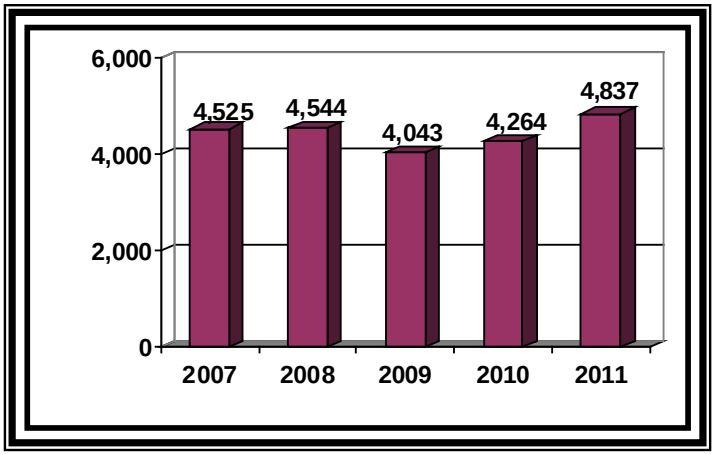
Honorable Carleton E. Carey, Sr., Mayor
Members of Dover City Council
City Hall
Dover, DE 19901

Mayor Carey and Council Members:

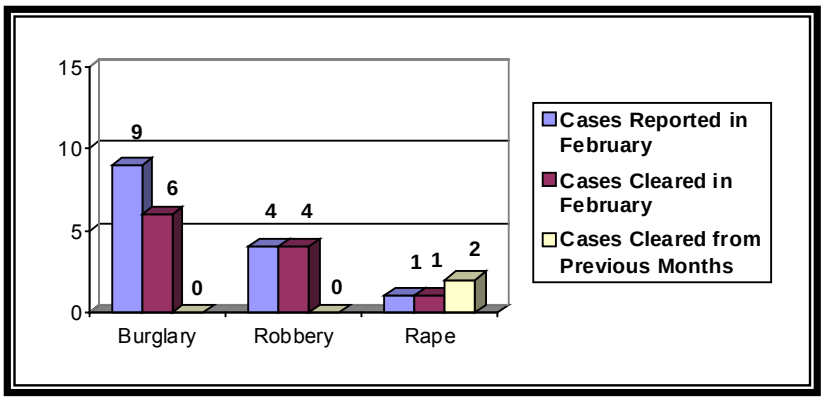
The following is the report on Police Department activities for the month of February 2011:

COMPLAINTS

Total complaints received through February 28th numbered 4,837. This is an increase of 573 complaints over the same time period for last year.



CRIMINAL INVESTIGATIONS

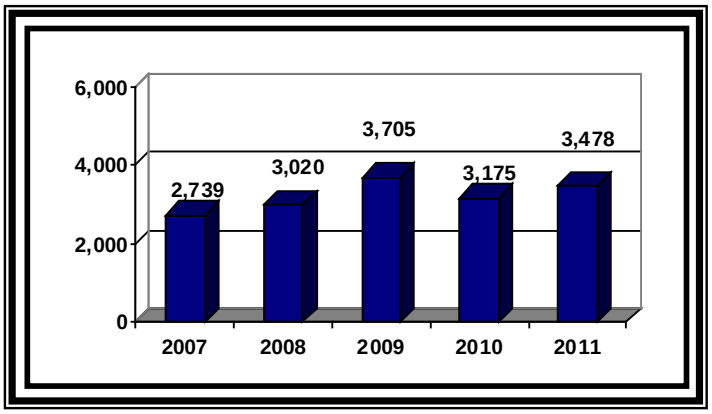


QUALITY OF LIFE TASK SECTION

ENFORCEMENT ACTION	ARRESTS
ABANDONED VEHICLES	0
ALCOHOL VIOLATIONS/DUI'S	6
ASSIST OTHER	0
WARRANTS ON FILE	0
BIKE ON SIDEWALK	0
CITY PARK VIOLATIONS	0
CRIMINAL ARRESTS	47
DRUG RELATED ARRESTS	35
LOUD MUSIC	1
MISCELLANEOUS VIOLATIONS	9
PARKING VIOLATIONS	5
PEDDLER	0
MEETINGS	37
PROSTITUTION	0
COLLECTION OF DELINQUENT DCO'S	0
WANTED CHECKS/CPC'S	27
TRAFFIC ARRESTS	102
WARNINGS	27
FUGITIVE	17
TOTAL ARRESTS	313

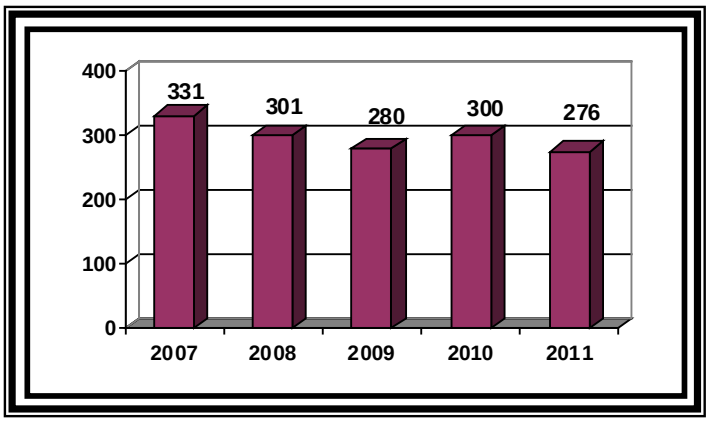
TRAFFIC ARRESTS

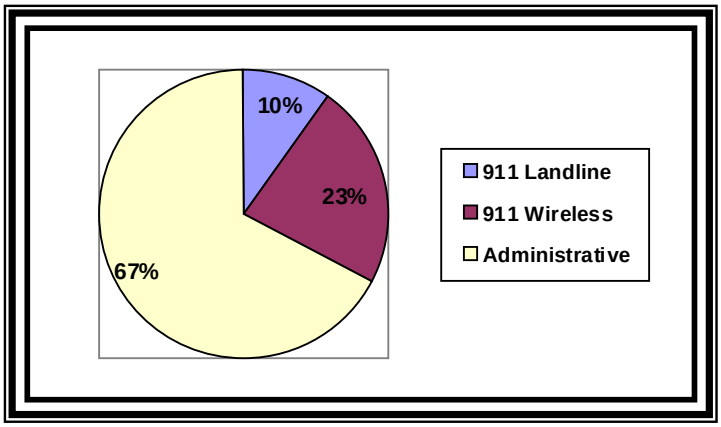
The department issued 3,478 traffic citations through this reporting period. This is an increase of 303 citations over the number issued during the same period last year.



TRAFFIC CRASHES

Through February 28th, Dover Police investigated 276 traffic crashes. This is a decrease of 24 accidents investigated during the same period last year.



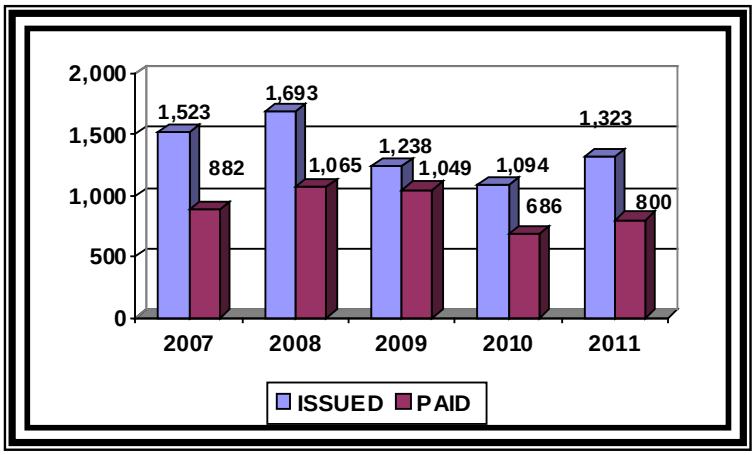


911 CENTER

During the month of February, our 911 Center handled a total of 8,557 calls averaging 249 calls per day. Dispatchers handled 1,961 calls on the 911 wireless lines, an average of 71 calls per day and 845 calls on the 911 landlines, an average of 31 calls per day.

CITY ORDINANCE SUMMONS

Through February 28th, we issued 1,323 city ordinance summons, an increase of 229 summons over February of last year. *Note: of those summonses issued in February, 24 were issued for handicapped parking violations, 38 for fire lane parking violations, 14 for false alarms (10 for 3-5 alarms, 3 for 6-9 alarms, 1 for 10-15 alarms, and 0 for 16 or more alarms) and 13 for noise violations (8 for vehicle violations and 5 for residence violations).



Listed below are the major crimes and activities that occurred during the month of February:

- On February 1, 2011, three black male suspects entered a victim's unsecured room at a local motel and beat him about the head and face with their fists, feet, and a broom stick causing injury. They then duct taped the victim's head and removed his bass guitar, silver bracelet, diamond ring, and a watch. The suspects fled in a gray Dodge minivan.

- On February 2, 2011, Dover Officers arrested a suspect after investigation revealed that on January 20, 2011 he sexually assaulted a 16 year old female whom he was transporting from a doctor's appointment. The suspect was an employee of a transportation service which is based out of Smyrna. While transporting the victim, the suspect drove the victim to Country Village Apartments in Dover and sexually assaulted her in one of the apartments. Due to the fact that the suspect was responsible for the child during the transport, he was also charged with Sexual Abuse of a Child by a Person of Trust.

- On February 2, 2011, Dover Detectives made two arrests stemming from the shooting of a Dover man on January 25, 2011. Investigation revealed that the male suspect was fighting with the victim when his sister shot him. Both suspects were arrested

- On February 10, 201, Dover Officers with the assistance of the United States Marshalls apprehended a subject, who had active warrants for the rape of a 10 year old. The warrants were from a case that Dover Detectives were investigating.

- On February 9, 2011, Officers assigned to the Drugs, Vice, and Organized Crime Section along with officers assigned to the Safe Streets Section executed a search warrant at a residence in the Simon Circle Community. Upon searching the residence, officers located 5.1 grams of cocaine, 7.9 grams of marijuana, money, and drug paraphernalia. As a result of the investigation, male and female defendants were arrested.

Major crimes and activities that occurred during the month of February continued:

- On Wednesday February 9, 2011, a subject fled from Dover Officers who were attempting to serve warrants. He got in a vehicle and fled the scene committing numerous traffic violations. Defendant crashed into a parked vehicle at a local credit union and then rammed a police car before being apprehended.

- On February 10, 2011, Dover Officers responded to a burglary in progress at a church located on North Queen Street. Officers arrived on scene and observed a suspect at the rear door of the church holding a 50" Flat screen Television. He fled from officers but was apprehended after a short foot chase.

- On February 13, 2011, Dover Officers arrested a suspect for three burglaries which occurred between February 3, 2011 and February 5, 2011, where businesses were broken into and keys and other items were removed. These burglaries occurred at three car repair/detailing businesses. Three vehicles were stolen as well as items removed from within others. All three vehicles have been recovered.

- On February 14, 2010, a 24 year old male victim was meeting with a friend in Water Street Alley. The victim's friend left the area at which time the victim was approached by a black male suspect wearing dark clothing. The suspect produced a handgun and demanded money from the victim. The victim fled on foot towards his car and was shot by the suspect in his left calf. Investigation is still pending.

- Dover Detectives are currently investigating a burglary to a restaurant located on South Dupont Highway. The burglary occurred sometime between February 14, 2011 and February 15, 2011. An unknown suspect forced entry through a glass door and removed an undetermined amount of cash from the register before fleeing.

- Dover Detectives are currently investigating a burglary at a liquor store located on Bay Road. The burglary occurred on Tuesday, February 15, 2011. An unknown suspect removed a front window and removed an undetermined amount of cash and two cash registers before fleeing.

- On February 15, 2011, a suspect entered into a residence on Whatcoat Drive, where his estranged girlfriend resides. The suspect then kicked in a bedroom door and began to assault the victim, dragging her by her hair into the living room. He then proceeded to strangle the victim, later stealing her cell phone, and fleeing prior to officers arriving on scene. The crime was witnessed by two children in the residence. Warrants were obtained for the suspect.

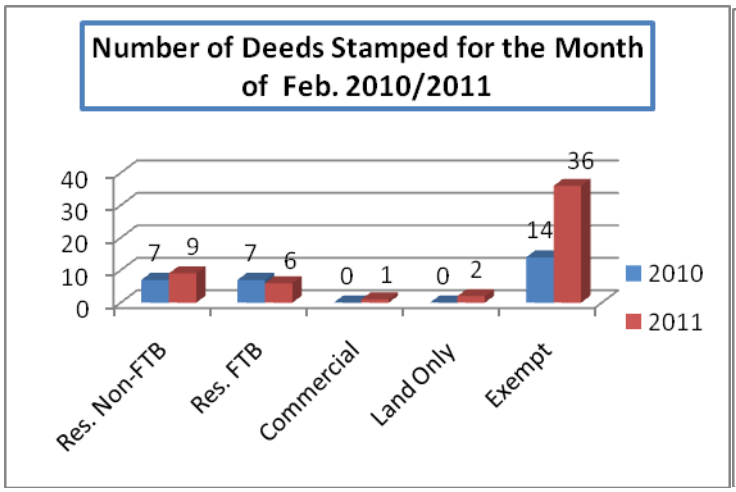
- On February 26, 2011, the Dover Police Department hosted a “How to Succeed” seminar. The seminar was designed for those who are currently in the hiring process and for those who may be considering a career in law enforcement. The seminar outlined the hiring process from submitting the initial application to being selected for the police academy.

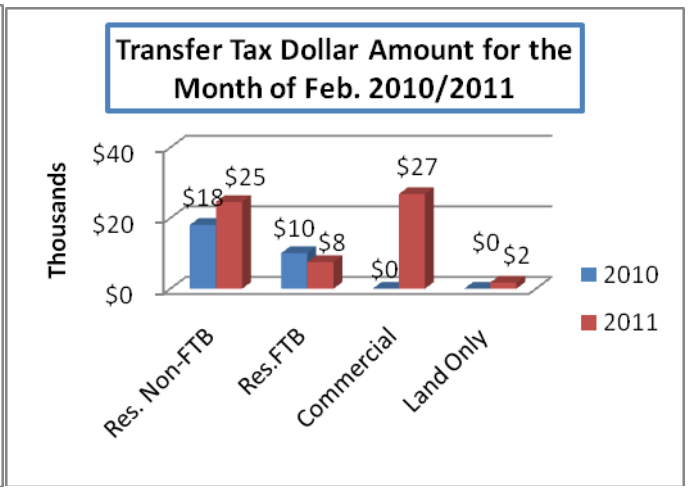
Respectfully Submitted,

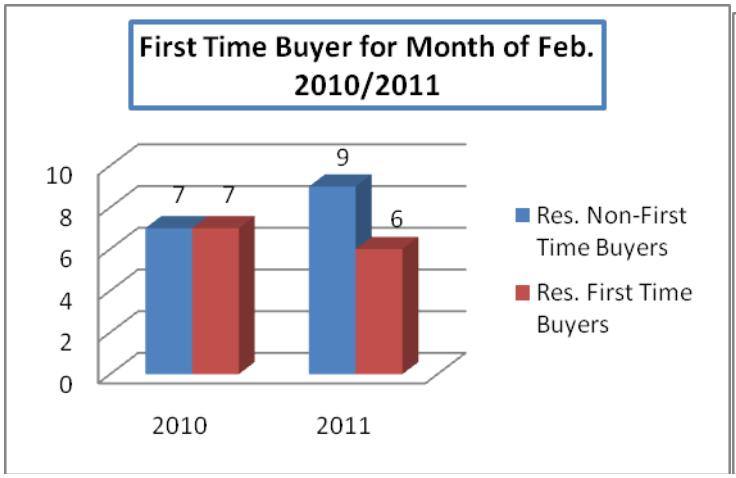
James E. Hosfelt, Jr.
Chief of Police

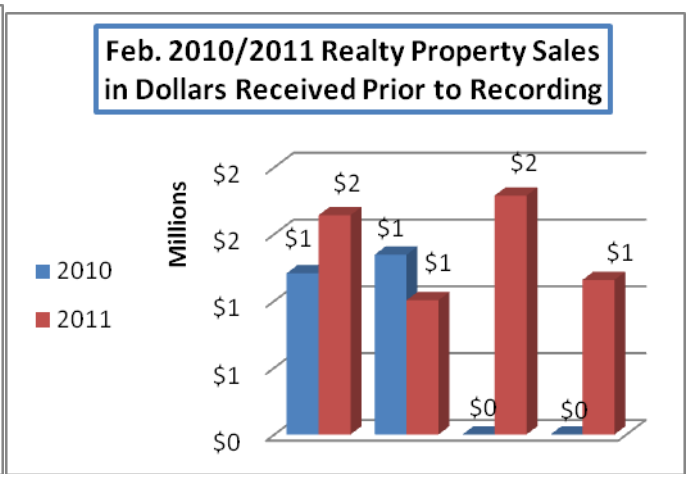
Monthly Report
February 2011

Office of City Assessor









Major Updates

	Dec-10	Jan-10	Feb-11
Assessment Change	$2,262,800	-$7,663,600	$7,531,800

Residential Sales Ratio Report

Sales in Study	Total Assessed Value	Total Sale Price	Ratio	PRD
10	$1,628,300	$1,741,960	0.93	1.00

Ratio – Assessed Value divided by Sale Price.

PRD – Mean – A PRD above 1.03 tends to indicate assessment regressivity – high valued properties are under appraised relative to low valued properties. A PRD below .98 tends to indicate assessment progressivity – high valued properties are relatively over appraised.

Points of Interest

Scanning & Filing

- All new deeds are being scanned and attached to the CAMA software for easy retrieval.

- All appeal documents and correspondence are being scanned and attached to the CAMA software for easy retrieval.

Assessor's Office

- Changed 196 Commerce Way to exempt status, was purchased by Capital School District.

- Construction of New Facility Ordinance and Amendment to Annual Valuation and Assessment Ordinance, final reading February 14, 2011

- Mailed out 566 Senior Citizen Property Tax Reduction Forms and 48 Disability Tax Reduction Forms.

City of Dover Sales Ratio Report for February 2011

PARID	Address	Total Assesesed Val.	Sales DT	Price	ASR
ED05-057.17-01-15.00	35 GRISTMILL DR	139,600	28-Feb-11	135,000	1.03
ED05-066.02-01-06.00	121 HOBBYHORSE CT	230,800	25-Feb-11	250,405	0.92
ED05-067.14-04-17.00	39 PIN OAK DR	198,300	2-Feb-11	240,000	0.83
ED05-085.08-01-13.00	1186 OAK DR	164,300	7-Feb-11	168,400	0.98
ED05-076.10-02-18.00	17 MIFFLIN RD	173,200	2-Feb-11	162,000	1.07
ED05-068.14-01-51.00	310 EISENHOWER DR	141,300	8-Feb-11	140,500	1.01
ED05-076.03-01-01.00	4 CANNON MILL DR	185,500	16-Feb-11	240,000	0.77
ED05-068.14-05-86.000-054	1001 WHITE OAK RD J22	37,800	17-Feb-11	50,000	0.76
ED05-068.19-05-72.00	50 NICHOLAS DR	207,100	11-Feb-11	205,655	1.01
ED05-077.13-02-61.00	36 SACKARACKIN AVE	150,400	11-Feb-11	150,000	1.00
		1,628,300		1,741,960	9.37

CITY MANAGER'S MONTHLY REPORT



FEBRUARY 2011

Monthly Highlights

Customer Services

- 1,916 payments were processed online or by telephone in February 2011.
- City of Dover property taxes were due August 31, 2010. As of February 28, 2011 the delinquent property taxes total $662,706 for all tax years.

Budget and Program Development

- Continued meetings with Customer Service staff to review implementation of the new utility bill design.
- Participated in GFOA Webinars regarding Evaluating the Effectiveness of Performance Management and Best Practices in Budgeting and Fiscal Policy.
- Began meetings with departments to review Fiscal 2012 budgets.
- First of several Budget Focus Group meetings held with representatives from local businesses.

Human Resources

- FOP contract negotiations have begun.

Information Technology

- Continued working on the upgrade of the City's website.

Parks, Recreation, & Library

- The Library recorded 590 people attending 23 children's programs.
- Sixteen teenagers attended three teen programs at the Library.
- Seventy-eight residents were recorded in Job Resource Center.

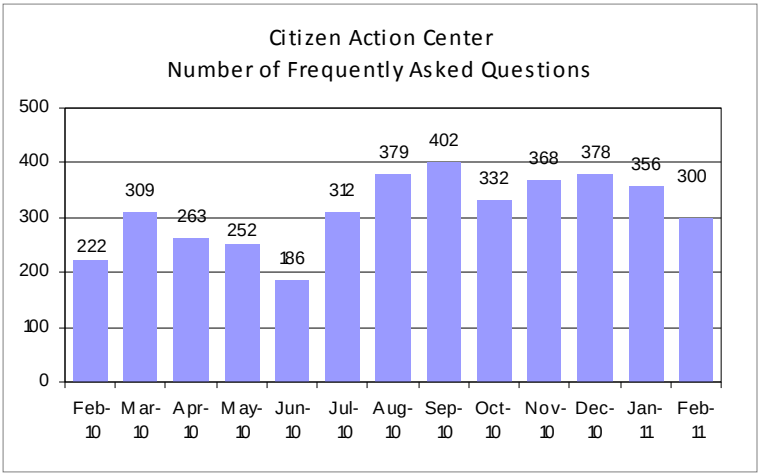
Public Services

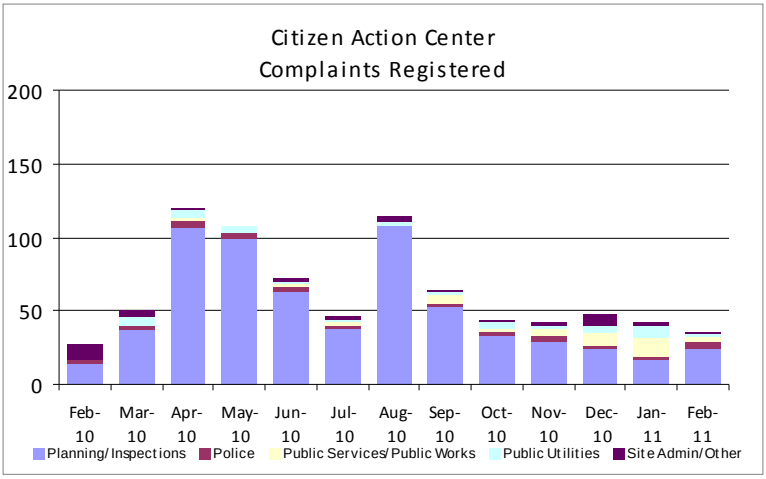
- Contractor for the Library Bid Pac A has completed approximately 85% of the contract work.
- Began working on the Spring Street program bid documents and the Yard Waste plan.

Public Utilities

- Water, Wastewater & Construction crews continued snow plowing efforts, with the Electric crews clearing the Administration building parking lots.
- Various personnel attended the Delaware Rural Water Conference in Harrington.

PUBLIC AFFAIRS





AVERAGE TIME TO CLOSE COMPLAINTS RECEIVED - February 2011

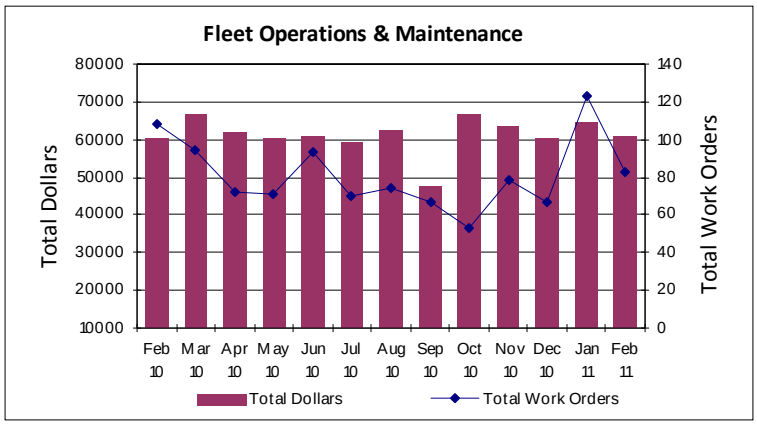
Department	Total # Complaints	# Of Days
Planning/Code Enforcement (property code violations)	25	5.19 days
Police (community policing)	3	10.2 days
Public Services - Grounds - Sanitation - Streets	 3 1 0	2.86 days
Public Utilities (electric outages)	2	2.7 days
Site Admin/Other Departments	2	0.45 days

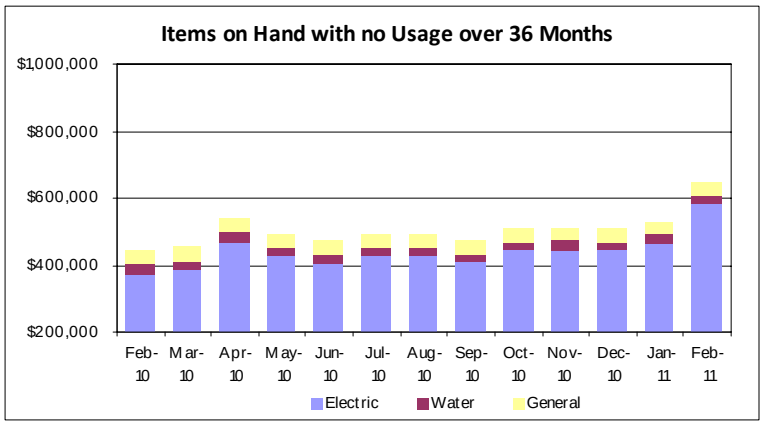
COMMUNITY OUTREACH, TRAINING AND EDUCATION EVENTS - February 2010

- Assisted Public Services Director in the writing of four grants for recycling. Three of the four grants have been approved totaling $101,000.
- Met with DE Division of Prevention and Behavioral Health Services to develop program for the Dover area.
- Attended event with Japanese delegation "Healthy Myagi".
- Continued working with Delaware.net on the redesign and content of the website.
- Participated in several meetings and inspections with the House of Pride.
- Worked on public communications of programs for street closures coming up with Water/Wastewater.
- Completed and submitted Youth Advisory applications and recruitment information.

OTHER ACTIVITIES	July 2010	Aug 2010	Sept 2010	Oct 2010	Nov 2010	Dec 2010	Jan 2011	Feb 2011	FYTD
Facebook - New Posts	21	26	54	41	52	59	57	38	348
Facebook - Page Views	716	1,004	1,145	1,152	1,671	1,768	1,882	1,903	11,241
Facebook –Replies to Questions	17	37	21	23	21	27	21	16	183
Press Releases	16	9	16	5	2	3	4	3	58
Ceremonial Documents (Proclamations, Certificates, Letters of welcome)	25	16	26	19	17	16	15	12	146

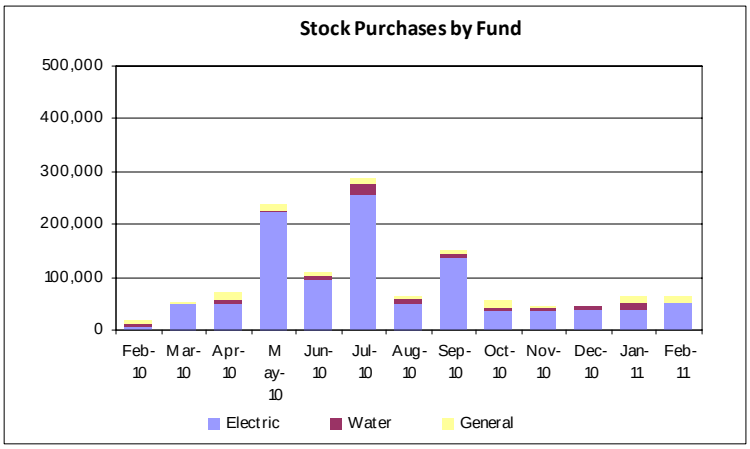
CENTRAL SERVICES

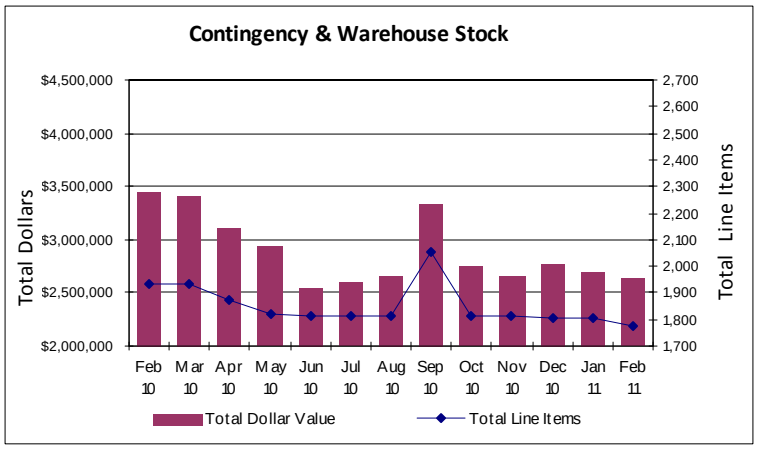




Work Orders: 83
Fleet Maintenance: $18,653.61 (excludes Melvin's Sunoco)
Fuel: $42,071.44

Electric: $465,477.93
Water: $ 25,393.08
General: $ 38,077.15





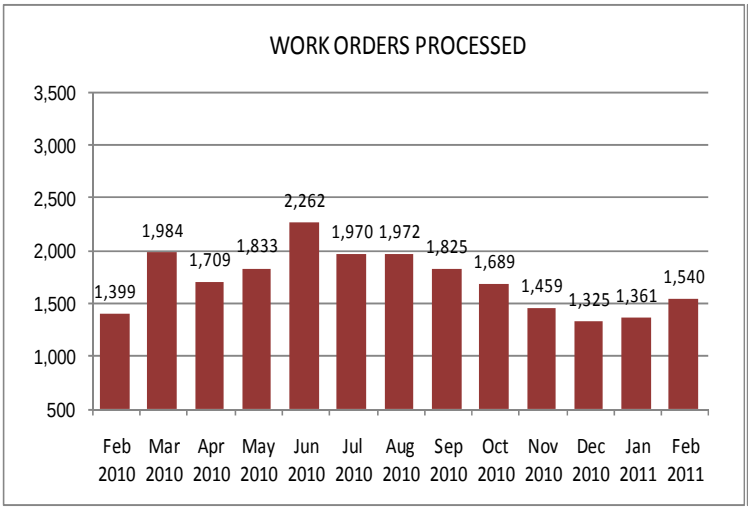
Electric: $54,259.63
Water: $ 540.58
General: $ 9,344.91

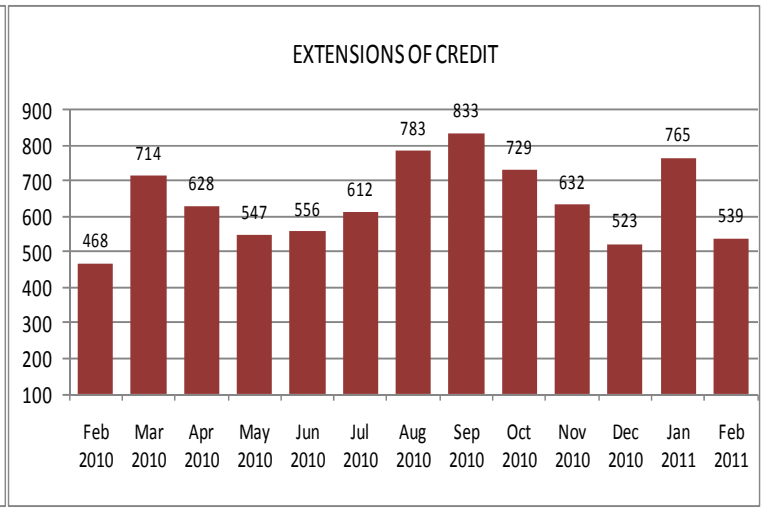
Total Dollar Value: $2,641,038.24
Total Line Items: 1,774

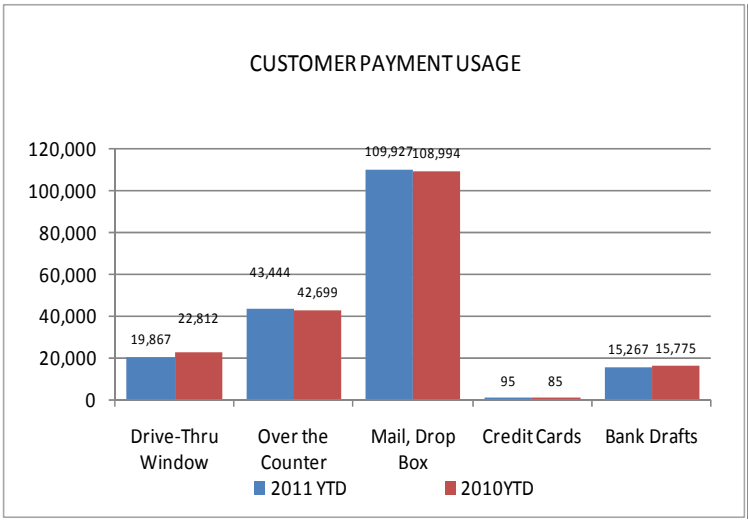
Major Program Updates

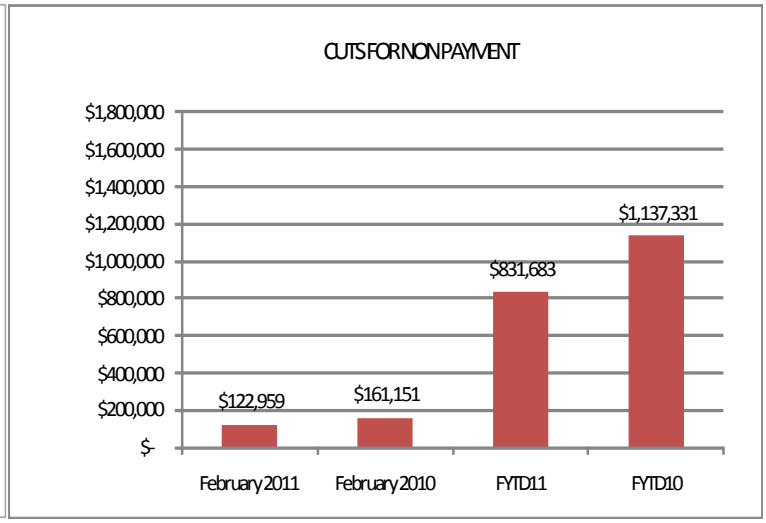
MEASURE	FEBRUARY 2011	FEBRUARY 2010	DIFFERENCE
Issue Effectiveness (>90%) *How often the warehouse has what customers need when it's needed.* *[issues / (issues + back orders)] * 100*	99.2%	99.3%	-0.18%
Turn Over Rate (4-5 per yr.) *Indicates that the material stocked is the material being used.*	1 every 9.2 years	1 every 18.2 years	-8.98 years
Bids for non-inventory items converted to purchase orders within timeframe *(Quantity and Percentage)*	11 of 12 Bids 91.7%	7 of 7 Bids (FY10 Total) 100%	-8.3%
Sealed bids prepared, received & distributed within 7 working days of receipt *(Quantity and Percentage)*	30 of 32 Bids 93.7% FYTD	36 of 38 Bids (FY10 Total) 94.7%	-1.0%
Scheduled Preventative Maintenance appointments being kept. *(Quantity and Percentage)*	25 of 27 appointments kept 92.5%	9 of 32 appointments kept 28%	64.5%
Mail receiving lowest discounted rate *(Quantity and Percentage)*	226,942 pieces 96.7%	399,185 pieces (FY10 Total) 95.9%	0.8%
Routine work orders completed within 5 days *(Quantity and Percentage)*	33 work orders completed 94.2%	32 work orders completed 91.4%	2.9%
Emergency work orders completed within 2 days *(Quantity and Percentage)*	3 work orders completed 100%	6 work order completed 100%	-

CUSTOMER SERVICES



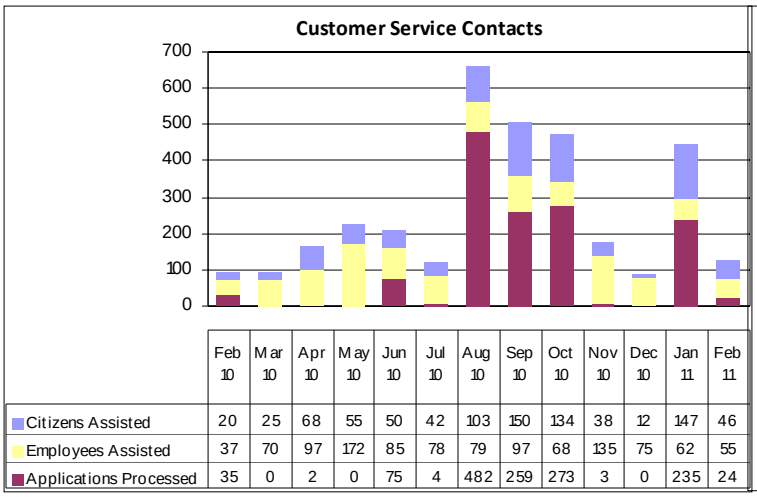




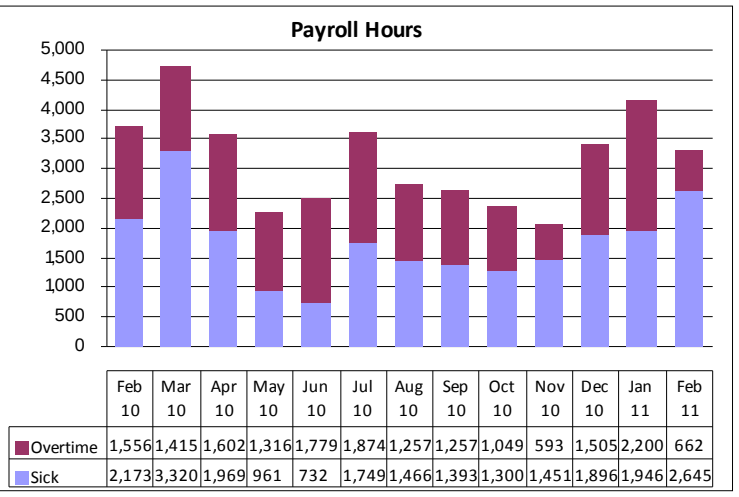


Major Program Updates	Feb 2011	Feb 2010	Difference	FY 2011 Year-to-Date	FY 2010 Year-to-Date
Number of Customers Served	22,483	22,473	10	198,548	191,432
Final Bills	588	512	76	5,179	4,813
Estimated Bills	141	165	(24)	1,155	1,147
Penalties Posted	$ 10,340	$ 17,731	$ (7,391)	$ 171,867	$ 142,487
Extensions of Credit - Amount Extended	$ 197,136	$ 157,538	$ 39,598	$ 1,594,284	$ 1,300,730
Balance Transfers	$ 251	$ 3,377	$ (3,126)	$ 18,888	$ 32,030
Utility Collections	$ -	$ 18,687	$ (18,687)	$ 184,509	$ 172,200
Special Assessments	$ 225	$ 110	$ 115	$ 7,559	$ 32,666
Miscellaneous Billings	$ 76,383	$ 26,408	$ 49,975	$ 944,039	$ 811,279
CNP through Disconnect Collars	20,038	-	20,038	64	98
Court Cases	1,100	-	1,100	-	-
Tamperings	2	2	-	31	25
Taxes Levied	$ 804,824	$ -	$ 804,824	$ 2,680,473	$ 9,821,008
Billing Adjustments	$ 8,753	$ 774	$ 7,980	$ (275,314)	$ 138
Total Taxes Collected	$ 45,764	$ 63,618	$ (17,855)	$ 9,732,456	$ 9,379,880
Taxes Outstanding	$ 662,707	$ 398,234	$ 264,473	$ 6,909,596	$ 419,456
Payments in Lieu	$ 1,500	$ 1,500	$ -	$ 12,000	$ 12,000
Billing Accuracy (on schedule billings)	99.0%	99.0%	-	99.0%	99.0%
Bills Published on Schedule	99.9%	99.9%	-	99.9%	99.9%
Meters Read on Schedule	99.9%	99.9%	-	99.9%	99.9%
Customer Satisfaction Rating	99.7%	99.7%	-	99.7%	99.7%
Deliquent Accounts Collected	99.8%	99.7%	-	99.8%	99.7%

HUMAN RESOURCES



	Feb 10	Mar 10	Apr 10	May 10	Jun 10	Jul 10	Aug 10	Sep 10	Oct 10	Nov 10	Dec 10	Jan 11	Feb 11
Citizens Assisted	20	25	68	55	50	42	103	150	134	38	12	147	46
Employees Assisted	37	70	97	172	85	78	79	97	68	135	75	62	55
Applications Processed	35	0	2	0	75	4	482	259	273	3	0	235	24



	Feb 10	Mar 10	Apr 10	May 10	Jun 10	Jul 10	Aug 10	Sep 10	Oct 10	Nov 10	Dec 10	Jan 11	Feb 11
Overtime	1,556	1,415	1,602	1,316	1,779	1,874	1,257	1,257	1,049	593	1,505	2,200	662
Sick	2,173	3,320	1,969	961	732	1,749	1,466	1,393	1,300	1,451	1,896	1,946	2,645

Category	Feb 10	Mar 10	Apr 10	May 10	June 10	July 10	Aug 10	Sept 10	Oct 10	Nov 10	Dec 10	Jan 11	Feb 11	Total
Caucasian*	320	318	315	315	315	314	314	315	319	312*	311	313	314	N/A
Minorities*	61	61	61	62	63	62	62	62	62	61*	61	61	61	N/A
Hired	-	1	-	2	2	-	2	1	4	1	-	2	1	16
Terminated/Resigned/ Retired	-	3	4	1	1	2	2	1	-	3	1	-	-	18
Promoted	2	1	6	3	-	1	-	-	-	-	-	-	-	13
Jobs Posted	3	3	-	3	-	2	3	4	1	-	-	3	-	22
Workers Comp. Injuries	2	2	3	4	8	5	6	3	5	2	5	7	2	54
Workers Comp. Hours	50	186	358	299	123	11	9	-	24	65	42	360	445	1,972
Insurance Claims	10	9	6	7	10	8	2	8	3	4	8	3	3	81

Full-time Employees: 359 **Part-time Employees: 16** (4 Pitts Center, 1 Recreation, 11 Library)

* Total full-time, Caucasian and Minority employees were adjusted due to an audit of employee information.

Numbers do not reflect, temporary, seasonal, relief fire dispatchers, committee or council members.

Hired: Assistant Library Director



Recruitment Information

Position	Total	Female	Male	Black	White	Hispanic	Asian/Pacific Islander	American Indian/Alaskan Native	Unknown	In Dover	Out Dover
Groundworker I	**105**	2	103	19	79	4	1	1	1	36	69
Operations/Construction Manager (Public Utilties)	**52**	1	51	1	41	2	0	1	7	11	41
LAN Analyst	**21**	1	20	3	15	0	0	1	2	7	14

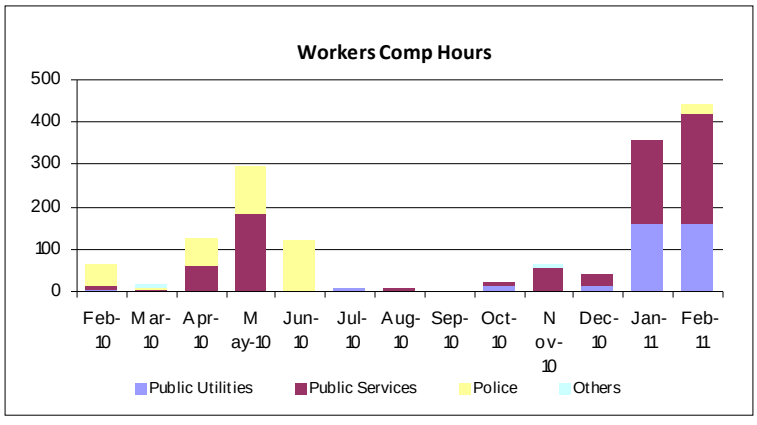
HUMAN RESOURCES
continued

Unfilled/Open Positions by Department

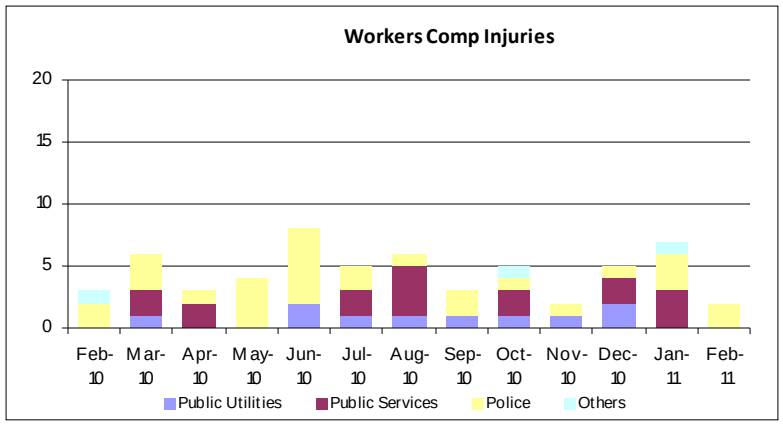
Unfilled/Open Positions By Department	Apr 10	May 10**	Jun 10	July 10	Aug 10	Sept 10	Oct 10	Nov 10	Dec 10	Jan 11	Feb 11
Public Utilities	12	~~12~~ 11	12	5	3	3	3	4	4	4	4
Public Services	3	4	4	1	2	2	2	1	2	1	1
Police	~~5 6~~ 5	5	3	2	2	2	2	3	3	2	2
All Other Departments	10	~~10~~ 11	12	5	6	6	3	4	4	4	3
Totals	**~~30 31~~ 30**	**31**	**31**	**13***	**13**	**13**	**10**	**12**	**13**	**11**	**10**

Public Utilities: Grounds Worker (1), Motor Equipment Operator II/Water (1), Construction & Inspection Manager (1), and Engineering Fieldman Crew Leader (1)
Public Services: Emergency Management Coordinator (1)
Police: Police Master Corporal (1) and Patrolman (1)
All Other Departments: Custodian I (1), Programmer Analyst (1), and Sr. LAN Analyst (due to A. Siegel currently acting as IT Director)

Bonus Program Category	Feb 10	Mar 10	Apr 10	May 10	Jun 10	July 10	Aug 10	Sept 10	Oct 10	Nov 10	Dec 10	Jan 11	Feb 11	Total
Stop Program-*Sensibly Taking Off Pounds(weigh-ins)*	-	20	24	41	42	42	29	10	5	13	7	-	27	260
Caught Doing it Right-*Promotes employees productivity & creativity (submissions)*	-	-	-	-	-	2	3	1	-	2	63	-	-	71
Breathe Program-*Rewards for ending tobacco use (submissions)*	-	-	-	1	1	-	-	-	-	-	4	-	-	6
Ducs in a Row-*Doing Useful Community Service (submissions)*	-	-	-	-	-	-	-	-	-	-	-	-	-	-

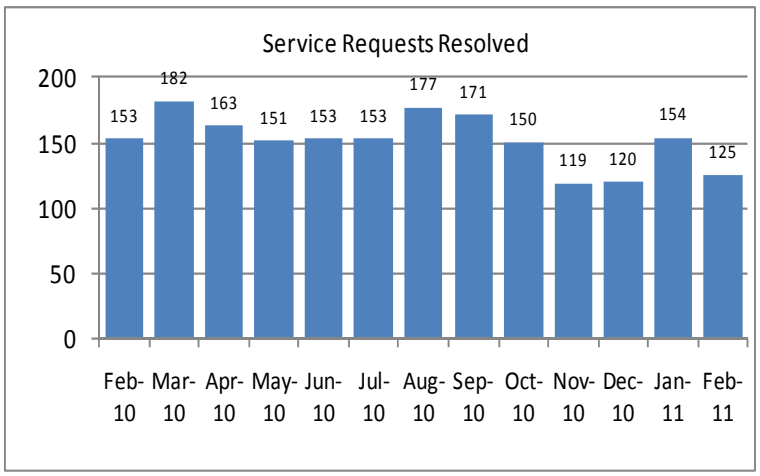


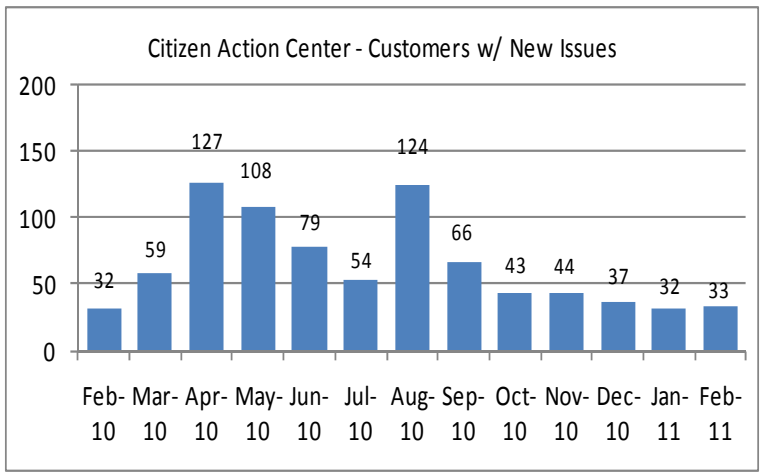
Public Utilities: 160 Public Services261 Police: 24 All Other Depts.: 0

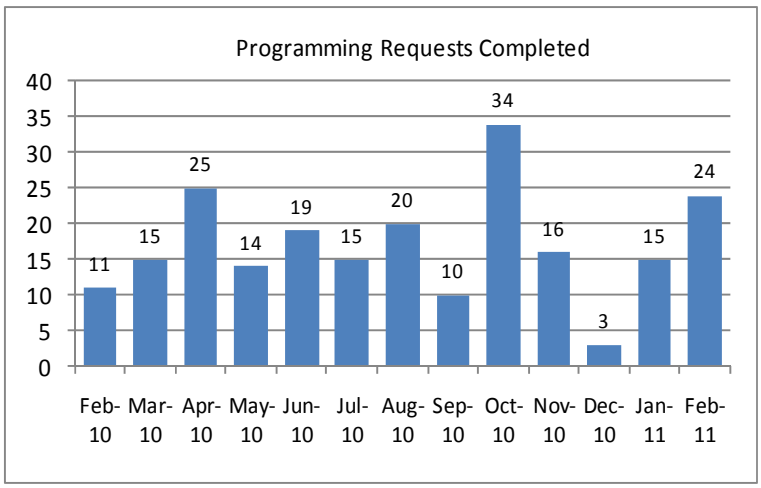


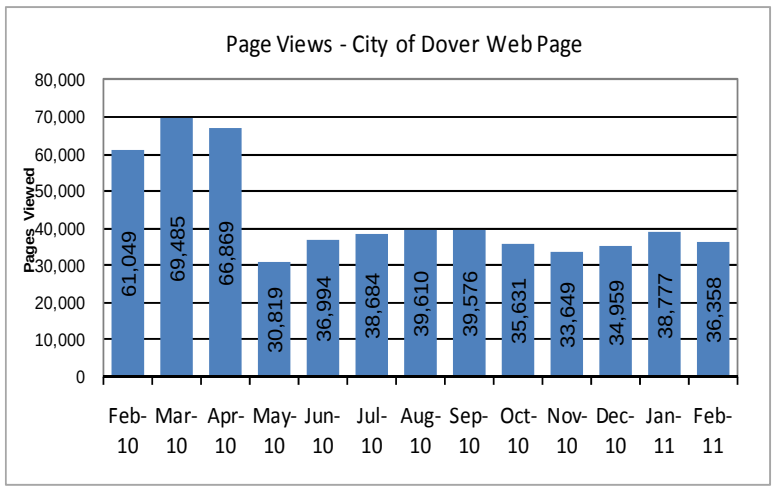
Public Utilities: 0 Public Services: 0 Police: 2 All Other Depts.: 0

INFORMATION TECHNOLOGY





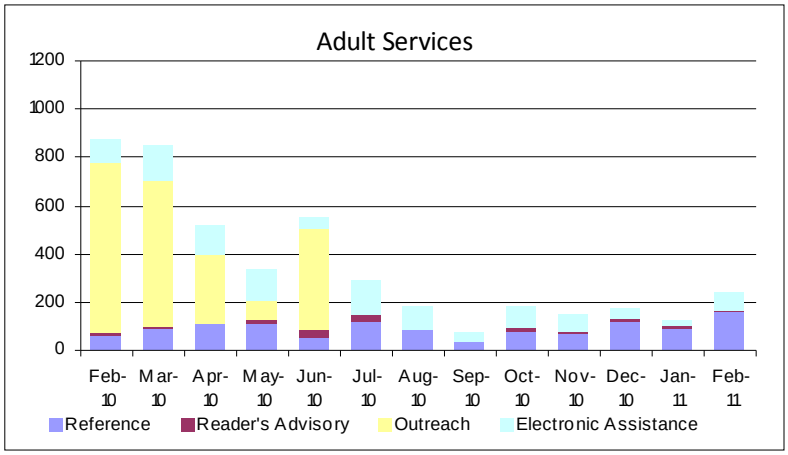


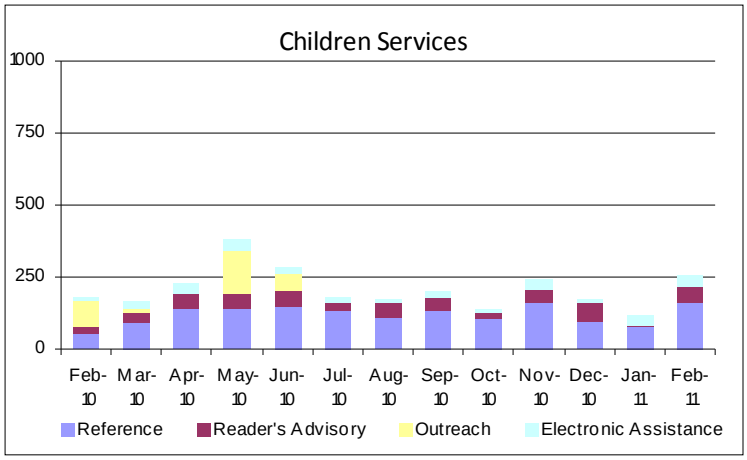


Performance Indicators	Current Month	Last Month	Same Month Last Year
iSeries Availability	100%	100%	100%
Server Availability	100%	100%	100%
AS/400 Connections (concurrent/authorized users)	N/A	N/A	N/A
PCs Supported	334	336	340
Scheduled PCs Replaced	-	-	-
Servers Supported	15	15	16
People Trained	5	12	19

Availability Statistics based on 7:00 AM until 5:00 PM Monday—Friday

Library





Reference: 158 Reader's Advisory: 8
Outreach: 0 Electronic Assistance: 72

Reference: 163 Reader's Advisory: 55
Outreach: 0 Electronic Assistance: 38

CIRCULATION	FEBRUARY 2011	FYTD 2011	FEBRUARY 2010	FYTD 2010
Dover Residents	15,716	135,688	13,240	120,420
Kent County Residents*	14,607	120,876	13,741	120,536
Non-County Residents	1,603	11,835	1,295	9,828
REGISTRATIONS				
Dover Residents	198	1,833	168	1,837
Kent County Residents*	70	767	93	1,117
Non-County Residents	7	81	7	132
OTHER				
Visiting Patrons	28,971	244,909	27,498	257,933
Meeting Room Usage	400	2,020	360	2,040
Photocopier Usage	1,680	12,552	1,682	12,879
Dial-A-Story	980	9,328	1,118	11,633
Computer Usage	3,889	35,312	3,409	27,683
Holds (Total)	28,971	244,909	27,498	257,933

***Breakout of Kent County Residential Statistics**

Circulation	Registrations
Harrington: 100	Harrington: 1
Smyrna: 1,016	Smyrna: 7
Milford: 207	Milford: 0
Outside City Limits: 13,284	Outside City Limits: 62

Total Registered Users: (Card Holders)

City: 17,563 Kent County: 13,886 Outside Kent County: 1,700

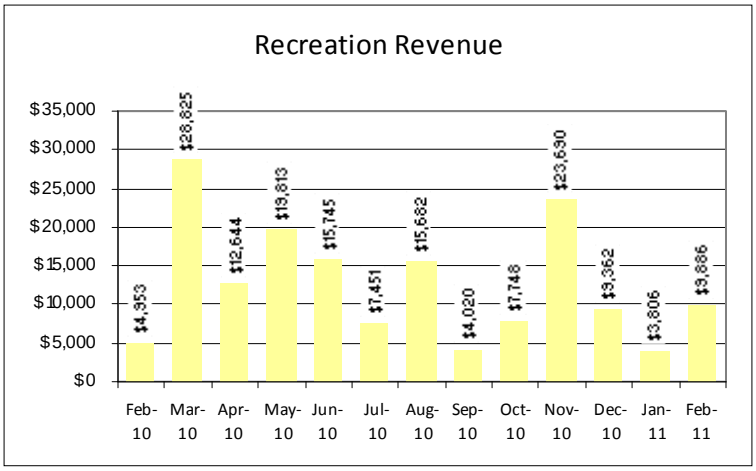
Other Points of Interest:

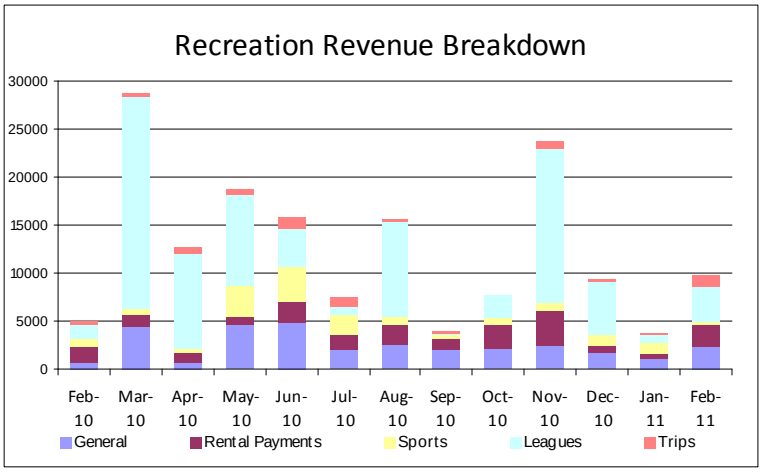
Interlibrary: 4,315 items loaned out
3,133 items borrowed

Technical services: 1,567 items added
527 items deleted

Volunteers: 322 hours of service completed

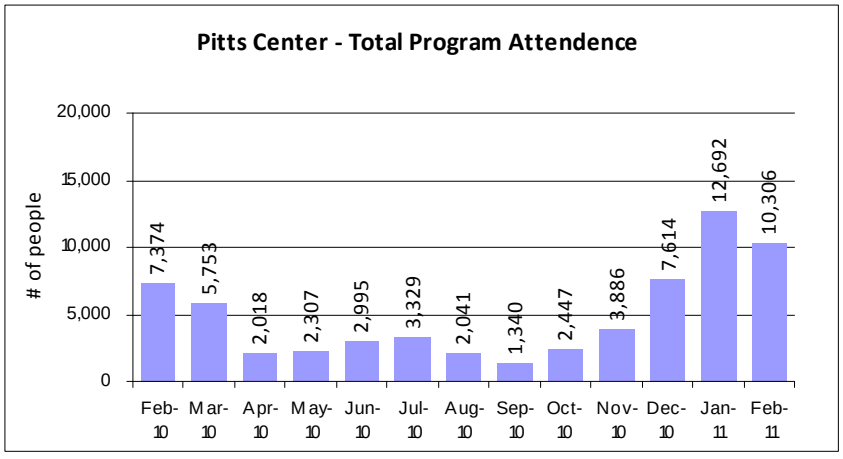
Parks and Recreation





General: $2,365 Rental Payments: $2,120 Sports: $456
Leagues: $3,645 Trips: $1,300

Rentals	FEBRUARY 2011		FYTD 2011		FEBRUARY 2010		FYTD 2010
Baseball/Softball Field Rentals*	-		111		-		108
Dover Park Pavilions (2)	-		18		-		18
Multipurpose/Field Hockey Field Rentals*	-		54		-		44
Recreation Center – Dover Park	5		114		8		71
Silver Lake Pavilions (2) / Schutte (1)	-		34		1		31
Soccer Field Rentals*	-		9		-		10
Stage – Mobile Platform	-		19		3		16
These numbers reflect groups that utilized our facilities during February.							
Program Attendance*	**FEBRUARY 2011**		**FYTD 2011**		**FEBRUARY 2010**		**FYTD 2010**
Learn N Play (All Sports)	6		6		Not Offered at Dover Park		
This number reflects activities that took place in February. (Not included on the JWP report.)							



FREE Open Gym Registration Cards* - through 2/28/2011
Total Cards Issued: **4,056**
City Residents: 1,838 - (45%)
Non-City Residents: 2,218 - (55%)
- Kent County: 1,796 - (44%)
- Sussex County: 143 - (4%)
- New Castle County: 96 - (2%)
- Out of State: 183 - (5%)

The cards permit entrance to the facility during scheduled Public Gym Periods at no charge.

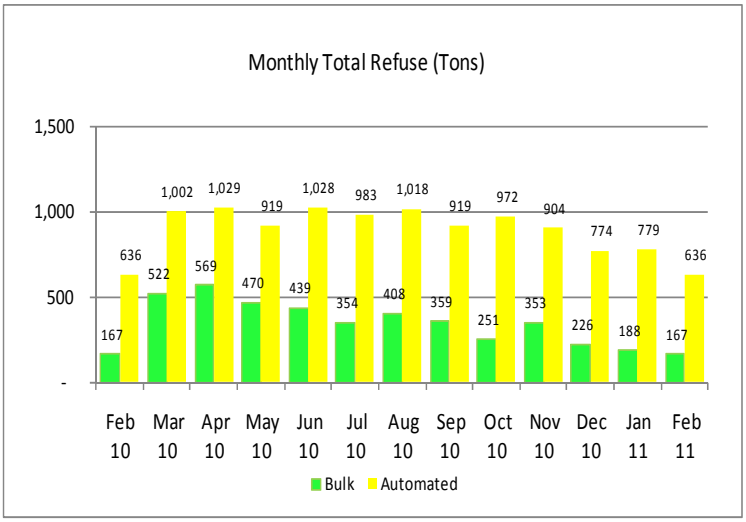
PUBLIC SERVICES

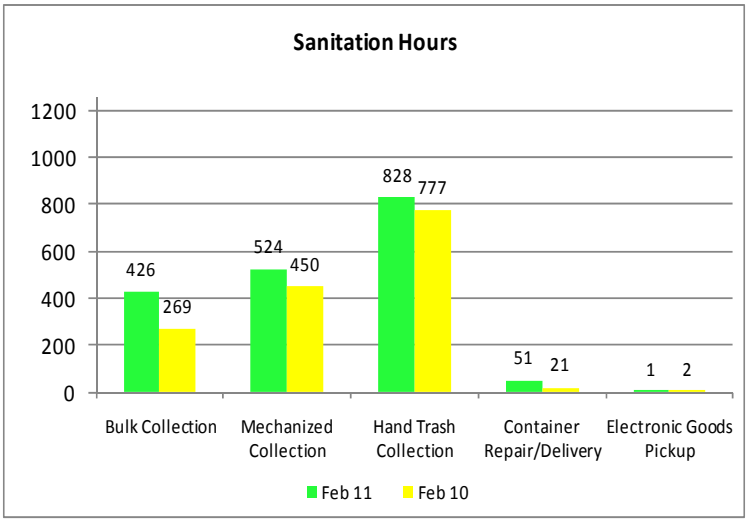
Administration

Administrative review and inspection services continued on all residential and commercial developments. The following residential subdivisions are in various phases of construction:

Oak Shadows
Village of Westover (Phase VI)
Patriot Village
Eden Hill (Residential)
Emerald Pointe
Farthing Woods
Clearview Meadows
Lexington Glenn
Nottingham Meadows
Village of Cannon Mill

Sanitation





	FEBRUARY 2011	FYTD 2011	FEBRUARY 2010	FYTD 2010
Trips to DSWA Sandtown Landfill	188	1,827	163	1,840
Total Tonnage to DSWA	917.53	9,403.72	802.08	9,983.82
90-Gallon Containers Delivered	22	161	11	229
300-Gallon Containers Delivered	7	37	1	24
Total Man Hours - Containers Delivered	71	402	21	294

CURBSIDE RECYCLING STATS	TOTAL # OF HOUSEHOLDS	TOTAL # OF ACCOUNTS	WEIGHT/LBS.	AVG. LBS.
FEBRUARY 2011	15,696	7,848	223,540	14.24

STREETS	FEBRUARY 2011	FYTD 2011	FEBRUARY 2010	FYTD 2010
Signed Installed	35	171	10	144
Signs Repaired	38	175	6	104
Curbs Painted Yellow (Ft.)	100	933	-	240
New Post Installed	14	64	3	51
Storm Catch Basins Repaired	-	30	-	5
Storm Catch Basin Repairing (Hrs.)	-	196	-	44
Hot Mix Patching (Tons)	2	95	-	651
Hot Mix Patching (Hrs.)	4	352	-	1,114
Cold Mix Patching Hrs.)	38	262	48	252
Concrete Work (Hrs)	-	221	-	150
Concrete Patching (Cubic Yards)	-	37	-	12
Street and Alley Maintenance (Hrs)	147	1,236	120	1,050
Ditch Work (Hrs).	0	65	-	22
Street Sweeping (Miles)	962	6,639	126	6,540
Street Sweeping (Cubic Yards)	306	1,665	225	1,293

GROUNDS - Arborist Crew	FEBRUARY 2011	FEBRUARY 2010
Trees Trimmed	94	79
Trees Removed	19*	12

- *Removal of a large Box Elder tree at 35 N. New Street in order to make room for structure demolition.
- Most of the rest of the removals were dead trees.
- Trimmings were low limb street trees and in the alley around Wesley College.

Beautification Crew

- Cut back all ornamental grasses, perennials, and shrubbery.
- General clean up and washing down of all benches with bleach to ready for starting seeds in the greenhouse.
- Continued picking up Christmas trees.

Mowing Crews/Special Projects Crew

- Pulled the two Christmas trees off Silver Lake and one tree from Mirror Lake.
- Turned Christmas lights off on Loockerman Street.
- Continued leaf collection in the parks.
- Snow/ice removal from 4 miles of sidewalks after several snowfalls totaling 9 inches.

Economic Development

UNEMPLOYMENT RATES	JAN 10	FEB 10	MAR 10	APR 10	MAY 10	JUN 10	JUL 10	AUG 10	SEP 10	OCT 10	NOV 10	DEC 10	JAN 11	FEB 11
City of Dover	9.8%	10.3%	9.4%	9.4%	9.4%	10.2%	9.8%	10.2%	10.1%	10.3%	10.1%	9.4%	10.0%	Pending
National & State averages (US-9.0% & State-8.5%) Source: State of Delaware Department of Labor														

Number of contacts made with small businesses and with out-of-town companies interested in locating to Dover.

TYPE	YTD Contacts Made
Small Businesses	11
Out-of-town Companies	10

- A presentation regarding the Sun Park and other projects was given to the Colonial Rotary.
- The semi-annual update on Dover's Top Employers was given to the Parks, Recreation and Community Enhancement Committee.
- A Economic Data Group meeting was hosted by Economic Develop that invited Town Managers, Mayors, and Economic Development staff from Smyrna, Seaford, Milford and DEDO.
- Staff met with Jeff Stone, from DEDO, who will be assisting with the development of a marketing strategy for the Garrison Farm. Stall also met with Steve Kinion regarding Captive Insurance and Alan Levin to discuss the progress of several economic development projects.

Downtown Dover Partnership

- DDP received the Dover Transit Center Neighborhood Plan and Design Book which included a master plan for downtown Dover and specific DDP-owned properties. The plan was presented to Council on February 14, 2011 and was unanimously approved.
- The DDP Board authorized up to $50,000 for the completion of the next phase of the Chesapeake Supply Site Brownfield Remediation. Funds were also approved for the installation of an additional security camera and larger monitor, as a part of the Downtown Security Camera Project.
- The Dover Branding project was started and discussions were held with several constituent groups to begin development of a "destination" logo for the City of Dover and Downtown.

Life Safety

Inspections	FEBRUARY 2011	FYTD 2011	FEBRUARY 2010	FYTD 2010
Fire Protection Inspections (new & existing)	66	445	40	220
Fire Code Inspections	63	758	47	471
Inspection Deficiencies	72	782	49	551
Certificate of Occupancy	1	40	6	65
Non-Inspection Hours				
Office	140	869	126	856
Meetings	35	341	35	308
Plan Review	48	342	14	383
Training	-	379	-	362
Fire Investigations	6	138	84	284
Damage Cost				
Accidental	$52,000	$140,950	$11,800	$353,800
Incendiary	$ 2,000	$194,550	$ 1,000	$134,300
Undetermined	$ -	$ 22,600	$14,000	$ 43,000

Permitting and Inspections

Permits Issued	FEBRUARY 2011	FYTD 2011	FEBRUARY 2010	FYTD 2010
Administrative Permit	3	15	3	19
Building Addition/Renovation Permits	23	371	17	308
Building Permits	6	81	10	81
Demolition Permits	6	22	5	32
Fence Permits	2	48	-	51
Fire Prevention Permits	13	65	3	49
Mechanical Permits	21	200	17	279
Plumbing Permits	18	329	22	335
Sign Permits	18	162	18	183
Swimming Pool Permits	-	2	-	1
Licenses Issued				
Business Licenses	25	1,542	17	1,192
Merchant Licenses	1	276	4	282
Contractor Licenses	29	819	14	736
Lodging House Licenses	9	40	1	41
Mobile Homes	2	233	8	719
Public Occupancy	80	319	34	284
Rental Dwelling	688	2,468	588	2,341

Building Inspections

Permits Issued	FEBRUARY 2011	FYTD 2011	FEBRUARY 2010	FYTD 2010
Building	245	2,925	247	2,922
Plumbing/Mechanical	320	2,938	92	1,900
Certificate of Occupancy	9	140	6	170

Geographic Information Systems (GIS)

- Created and printed numerous maps for the City Clerk's office.
- Refined and added map data to Water system and to the Storm Water system.
- Created ArcGIS mobile applications for Fire and Water Departments.
- Created and printed numerous maps, banners and posters for Downtown Dover Partnership.
- Created Dover Downs Slot Bank and Pit GIS floor plan.

Dangerous Building/Demolition Status – February 2011

66 Washington Street (Complete – No Further Action Required)
- Declared dangerous by City Council on October 12, 2009.
- Building permit obtained by property owner on February 5, 2010 and expired on August 5, 2010 with no inspections scheduled or completed in relation to the building permit.
- City will proceed with notifying property owner of our intent to conduct an asbestos survey and abatement and will secure bids for demolition.
- Demolition bids were received on December 7, 2010. Low bid authorized by City Manager.
- Demolition was completed in February 2011. Paperwork to place lien on the property has been forwarded to Administrative Services. Total cost was $8,376.85.

715 Slaughter Street (Complete - No Further Action Required)
- Declared dangerous by City Council on May 24, 2010.
- Asbestos survey & report completed on October 1, 2010.
- Asbestos abatement and removal completed on October 7, 2010.
- Bids received on October 13, 2010.
- Public Service Manager is awaiting receipt of bids from the City's Contract and Procurement Manager. Low bid from Sunnyfield Contractors in the amount of $2,950.00 approved by City Manager on October 19, 2010.
- Demolition was completed in November 2010. Paperwork to place lien on the property has been forwarded to Administrative Services. Total cost was $7,598.75.

628 N. West Street (Complete - No Further Action Required)
- Pool declared dangerous by City Council on August 23, 2010.
- Demolition quotes received on October 12, 2010.
- Low quote is currently being reviewed. Low bid from Sunnyfield Contractors in the amount of $3,900.00 has been submitted to the City Manager for Authorization to Purchase.
- Demolition was completed in November 2010. Paperwork to place lien on the property has been forwarded to Administrative Services. Total cost was $3,900.00.

749 West North Street (Complete – No Further Action Required)
- Declared dangerous by City Council on October 25, 2010.
- Asbestos survey was conducted in December 2010.
- Asbestos abatement was completed in January 2011.
- Demolition bids received in January 2011.
- Demolition was completed in February 2011. Paperwork to place lien on the property has been forwarded to Administrative Services. Total cost was $15,780.34.

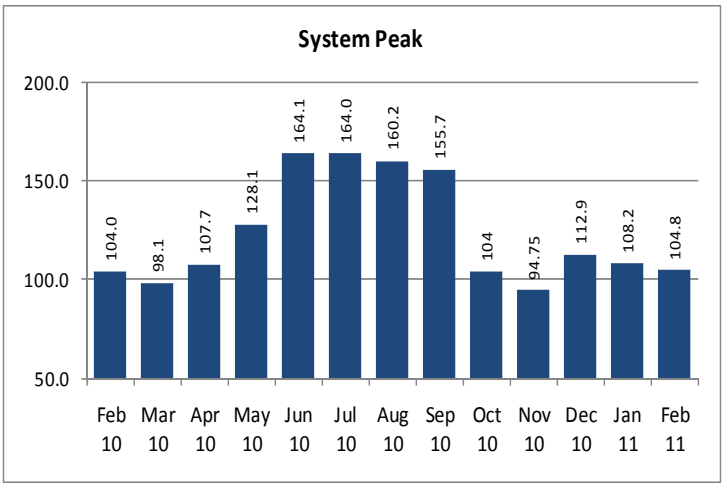
301 South Governors Avenue
- Declared dangerous by City Council on October 25, 2010.
- Asbestos survey was conducted in December 2010.
- Asbestos abatement began in late January 2011.
- Demolition bids received in January 2011.
- Demolition was completed in February 2011.

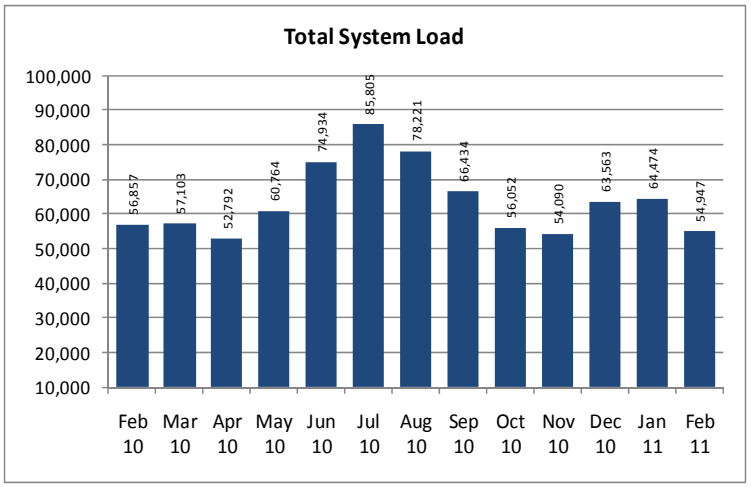
35 North New Street
- Declared dangerous by City Council on November 22, 2010.
- Asbestos survey conducted on January 19, 2011.
- Demolition bids were received in January 2011.
- Asbestos abatement scheduled for February 3, 2011.
- Demolition was completed in February 2011.

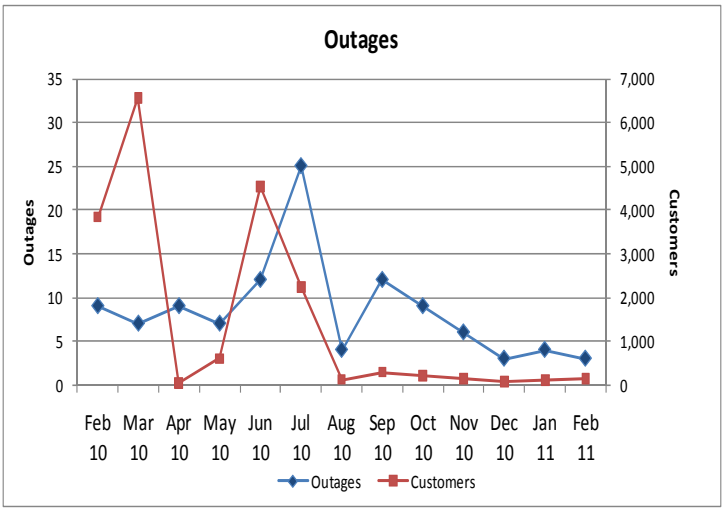
106 South New Street
- Declared dangerous by City Council on February 14, 2011.
- Asbestos survey is scheduled for March 2011.
- Demolition quotes are due in March 2011.

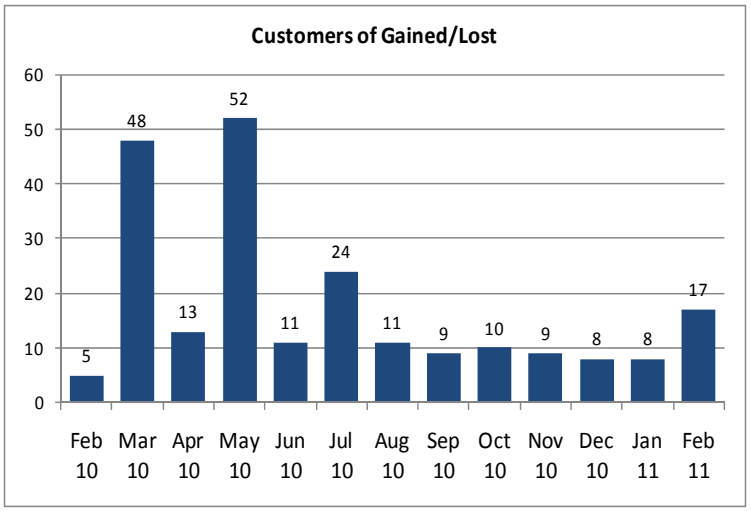
PUBLIC UTILITIES

Electric









Outages: 3 Customers: 154

Electric Monthly Outage Report

The annual outage goal will be less than 295 minutes per customer, which is a Delaware Standard. This will be measured by calculating the System Average Interruption Duration Index.

FY 11 YTD	FY 10	FY 09
72.17	160.14	155.17

Controllable Outages *Annual goal is less than 40*		Average Response Time *Goal is less than 30 minutes*	
Month	**Year-to-date**	**Month**	**Year-to-date**
2	29	18 Minutes	40.98 Minutes

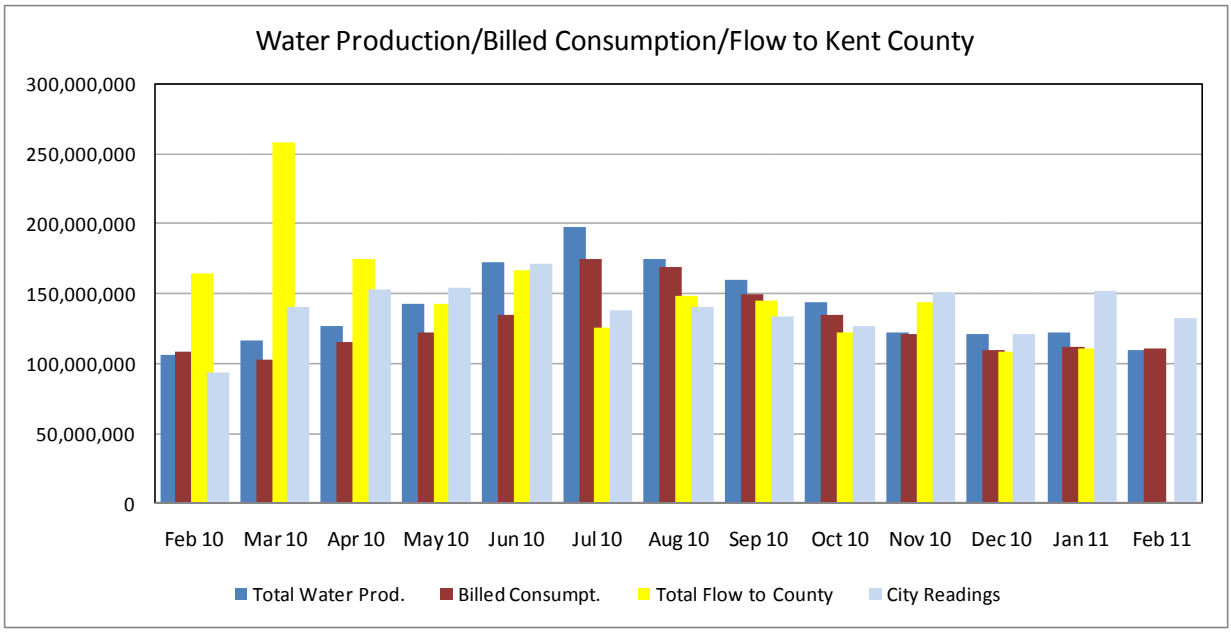
ELECTRIC ENGINEERING DESIGN

Major Program Updates	FEBRUARY 11	FEBRUARY 10	DIFF	FY11 YTD	FY10
Extensions Design Completed Within 30 days of complete Submission	0	0	-	0	0

New Underground Installation	% Completed	New Underground Installation	% Completed
• Kent General Hospital • Crossgates Development	Ongoing Ongoing	• Farthing Woods • Buchanan Acres	Ongoing Ongoing

PROGRAM UPDATES	FEB 11	FEB 10	FY11 YTD
Tree Trimming	206	113	1558
Number of Oil Releases	0	1	5
Lost Time Accidents – All Electric Utility Divisions	0	0	0
New Services	17	5	92
Major Goals Completed in the Past Two Months			
✓ CT/PT & Breaker change out completed at McKee Substation			

Water/Wastewater



ENGINEERING SUMMARY

Major Program Updates	FEBRUARY 11	FEBRUARY 10	DIFF	FY11 YTD	FY10
State and Federal Violations	0 violations	0 violations	-	-	-
Water Quality Complaints	1	8	-10	79	158
Plan Review Completed Within 30 days of Submission	8 plans 100%	4 plans 100%	-5 plans	95%	99%
Field Inspection Response within 48 hours of Request	100%	100%	-	100%	100%

Major Goals Completed in the Past Two Months
✓ Water main installation began for the proposed Dover Anchor Library.

OPERATIONAL SUMMARY

Task	FEBRUARY 11	FEBRUARY 10	Current FY
Water Production – Daily Average	3,913,429	3,801,143	1,150,219,000
Average Field Response Time (goal is < 30 minutes)	19.4	25.1	20.5
Water Mains Repaired	3	1	20
Water Service Lines Repaired	3	-	15
Wastewater Mains Repaired	2	2	8
Wastewater Service Lines Repaired	1	-	7
Sewer Lines Flushed – Linear Feet	46,846	81,023	566,154
Percentage of Flow Sent to Kent County vs. Gallons Billed (inflow/Infiltration monitoring)	99%	150%	90%
Total Water Meters in City Distribution System	13,897	13,772	69
Lost Time Accidents – All Water/Wastewater Divisions	-	-	2

CITY PLANNER'S MONTHLY REPORT

Public Services Group
P.O. Box 475
Dover, DE 19903
Phone: (302) 736-7010 Fax (302) 736-4217

February 2011

EDEN HILL FARM TND

- For the Residential District of Eden Hill Farm Traditional Neighborhood Design a total of 42 dwelling units are complete of the 51 permits approved for dwelling units. Two new permits for duplex were filed in February for review and are expected to be issued in early March. Construction activity is ongoing on a series of seven townhouse units on South Greenberry Lane and two duplex units on Ruth Way in anticipation of final inspections occurring in March.
- Compliance issues remain with project developer Hill Farm Associates in regards to timely payment to allow for installation of street lighting in the Residential District.
- The applicant requested Planning Commission review the Pattern Book guidelines after disagreeing with Planning Staff's interpretation on sideyard setbacks. At their February meeting, the Planning Commission took action to interpret the Pattern Book guidelines pertaining to Townhouse Setbacks in Phase 2 of the Residential District. (MI-10-20)
- In February, there was no specific activity associated with the Professional Office, Medical & Financial District.
- For the Neighborhood Commercial District, no plan submissions (Check Prints) have been received since the Planning Commission's action on the Revised Implementation Plan (Revision #2-Updated Plan of October 1, 2010) in October. The applicant is looking at potential relocation of the rights-in only entrance from North Street.

COMPREHENSIVE PLAN IMPLEMENTATION

Planning Staff continues to focus efforts on the implementation items identified in the *2008 Comprehensive Plan* as amended.

- The First Reading of the draft text amendments relating to solar and wind energy systems occurred on February 14th with the Planning Commission review and hearing scheduled for March (MI-11-02).
- Staff continues to work on a draft text amendment for the application processing provisions of *Zoning Ordinance*, Article 10.
- A set of Comprehensive Plan Amendments for 2011 (MI-11-01) was reviewed by the Planning Commission in February. The proposed amendments focus on items related to the creation and adoption of the Recreational and Open Space Zone (ROS) with an update to Table 12-1: Land Use and Zoning Matrix and selected revisions to Map 12-1: Land Development Plan. Also one applicant initiated amendments to the Land Development Plan map was considered. The Planning Commission's recommendations were forwarded to City Council for final action in March. Review of one applicant initiated amendment was postponed until March.

Other Activities

New Dover High School Project (C-10-05) - Planning Staff continues to be involved in the various planning discussions and review activities related to the new Dover High School project proposed to be constructed Forrest Avenue (Route 8). February meetings included such topics as the anticipated project schedule with associated plan submissions; coordination meeting with school district and adjacent developer; and the landscape plan design. The Safety Advisory and Transportation Committee considered a *Land Subdivision*

Regulations Waiver (Street Right-of-way width) for the project at their February 23rd meeting; however, the waiver request has since been withdrawn by the applicant.

PERMITTING AND LICENSING REVIEW

The Planning Staff is part of the Building Permit review process. Our activities involving reviewing specific types of permit applications for compliance with the *Zoning Ordinance* and for compliance with any conditions of approval from the Planning Commission, Board of Adjustment, or Historic District Commission.

Permits Reviewed (Issued)	January-11	February-11	Permits Reviewed YTD 2010	Permits Reviewed YTD 2011
Building Additions/Renovations Permits	12	13	31	25
Building Permits	2	3	22	5
Demolition Permits	3	6	8	9
Fence Permits	5	2	4	7
Sign Permits	9	4	22	13
Temporary Sign Permits	2	6	10	8
Swimming Pool Permits	0	0	0	0
Certificate of Occupancy	11	9	12	20
Total # Permits Reviewed (Issued)	**44**	**43**	**109**	87

CODE ENFORCEMENT

Case Type	# cases current month	# cases YTD	% staff initiated current month	% staff initiated YTD
No valid rental permit	3	4	67%	75%
No valid building permit	3	7	100%	86%
Tall grass and weeds	0	0	0%	0%
Unregistered vehicle	3	3	67%	67%
Abandoned vehicle	6	10	50%	50%
Annual Housing Inspection	80	109	95%	98%
Property Maintenance – Exterior	25	43	36%	49%
Electric Termination	15	15	100%	100%
Dover Code of Ordinances	57	104	63%	56%
Zoning	9	18	56%	72%
Total Cases	**201**	**313**		
Total # of Inspections	**379**			

On February 18, 2011, the Code Enforcement Division and Fire Marshal's Office conducted joint re-inspections of five House of Pride properties and found that all life safety violations had been adequately corrected and nearly all other interior violations had been corrected. House of Pride was given until April 2011 to complete all required exterior corrections, to allow for the weather to cooperate with the necessary repairs. Additional inspections were performed on February 23, 2011, where it was determined that several items needed additional correction. Follow-up inspections for the remaining two properties were scheduled for March 4, 2011.

COMMUNITY DEVELOPMENT

FISCAL YEAR 09-10 CDBG PROJECTS

Homeowner Rehabilitation Program FY09

Four (4) homes are underway: 814 River Road, 40 Bertrand Drive, 508 Walker Road (complete) and 106 Gordon Place.

CDBG FY10 PROJECTS

Habitat for Humanity

The property at 101 Jefferson Court purchased by Habitat for Humanity has been fully renovated and sold to a low income family on February 23rd.

First State Resource Conservation & Redevelopment Council (RC &D)

Emergency repairs have been completed on 14 homes in the City of Dover.

Homeownership Assistance Program

Two clients have purchased properties in the City of Dover.

Connections Community Support Program

Twenty-three homeless individuals received motel vouchers for temporary housing year to date.

Neighborhood Stabilization Program (NSP)

The City was awarded $1,426,740 for the acquisition and rehab of foreclosed properties to be sold to qualifying families. A total of $1,249,467 has been expended on the acquisition and renovations for 8 properties. The remaining balance of $177,272 will be utilized for renovations and acquisition. Three properties have been sold, three are for sale, one is a lease purchase and one is a rental that serves persons with disabilities. Dover Housing Authority purchased 1415 S. Hancock Avenue with program income. The following list the status of each NSP property:

218 Ann Avenue (sold)
343 Mimosa Avenue (sold)
907 Woodcrest Avenue (lease purchase)
1430 S. Hancock (group home)
1415 S. Hancock (new home purchase)
337 N. Governors Avenue (for sale)
254 Green Blade Drive (sold)
302 Stonebrook Place (for sale)
11 Westover Drive (for sale)

MEETING REPORTS

Board of Adjustment:

The Board of Adjustment met on February 16, 2011 and took the following action. The next regular scheduled meeting of the Board of Adjustment is scheduled for March 16, 2011.

1. **Applicant #V-11-01;-104 Saulsbury Road, Dover ED, LLC** – Moved to approve sign variance.

Historic District Commission:
The Historic District Commission met for the regular meeting on February 17, 2011 and took the following action. The next regular Historic District Commission meeting is scheduled for March 17, 2011.

1. **HI-11-01 Building at 326 West Loockerman Street: Building Demolition** – Moved to approve Architectural Review Certification for Demolition with the provision that there be some sort of low fencelike barrier along the perimeter of the property around the building and other areas determined by the owner and subject to the approval of DNREC. The building would not be subject to any additional recordation and Demolition is approved with the understanding that the depressed areas of the foundation would be brought up to grade.

Planning Commission
The Planning Commission met on February 22, 2011 (due to holiday on Monday) and took the actions summarized listed below. The next scheduled Planning Commission meeting is scheduled for March 21, 2011.

1. **MI-11-01 Comprehensive Plan Amendments 2011** - Moved to forward to City Council a recommendation of approval to adopt the Land Use and Zoning Matrix Table 12-1 and the changes associated with it. And to recommend adoption of the Land Development Plan map that depicts the Land Use changes (Items #1-16) and that we make a recommendation to change the Land Use classification for DoveView Apartments (Item #17) to High Density Residential. This action excluded Items #18 through #21 on the Land Development Plan Map changes which will be considered at a future meeting.
2. **Z-11-03 DoveView Apartments at 101-405 DoveView Drive** – Moved to forward to City Council a recommendation of approval of rezoning the property from I/O (Institutional and Office zone) and subject to the Corridor Overlay Zone (COZ-1) to RG-5 (General Residence Zone for mid-rise apartments) and subject to the Corridor Overlay Zone (COZ-1), and for reasons stated in the Staff Report and general discussion at the meeting.
3. **S-11-02 C.F. Schwartz Building Addition at 1530-1536 North DuPont Highway** – Moved to approve the Site Plan for a building addition with denial of the request for the sidewalk waiver; granting the waiver for the elimination of the arterial street buffer; approval of the tree planting mitigation plan; and approval waiver to allow the partial elimination of curbing. The applicant is to work with Staff to come up with some façade changes on the south facing side of the building to help break up that appearance.
4. **S-11-03 Courthouse Parking Lot on West Water Street** – Moved to approve the Conditional Use Site Plan and to include the Architectural Review Certificate HI-10-11 for the parking lot project. Also includes approval of the waiver request for partial elimination of curbing and elimination of the opaque barrier fence component. The approval consists of the Conditional Use for the west parking lot and the Site Plan review of the entire parking lot construction project.
5. **MI-11-04 Treadway Towers Parking Waiver Request** – Moved to approve the use of the "Combined Spaces" provisions of the *Zoning Ordinance* and set the required parking at 123 spaces.
6. **MI-10-20 Eden Hill Farm TND: Phase 2 Revisions – Consideration of Pattern Book Interpretation** – Moved to approve the use of the five (5) foot side yard setback between townhouse building groupings for the three (3) separate building groupings that comprise the block for this particular area of Phase 2 as this would be more aesthetically pleasing making everything balanced.

Submitted by:

Ann Marie Townshend

Ann Marie Townshend, AICP
Planning & Community Development Director

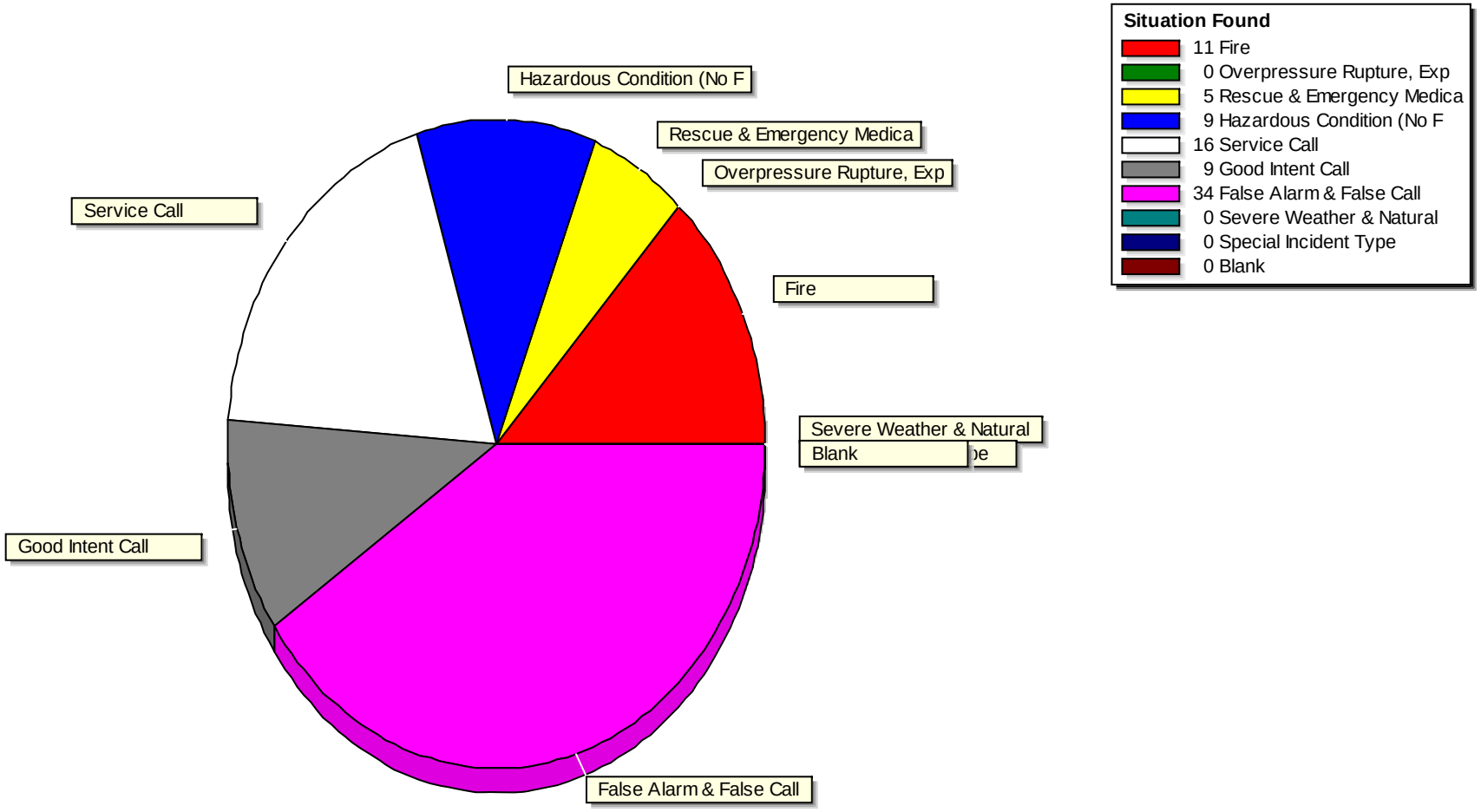
DOVER
FIRE DEPARTMENT

February
2011

Incidents by Situation Found

Dover Fire Department

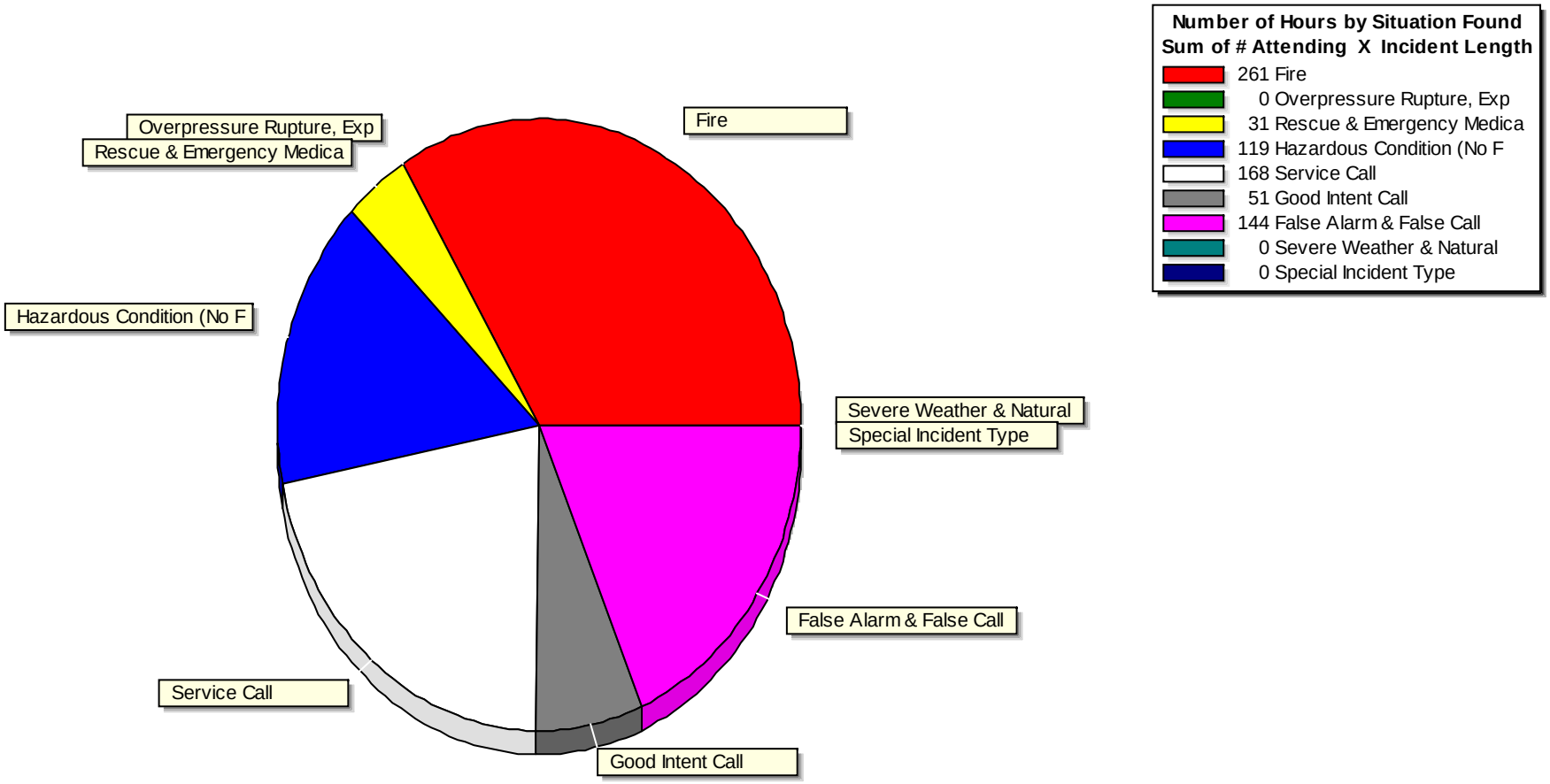
Date Range: From 02/ 01/ 2011 to 02/ 28/ 2011



Manpower Hours by Sitation Found

Date Range: From 02/ 01/ 2011 to 02/ 28/ 2011

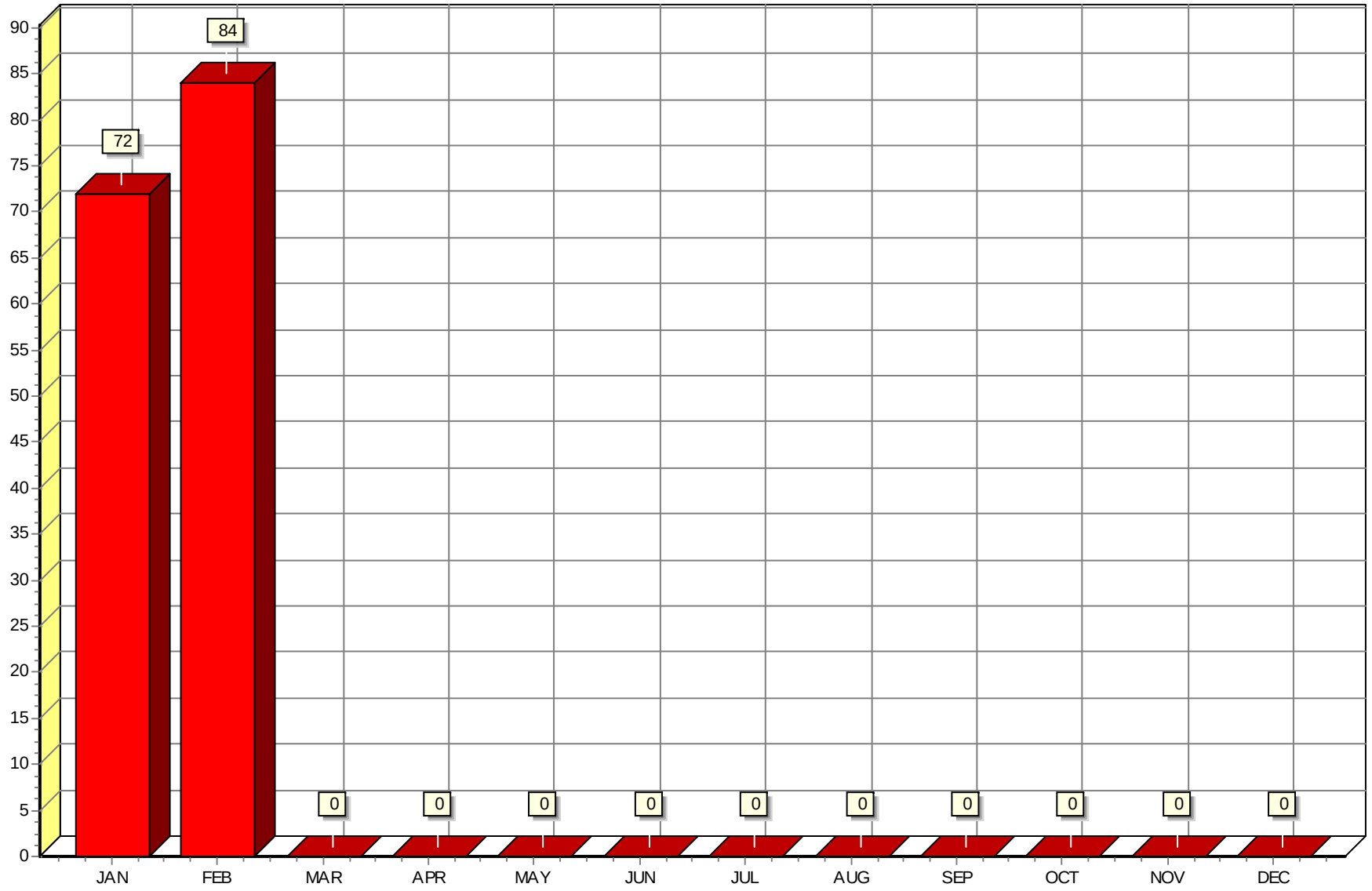
Dover Fire Department



Alarms by Month of Year

Dover Fire Department

Date Range: From 01/ 01/ 2011 to 02/ 28/ 2011



Incident Run Log

Dover Fire Department

Date Range: From 02/01/2011 to 02/28/2011
Company: All Companies
Sorted by: Not selected

Date	FDID	Incident#	Alarm	###	Address	Suite	Type
02/01/2011	30046	2011-000073	08:40		NAULT RD		Extrication of victim(s) from vehicle
		The Dover Fire Department responded to an MVC with entrapment in the area of Nault Rd and Hazellvillle Rd. On arrival, E4 officer (Fortney) reported a single vehicle crash with a vehicle on it's side. E4's crew stabalized the vehicle and then began extrication on the vehicle. Rescue 1 and E2 arrived on scene and assisted E4's crew. The subject inside the vehicle was an elderly female who was not injured but was unable to remove herself from the vehicle. The front windshield and the roof were removed which gave the occupant the space needed to exit the vehicle. A63 were on scene but the patient refused any medical treatment. DFD units cleared and no further action taken. The scene was subsequently turned over to DSP.						
02/01/2011	30046	2011-000074	08:47	800	ROSE VALLEY SCHOOL RD		Extrication, rescue, other
		The Dover Fire Department repsonded to the area of the 800 Blk of Rose Valley School Rd in reference to an MVC with entrapment. E2 arrived and located a single vehicle crash with the vehicle on it's side. E2 officer (Small) reported that there was no entrapment and the occupants were not injured. No further action was taken by DFD personnel.					
02/01/2011	30046	2011-000075	17:11		BAY RD		Passenger vehicle fire
		On arrival found a bystander attempting to extinguish a small fire under the hood of a 2002 Grand Cherokee. Crew investigated same and used a booster line to finish extinguishing the fire. The battery was secured to the vehicle and the vehicle was off the roadway. The occupants were standing by with the vehicle until the owner arrived. Units cleared.					
02/03/2011	30046	2011-000076	00:54	801	N DUPONT HWY		Sprinkler activation, no fire - unintentional
		On arrival E3 made contact with on-site supervisor who stated that overnight inventory workers where moving stock from high shelves and inadvertently damaged a sprinkler head causing the alarm system to activate. Water to the system was shut off prior to our arrival. E3 completed a walk thru and the scene was then turned over to the on-site manager.					
02/03/2011	30046	2011-000077	12:10	911	S DUPONT HWY	1	Alarm system activation, no fire - unintentional
		Writer responded to above for report of the alarm being activated and the maintenance on scene failed to notify the fire department or alarm company of same. Writer arrived and found crews working on the detectors in the Delaware Hospice office. Scene was placed under control and turned over to FM-2 for further.					
02/03/2011	30046	2011-000078	12:23	744	RIVER RD		False alarm or false call, other
		Writer responded to above for an automatic fire alarm activation and dispatched received a reset within seconds from the alarm company. Writer arrived and found Comcast crews working on the phone system which activated the alarm systems. Writer contacted the daycare manager and advised her of proper procedures when working on systems. Scene was turned over FM-2 for further.					
02/03/2011	30046	2011-000079	20:04		NEW BURTON RD & WYOMING AVE		Service Call, other
		Dover Fire Department responded to the above address in reference to a vehicle crash involving a train. E4 stood by while the tow company removed the vehicle, then cleared. No further action taken.					
02/03/2011	30046	2011-000080	22:13	1200	N DUPONT HWY		System malfunction, other
		Dispatched to a AFA on arriaval E-3 crew performed a walk thur with DSU police, all floors where cleared. Scene turned over to DSU PD.					
02/04/2011	30046	2011-000081	02:34	287	GREEN BLADE DR		Electrical wiring/equipment problem, other
		E4 responded to the above location for report of a possible electrical fire. E4 arrived on location and the crews entered the structure to investigate. After investigating crews were unable to locate the source of the problem however secured the power to both bedrooms as a safety precaution. The resident Laura White was advised to contact an electric worker in reference to her problem. Units cleared .					
02/04/2011	30046	2011-000082	11:01	15	EDGEWOOD RD		Arcing, shorted electrical equipment
		DFD was disaptched to the above address for a burning odor in the residence. On arrival found an electric hot water heater had shorted out causing an odor of smoke inside. Crews secured the electric and the residence was turned over to the owner. All units cleared.					
02/04/2011	30046	2011-000083	14:56	400	COURT ST		Gas leak (natural gas or LPG)
		DFD was dispatched to a natural gas in the area of 400 Court Street. On arrival crews checked the area and found a valve ox in the ground was leaking Natural Gas. Chesapeake was notified and responded. Scene turned over to Chesapeake Utilities. FD cleared.					
02/04/2011	30046	2011-000084	15:58	127	S ceasar rodney ave		Cover assignment, standby, moveup
		The Dover Fire Department responded to the above address in reference to a truck company assist. On arrival, L2 positioned and E4 laid a 5" supply line to same. E3 arrived and assisted 41's crews with fire supression. The handlines quickly supressed the fire and Command 41 advised that the truck would not be used. Crews placed L2 and E4 back in service and E3's crew was released by 41 Command. No further action taken by DFD personnel.					
02/04/2011	30046	2011-000085	21:04	820	SILVER LAKE BLVD		Smoke detector activation, no fire - unintentional
		Crew from E3 investigated to find the cleaning crew had knocked the pull station off the wall. Bldg was placed on fire watch.					
02/04/2011	30046	2011-000086	21:31	855	TOWNSEND BLVD		Cooking fire, confined to container
		Crew from E3 investigated to find unattended cooking requested positive pressure front.					
02/05/2011	30046	2011-000087	08:37	400	E WATER ST		Gasoline or other flammable liquid spill
		Dispatched for an odor investigation. Unit's arrived on scene and found a blue pick-up truck that had an odor of gas gasoline around the vehicle. Around the block at the Family Court building, there was also a small odor of natural gas at a main shut-off valve (similar leak at that location yesterday). Chesapeake Utilities was notified. All units returned to quarters.					
02/05/2011	30046	2011-000088	12:10	8	SAXTON RD		Good intent call, other
		On arrival found a odor of Drano that was mistaken for a Natural gas leak by one of the occupants at the above location. No further action taken by FD.					
02/05/2011	30046	2011-000089	22:32	255	WEBBS LA	E	Cooking fire, confined to container
		The Dover FIre Department responded to 255 Webbs Lane, building E in reference to smoke inside the apartments. On arrival, E4's crew					

Date	FDID	Incident#	Alarm	###	Address	Suite	Type
					located unattended cooking on the thrid floor. A positive pressure fan was placed at the front door to remove the smoke from the hallways. No further action taken. City Fire Marshal's officer was made aware of the incident.		
02/06/2011	30046	2011-000090	01:21	171	WESTMINSTER DR		System malfunction, other
					E-3 crew made access to attic area. Sprinkler pipe in attic area leaking from a previous repair, leaking water thru ceiling tile to div 3.		
02/06/2011	30046	2011-000091	10:28	500	PERSIMMON TREE LA	5	Smoke detector activation due to malfunction
					DFD responded to 500 Persimmon Tree Apts for an AFA. On arrival crews found activated smoke detector in the 2nd floor hallway for no apparent reason. Bldg turned over to maintenance, all units cleared.		
02/06/2011	30046	2011-000092	16:59	3164	WALNUT SHADE RD		Cover assignment, standby, moveup
					The Dover Fire Department was dispatched to the above address in reference to a truck company assist. Command 41 canceled all units prior to arrival. Units returned, no action taken.		
02/07/2011	30046	2011-000093	00:53	110	HAMAN DR	304	Cooking fire, confined to container
					The Dover Fire Department responded to the above address in reference to an alarm activation. On arrival, E4's crew located burnt popcorn in apartment 304 that caused the alarm to activate. No further action taken. Building maintenance was on scene.		
02/07/2011	30046	2011-000094	02:36	488	COUNTRY DR	J	Electrical wiring/equipment problem, other
					Electrical outlet arcing in bedroom. E-4 crew isolated electrical power to outlet. no extension.		
02/08/2011	30046	2011-000095	09:58	1575	MCKEE RD	102	False alarm or false call, other
					The Dover FIre Department responded to the above address in reference to an alarm received from Advantech. On arrival, E3's crew were met by building personnel that stated they were testing the alarm system. Investigation revealed that the h-vac was being tested which caused a light spark that activated the fire alarm system. No other action taken.		
02/08/2011	30046	2011-000096	12:39	406	FEDERAL ST		False alarm or false call, other
					Dover Fire Department responded to the above address in reference to an alarm received fro Delaware Electric Signal. Units checked the building but met with negative results. No further action taken.		
02/08/2011	30046	2011-000097	18:12	51	WEBBS LA	E	Cooking fire, confined to container
					The Dover Fire Department responded to the above address in reference to smoke in the hallways. On arrival, E4's crew located unattended cooking in one of the apartments. No damage and no mecchaical ventilation needed. No action taken.		
02/09/2011	30046	2011-000098	02:39	455	NEW CASTLE AVE		Building fire
					The Dover Fire Department was dispatched to the above address in reference to a working house fire. E4 (Fortney) arrived on scene and observed heavy smoke showing from the residence. E4 established their own water supply and placed a 200' preconnect line into service through the front door, for fire supression. Ladder 2 arrived and conducted a primary search of the residence and also placed a second preconnect handline into service to assist with fire supression. 54-5 arrived on scene and was placed at the rear of E4 as the RIT. E3's crew was directed to assist with the search of the residence. Engine 41-3's crew conducted a search of both exposures, 453 and 459 New Castle Ave to check for extension but met with negative results. The interior crews encountered heavy fire on the first floor and also had a large volume of fire above, in the attic area. As the interior crews were attempting to pull the ceiling in order to get to the fire in the attic, fire vented through the roof and the roof began to sag and conditions deteriorated. At 0254 hours, Command (Fortney) contacted Dover communications and ordered the evacuation tones be broadcasted. Once the crews exited the structure, Ladder 2 was placed in service. Ladder 2 flowed water for approximately 5 minutes and knocked the fire down in the attic. Ladder 2 was then ordered to stop flowing water and after this, crews re-entered the structure and placed handlines back in service for the remaining hot spots. At 0313 hrs, Command placed the incident under control but held all units on for extensive overhaul. At 0427 hrs, the last unit cleared the scene and the scene was subsequently turned over to the City of Dover Fire Marshal's office. In addition to the above mentioned units, Chesapeake Utilities and the City Electric were notified to respond to the scene.		
02/10/2011	30046	2011-000099	20:42	439	Arnold Ct.		Good intent call, other
					Found a hot receptacle in the wall, opened wall with negative results. Power was secured to outlet and room. Tenant was advised to contact landlord.		
02/10/2011	30046	2011-000100	21:12	1253	COLLEGE PARK DR		Good intent call, other
					E3 responded to the above address in reference to an unknown odor. The crew from E3 invesigated same and met with negative results. No further action taken.		
02/11/2011	30046	2011-000101	02:42		ALDER ROAD		Smoke or odor removal
					Dover Fire was dispatched to the area of Alder Rd in reference to an odor of smoke in the area. While responding to the station, writer (15) noticed that Dover pd had several units in the area and had negative findings. Writer confirmed with Dover PD that there was nothing in the area and then cancelled the response.		
02/11/2011	30046	2011-000102	11:39	151	KINGS HWY		False alarm or false call, other
					E4 responded to the above address in refence to an alarm sounding. The building was checked but met with negative results.		
02/11/2011	30046	2011-000103	11:58	7	KENTWOOD DR		Fire in mobile home used as fixed residence
					Dispatched to a reported mobile home fire. Upon arrival found an occupied 14 x 70 house/trailer with smoke showing from the roof area. A kitchen fire was found by the engine crew after making forcible entry. Crews extinguished the fire which was contained to the kitchen as well as ventilated the structure and preformed a primary search with negative results. Red Cross was notified for one 60 year old legally blind male that needed assistance and housing.		
02/11/2011	30046	2011-000104	19:13	200	E CAMDEN WYOMING AVE		Cover assignment, standby, moveup
02/12/2011	30046	2011-000105	02:50		COLUMBIA AVE		Extrication of victim(s) from vehicle
					The Dover Fire Department was dispatched to North State St and Columbia Ave in reference to an MVC with entrapment. While enroute, A63 advised there was no entrapment. E4 arrived on scene and confirmed no need for the fire department. No action taken.		
02/12/2011	30046	2011-000106	11:24	1545	Pearsons Corner Rd		Cover assignment, standby, moveup
					The Dover Fire Department was dispatched to the above address in reference a RIT assist. E4 arrived on location and staged at the rear of Command 51. After several minutes, Command 51 released DFD personnel. No action taken.		
02/12/2011	30046	2011-000107	18:09	909	N DUPONT HWY		Smoke detector activation due to malfunction

Date	FDID	Incident#	Alarm	###	Address	Suite	Type

Dover 15 responded to the above address in reference to an alarm activation at that location. On arrival, writer contacted the manager who advised he was unaware that the alarm had been activated. The manager stated there was no problem and business was normal. He was advised to contact his alarm company and maintenance to check the alarm system. No further action taken.

02/13/2011	30046	2011-000108	13:28	2012	Forrest Ave		Extrication of victim(s) from vehicle

At approx 1:28 PM Dover Fire was dispatched for a manpower assist for an MVC at 2212 Forest Ave. E-2 arrived on location to find a two car collision between a van and a pickup with impingement on the drivers door with one patient unable to be removed from the vehicle because of their size and a pre-existing medical condition. A63 and DSP where on location prior to our arrival. After an scene size up E-2 crew hooked up E-2's winch to pull the van off the pickup. E-3 crew arrived on scene and cribbed the vehicles. It was determined that the passenger side door would have to be removed to extricate the patient using the hydraulic cutter and spreaders. Once the doors where removed the patient was extricated and transported to KGH by A-63. Once all units retrieved their equipment the scene was turned over to DSP. On scene E2, E3, A63, DSP.

02/13/2011	30046	2011-000109	17:41	311	MAIN ST		Cover assignment, standby, moveup

The Dover Fire Department assisted Little Creek with a marsh fire.

02/14/2011	30046	2011-000110	13:47	1057	S GOVERNORS AVE		False alarm or false call, other

On the above date and time dispatch alerted Dover Fire for an automatic alarm at the above location. Upon responding dispatch advised Writer that the alarm company was contacted by the respondant stating the alarm system was missing a key on the keypad and it was a malfunction. Writer made the decision to hold all apparatus in station and make the response himself. Upon arrival Writer contacted Deacon Pruitt who advised the same problem. Writer placed the building on Firewatch until the business fixes the alarm system and panel.

02/14/2011	30046	2011-000111	15:19	110	FIREHOUSE LA		Cover assignment, standby, moveup

E3 covered station 56 for a woods fire.

02/14/2011	30046	2011-000112	23:40	348	N DUPONT HWY		Building fire

The Dover FIre Department responded to the Super 8 in reference to a building fire. On arrival, located a small fire on the roof area. One preconnect line was placed into service and quickly extinguished the fire. Station 54 and 43 were recalled. L2 arrived and the main was placed to the roof area for lighting. E3 laid a 5" supply line to E4 but was not utilized. E2 and E6 arrived and staged. The scene was placed under control and turned over to City FM4.

02/15/2011	30046	2011-000113	03:00	655	N DUPONT HWY		False alarm or false call, other

E3 and E4 responded for an automatic alarm. While units were respondiing dispatch advised units that rp was reporting a fire at the rear of the structure. E3 went on location and advised they could handle the mulch fire that was at the rear of the building . Fire was extinguished and units cleared.

02/16/2011	30046	2011-000114	04:59	108	KATRINA WAY		System malfunction, other

The Dover Fire Department responded to the above address in reference to an alarm activation. Units checked the location and met with negative results.

02/16/2011	30046	2011-000115	08:41	801	OTIS DR		Unintentional transmission of alarm, other

Dispatched to above location for an AFA. Prior to going en route, DES contacted this department and related there were workers on sight changing smoke detectors. No units sent, follow up to be performed by City FMO

02/16/2011	30046	2011-000116	15:09	121	S STATE ST		Smoke or odor removal

The Dover FIre Department responded to the 100 Block of South State St in reference to a pickup truck smoking. On arrival, contacted the owner who advised the dashboard had light smoke coming from same while the vehicle was running. The owner was advised to have the vehicle towed but he inturn, decided to drive the vehicle to his residence on Pearson's Corner Road. No action taken by DFD personnel.

02/16/2011	30046	2011-000117	18:03	230	GREEN BLADE DR		Electrical wiring/equipment problem, other

Dispatched for an electrical odor investigation to the address above. Upon arrival, crews were led to the basement by the home owner. Investigation revealed a battery charger (hand held tool) that had been plugged in for an extended period of time and had gotten very warm. The couch had been pushed against the transformer not allowing for any air circulation. The homeowner was advised to unplug the device and move it to a different location the next charge cycle.

02/16/2011	30046	2011-000118	21:50	640	LAFFERTY LANE		Gas leak (natural gas or LPG)

On arrival found a propane tank leaking from the bleeder valve on top of the tank. Crew hand tighen same and the leak stopped. Crews cleared.

02/17/2011	30046	2011-000119	06:24	600	JEFFERIC BLVD		False alarm or false call, other

Fire Alarm was reset prior to our arrival. Unfounded why fire alarms was activated. After walk thought units cleared.

02/17/2011	30046	2011-000120	11:39	1045	N DUPONT HWY		Unintentional transmission of alarm, other

The Dover Fire Department was dispatched to the above address in reference to an alarm sounding. After dispatch, investigation revealed that maintenance was on scene and working on the duct detectors and unintentionally activated the alarm system. E4 made the response and confirmed same. No further action taken.

02/18/2011	30046	2011-000121	08:12	1478	WYOMING MILL RD		Alarm system activation, no fire - unintentional

On arrival found a trouble alarm due to a power outage in the area. Crews checked the building and cleared.

02/18/2011	30046	2011-000122	09:09	1624	N LITTLE CREEK RD		Smoke detector activation, no fire - unintentional

On arrival minatenance personnel were installing a new heater. When the heater was started for the first time smoke from the paint burning off the new heater was discharged into the building causing the detecter to activate. FD cleared.

02/18/2011	30046	2011-000123	10:52	1041	N DUPONT HWY		False alarm or false call, other

Alarm company on scene working on the system upon arrival. Alarm company never reported the test to this agency

02/18/2011	30046	2011-000124	14:25	243	ROUNDTREE DR		Good intent call, other

DETECTOR OVER THE OVEN WAS BROKEN. 16 MONITORED THE AIR WITH 54-8 CREW WITH NO READINGS

02/18/2011	30046	2011-000125	17:00	1178	PROCTOR PURCHASE		Cover assignment, standby, moveup

Dispatched for RIT assist. Under control while en route-Returned. No action taken

02/19/2011	30046	2011-000126	11:25		FOX RD		Forest, woods or wildland fire

Date	FDID	Incident#	Alarm	###	Address	Suite	Type

The Dover Fire Department arrived on scene of a woods fire on Fox Rd s/o Rt on the west side of the roadway. E54-5 arrived and placed a booster line in service. The fire quickly spread with the high winds and 54-0 arrived and was placed into service. Command (15) requested two additional engines to the scene for water supply and Brush 9 also arrived and was placed into service. The woods fire was contained to an area of 100 X 150 yards. The crews remained on scene to secure the remaining hot spots. After approximately 1 1/2 hours on scene, crews secured their equipment and returned to Headquarters.

02/19/2011	30046	2011-000127	12:39	429	S GOVERNORS AVE	1	Smoke or odor removal

The Dover FIre Department responded to the above address in reference to a possible building fire. E7 arrived on scene and located a small mulch fire at the rear of the building that had been extinguished prior to DFD personnel arriving. Unists checked for extension and met with negative results. No further action taken.

02/19/2011	30046	2011-000128	13:46		S DUPONT HWY		Extrication of victim(s) from vehicle

Units from DFD and Little Creek responded to Rt 13 and Loockerman St in reference to an MVC with entrapment. Dover 15 arrived on scene and noticed there was no one trapped and no need for fire service. All units were recalled prior to their arrival. No action taken.

02/19/2011	30046	2011-000129	18:16		N. LITTLE CREEK ROAD		Service Call, other

E7 responded to North Little Creek Rd w/o Fox Rd in reference to hot spots at the location that was previously used for a controlled burn. E7 soaked the area with 1000 gallons of water. No other action taken.

02/20/2011	30046	2011-000130	03:10	1200	N DUPONT HWY		Malicious, mischievous false call, other

Pull station activation bldg two apt 212. Crews investigated to find malicious pull at Apt. 212. Placed scene under control and turned over to University police.

02/20/2011	30046	2011-000131	11:16	310	BILLY MITCHELL LA	F	Detector activation, no fire - unintentional

Units responded for report of an automatic alarm. E4 arrived on location first and 22 took command. Upon investigating the apartment 301 it was learned that the detector was hit by a moving crew. Maintenance arrived on scene and the scene was turned over to them for further. Units cleared .

02/20/2011	30046	2011-000132	13:24	110	FIREHOUSE LA		Cover assignment, standby, moveup

Dispatched Sta 2 crew call for cover-up assignment Sta 56. Three personnel responded to Sta 2. Four Personnel showed at Sta 1. 21 decided to respond with a full crew on E-6. Stood by at sta 56 until moved up to fire scene to help with manpower to mop up. Release by command and returned to Sta 1.

02/20/2011	30046	2011-000133	20:14	255	WEBBS LA	H	Cooking fire, confined to container

The Dover FIre Department responded to 255 Webbs Lane building H in reference to an odor of smoke in the third floor apartment. E4, L2 and E3 arrived on location and entered the building to investigate. Crews located unattended cooking on the ground floor apartment (11). Positive pressure was placed into service at the front door and displaced the smoke in the building. After this, the scene was turned over to building maintenance. No further action taken. No damage.

02/21/2011	30046	2011-000134	12:18	800	OTIS DR		Detector activation, no fire - unintentional

Dispatched to 801 Otis Dr for a AFA General nature. Upon arrival no alarm activation. Verified Address with dispatch, notified bldg may be marked as 800. Occupant came out of 800 and stated their alarm had activated. Bldg was checked by E-4 crew, no activation noted. While command was getting occupancy info, an employee had stated she had enter the CODE and reset the panel to silence the horns. Advised them of proper procedures and to notify alarm company of proper address, Mr Fithian stated he had notified them before and all the alarm company would do is make a note on the record that the bldg MAY BE Marked as 800.

02/21/2011	30046	2011-000135	17:58	3000	LEMAY LA	C	False alarm or false call, other

The Dover FIre Department responded to the above address in reference to an alarm activation. On arrival, E4's crew located a pull station that was accidentally activated by a resident. No further action taken.

02/22/2011	30046	2011-000136	12:46	911	S DUPONT HWY		Unintentional transmission of alarm, other

The Dover Fire Department was dispatched to the above address in reference to an alarm activation. While enroute, Dover communication advised there was construction work being conducted which activated the alarm system. Dover 15 cancelled the response and inturn, contacted the City of Dover Fire Marshal's office to make a response. FM-1 responded and made contact with the employees at that location.

02/23/2011	30046	2011-000137	11:03	426	S NEW ST		Sprinkler activation, no fire - unintentional

WORKERS DRILLED A HOLE IN A SPRINKLER PIPE ACCIDENTLY CAUSING A WATERFLOW.

02/23/2011	30046	2011-000138	14:28	528	SCHOONER WAY		Heat from short circuit (wiring), defective/worn

Dover Fire was alerted for report of a dryer fire at the above residence. E4 responded under the direction of 22. E4 arrived on location and 22 assumed command of the incident. Upon investigating crews found that sparks from the dryer vent hose caused the lint to catch fire. A light smoke condition was found inside however the homeowner did not wish positive pressure venilation. Power was secured to the dryer and the homeowner was advised not to restore power until the dryer unit and electrical outlet were both inspected. 22 placed the scene under control once this was done.

02/23/2011	30046	2011-000139	21:59	36	Nixon ln		Good intent call, other

Units were alerted for report of smoke in the area of Nixon Ln and N. Little Creek Rd. E4 responded and investigated the area of Nixon Ln. E3 investigated the area of Manchester Square. E4 found light and normal smoke coming from a chimney at 36 Nixon Ln. E3 found nothing in their area . Scene was placed under control and all units returned.

02/24/2011	30046	2011-000140	10:42	300	S NEW ST		Alarm system sounded due to malfunction

Writer responded due to alarm company attempting to cancel the alarm for unk reasons. Writer arrived on scene and contacted the security officer at the location. He advised that the maintenance crew hit a detector on the roof while they were working on same. Alarm was reset prior to Fire Department arrival.

02/24/2011	30046	2011-000141	19:20	1300	S FARMVIEW DR	D	Good intent call, other

The Dover FIre Department responded to the above address in reference to an alarm activation. On arrival, E4's crew located unattended cooking which caused the alarm to activate. No damage, no further action taken.

Date	FDID	Incident#	Alarm	###	Address	Suite	Type
02/24/2011	30046	2011-000142	20:44	148	WILLIS RD		Good intent call, other

The Dover Fire Department responded to the above address in reference to odor of gas in the residence. On arrival, E4's crew determined that the odor was possibly coming from a puppy pad that the resident was using for the pet. The appliances in the apartment were all electric. No further action taken.

02/24/2011	30046	2011-000143	21:07	1760	N DUPONT HWY		Smoke or odor removal

The Dover Fire Department responded to 1706 N Dupont Hwy in reference to a smoke invesitgation. On arrival, crews were directed to the kitchen area by employees at the hotel. Investigation resulted in negative findings. No further action taken.

02/25/2011	30046	2011-000144	00:59	601	W FULTON ST		Smoke or odor removal

The Dover Fire Department responded to 601 Fulton St in reference to an odor of smoke in the building. Crews from E4 and E3 investigated the odor and deteremined the smell was coming from the heater. The employees were instructed to contact maintenance for possible repairs to the system. No further action taken.

02/25/2011	30046	2011-000145	09:22	400	HASLET ST		Alarm system activation, no fire - unintentional

Dispatched to an AFA at the above location. Upon arrival, was met by maintenance personnel on scene relating a malfunctioning system. They relate that the system is showing pull station activations, however all are secure. The think water may have got into the alarm panel. Had crews do a walk around of Bldg 100 A&B with negative results. FM2 arrived on scene and was advised of the situation. FM2 placed the entire complex on "Fire Watch" until the system could be restored to normal. All units cleared, turning the scene over to FM2.

02/25/2011	30046	2011-000146	11:05	71	MER WAY		Unintentional transmission of alarm, other

Dispatched to an AFA at the above location. Upon arrival, was met by the homeowner who relates the alarm sounded while she was curling her hair in the bathroom and smoke from same set off the detector. The system had been reset prior to our arrival. Homeowner was advised of proper procedures. Cleared the scene.

02/25/2011	30046	2011-000147	15:37	201	STOVER BLVD		Arcing, shorted electrical equipment

Dispatched for an electrical odor at the above location. While en route, FM1 went on location and reported a light smoke haze on the ground floor. Upon arrival, crews investigated an electrical odor an smoke condition coming from the electrical room. Crews reported an apparent power surge causing circuit breakers to trip and some minor heat damage to the wiring. Diamond Electric crews were on scene. Power was secured to the panel and the scene was turned over to FM1 and maintenance. Cleared the scene. While returning, FM1 advised Dover that the City Elec. Dept was need priority 1 due to blowing power lines hitting the building and shorting and arching. No need for fire apparatus.

02/25/2011	30046	2011-000148	15:38	1225	WALKER RD		False alarm or false call, other

Dover FIre Department responded to the above address in reference to an alarm sounding. On arrival, crews conducted a walk through and met with negative findings. No further action taken.

02/26/2011	30046	2011-000149	11:53	223	CHENNAULT CT		Unintentional transmission of alarm, other

Dispatched to a fire alarm activation. Upon arrival found a end of the row townhouse, resident had activated the keypad while cleaning it.

02/26/2011	30046	2011-000150	20:58	30	CARVER RD		Good intent call, other

POSSIBLE CARBON MONOXIDE INCIDENT. NO PROBLEM WAS FOUND.

02/27/2011	30046	2011-000151	17:26	416	COUNTRY DR		System malfunction, other

The Dover Fire Department responded to the above address in reference to an alarm sounding. Crews conducted a walk through buildings 416 and 424. Crews were unable to locate a reason for the alarm activation. Ladder 2 officer (16) advised that the scene was under control. No further action taken.

02/27/2011	30046	2011-000152	20:44	986	WHATCOAT DR		False alarm or false call, other

Smoke detector activation. Investigation showed Title 16 under detector

02/28/2011	30046	2011-000153	00:27	216	N STATE ST		Smoke or odor removal

Unattended cooking in multi family dwelling.

02/28/2011	30046	2011-000154	15:56	426	S NEW ST		Smoke detector activation, no fire - unintentional

Smoke detector activation from cutting drywall. Alarm silenced.

02/28/2011	30046	2011-000155	19:07	1061	S LITTLE CREEK RD	67	Fire in mobile home used as fixed residence

On the above date and time , Dover Fire Dept. was alerted for report of a working trailer fire, believed to be abandoned. E4 responded under the command of 22. Writer arrived on scene and reported light smoke showing and assumed command of the incident. E4's crew stretched an 1 3/4 handline thru the front door. 54-5 arrived and set up the RIT operations as well as stood by the hydrant in the area of 71 W. Roundtree Dr. Rescue 1 arrived on location and was staged at the rear of E-4. E-3 arrived and staged behind 54-5. Rescue 1's crew was given the assignment of positive pressure to the front door as well as primary and secondary searches. E4's crew extinguished the fire rapidly and the fire was contained to the front room. Engines 2,6, A63, and KM-7 staged at the entrance on W. Roundtree Dr. and held their crews.

Primary and Secondary searches were negative of the residence and the scene was placed under control. Units remained on scene until FM-2 and FM-1 arrived. The scene was turned over to the City of Dover Fire Marshall's office for further investigation.

02/28/2011	30046	2011-000156	21:29	413	COURT ST	C	Good intent call, other

Dispatch called writer and informed him that the alarm system was sounding in the area of G or F building at the above location however the subject that had called 911 had disconnected and was unable to be recontacted. No exact area was given and the department was not alerted by any monitoring company of same. Writer arrived on scene and was contacted by Colonial Investments Maintenance who stated the resident of H 2 had unattended cooking approx 30 min prior to my arrival. Writer investigated same and that was confirmed by the resident as well. Alarm had been reset prior to fire department arrival due to the fact that it had been going off for 30 min.

Total Incidents: 84

FY 10-11 City Funded Account Balance Sheet

ACCOUNT	BUDGET	SPENT	BALANCE
Apparatus Repairs & Maintenance	$ 60,500.00	$ 52,574.36	$ 7,925.64
Gasoline	$ 21,000.00	$ 9,782.66	$ 11,217.34
Medical Supplies	$ 700.00		$ 700.00
Other Equipment Repairs	$ 4,000.00	$ 714.00	$ 3,286.00
Program Expenses	$ 34,630.00	$ 16,348.34	$ 18,281.66
Radio Repairs	$ 2,000.00	$ 802.62	$ 1,197.38
Safety & Security	$ 3,150.00	$ 506.76	$ 2,643.24
Small Tools	$ 4,800.00	$ 2,544.95	$ 2,255.05
Uniforms & Firefighting Gear	$ 26,100.00	$ 15,151.05	$ 10,948.95
Building Expenses- Electricity	$ 53,820.00	$ 36,493.44	$ 17,326.56
Building Maintenance Supplies	$ 1,950.00	$ 1,089.98	$ 860.02
Heating Expenses- Gas	$ 20,000.00	$ 9,895.65	$ 10,104.35
Telephone	$ 19,340.00	$ 10,621.36	$ 8,718.64
Water & Sewer	$ 2,150.00	$ 2,406.36	$ (256.36)
Contractual Services	$ 16,587.00		$ 16,587.00
Training & Travel	$ 8,365.00	$ 5,601.00	$ 2,764.00
Pension	$ 3,500.00	$ 3,500.00	$ -
Office Supplies	$ 2,200.00	$1,006.89	$ 1,193.11

Balance as of: 03/15/11

Robbins Hose Company # 1, Inc.
Profit & Loss Detail
February 2011

Type	Date	Num	Name	Memo	Clr	Split	Amount	Balance
Ordinary Income/Expense								
Expense								
Apparatus Repairs & Maintenance								
Check	2/12/2011	366	Atlantic Emergency ...	MORO694M...		City Fund Acco...	598.67	598.67
Check	2/12/2011	366	Atlantic Emergency ...	MORO721-A...		City Fund Acco...	120.00	718.67
Check	2/12/2011	366	Atlantic Emergency ...	MORO764M...		City Fund Acco...	280.50	999.17
Check	2/12/2011	366	Atlantic Emergency ...	MORO774		City Fund Acco...	70.13	1,069.30
Check	2/12/2011	371	Townsend Bros. Ch...	Inv- Car 16 Oi...		City Fund Acco...	39.86	1,109.16
Check	2/19/2011	374	Atlantic Emergency ...	MORO782M...		City Fund Acco...	88.00	1,197.16
Check	2/19/2011	374	Atlantic Emergency ...	MORO794M...		City Fund Acco...	322.43	1,519.59
Check	2/26/2011	386	Atlantic Emergency ...	Inv MORO82...		City Fund Acco...	1,287.87	2,807.46
Total Apparatus Repairs & Maintenance							2,807.46	2,807.46
Electricity								
Check	2/6/2011	363	City of Dover	Sta 1- Dec 30...		City Fund Acco...	2,962.17	2,962.17
Check	2/12/2011	368	City of Dover	Sta 2 Electric-...		City Fund Acco...	687.83	3,650.00
Total Electricity							3,650.00	3,650.00
Gasoline								
Check	2/19/2011	375	City of Dover	Unleaded-155...		City Fund Acco...	1,010.80	1,010.80
Check	2/20/2011	384	Sam's Club	Unleaded Fue...		City Fund Acco...	60.90	1,071.70
Total Gasoline							1,071.70	1,071.70
Heating Expenses- Gas								
Check	2/6/2011	362	Chesapeake Utilities	Sta 2- Dec 29...		City Fund Acco...	1,064.57	1,064.57
Check	2/12/2011	367	Chesapeake Utilities	Sta 1- Jan 5th...		City Fund Acco...	2,559.90	3,624.47
Total Heating Expenses- Gas							3,624.47	3,624.47
Office Supplies								
Check	2/19/2011	375	City of Dover	Postage- Jan...		City Fund Acco...	25.19	25.19
Check	2/19/2011	379	Rebecca Rollison	Reimburseme...		City Fund Acco...	25.62	50.81
Check	2/19/2011	382	Staples	Monthly State...		City Fund Acco...	167.47	218.28
Total Office Supplies							218.28	218.28
Program Expenses								
Check	2/12/2011	370	Municipal Emergenc...	Invoice-00214...		City Fund Acco...	3,900.00	3,900.00
Check	2/20/2011	385	Wilmington Trust	Workstation ...		City Fund Acco...	477.69	4,377.69
Total Program Expenses							4,377.69	4,377.69
Small Tolls								
Check	2/12/2011	373	Rommel's ACE	Ref-20582-20...		City Fund Acco...	59.91	59.91
Check	2/19/2011	376	Detroit Industrial Tool	Sales Invoice-...		City Fund Acco...	293.87	353.78
Check	2/19/2011	378	Pugh's Service, Inc.	Inv K2826651		City Fund Acco...	103.58	457.36
Check	2/19/2011	381	Kunkel Auto Supply	Monthly State...		City Fund Acco...	60.37	517.73
Check	2/20/2011	385	Wilmington Trust	Advance Auto...		City Fund Acco...	73.96	591.69
Total Small Tolls							591.69	591.69

Robbins Hose Company # 1, Inc.
Profit & Loss Detail
February 2011

Type	Date	Num	Name	Memo	Clr	Split	Amount	Balance
Telephone								
Check	2/6/2011	365	Verizon Wireless	Jan 21 to Feb ...		City Fund Acco...	410.56	410.56
Check	2/19/2011	375	City of Dover	Verizon Phon...		City Fund Acco...	733.15	1,143.71
Check	2/19/2011	375	City of Dover	Cavalier Phon...		City Fund Acco...	14.79	1,158.50
Total Telephone							1,158.50	1,158.50
Training & Travel Expenses								
Check	2/6/2011	364	National Academy of...	CDE Testing f...		City Fund Acco...	30.00	30.00
Check	2/12/2011	369	Delaware State Fire ...	Inv 11-2056		City Fund Acco...	200.00	230.00
Total Training & Travel Expenses							230.00	230.00
Uniforms								
Check	2/12/2011	370	Municipal Emergenc...	Invoice- 0021...		City Fund Acco...	2,732.54	2,732.54
Check	2/19/2011	377	Municipal Emergenc...	Inv 00204812...		City Fund Acco...	340.25	3,072.79
Check	2/19/2011	380	Witmer Public Safety			City Fund Acco...	153.70	3,226.49
Check	2/20/2011	383	Salamander Technol...	Inv 7953		City Fund Acco...	156.00	3,382.49
Total Uniforms							3,382.49	3,382.49
Water/Sewer								
Check	2/6/2011	363	City of Dover	" " " "...		City Fund Acco...	194.84	194.84
Check	2/12/2011	368	City of Dover	Sta 2 Water &...		City Fund Acco...	20.58	215.42
Total Water/Sewer							215.42	215.42
Total Expense							21,327.70	21,327.70
Net Ordinary Income							-21,327.70	-21,327.70
Net Income							**-21,327.70**	**-21,327.70**

City of Dover
Capital Investment Plan
Project Tracking Report
February 28, 2011

Points to Remember -

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

Current Year Budget Funding Sources	General	Community Transportation	Water & Wastewater	Electric	Total CIP
Budget Balance	$ 113,156	$ -	$ -	$ -	$ 113,156
Project Carry Forward Balances	88,083	-	953,238	850,736	2,729,628
Federal and/or State Grants	4,270,348	1,000,000	45,248	226,152	5,541,748
New Revolving Fund Loans	-	-	863,060	-	863,060
Carry Forward Construction Loan Balances	-	-	8,001,973	254,757	8,256,730
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	1,019,629	300,000	58,709	2,797,792	4,176,130
Interest Earned	10,900	-	-	40,700	51,600
Total Funding Sources (Unaudited)	$ 8,902,720	$ 1,300,000	$ 10,681,049	$ 4,585,722	$ 26,307,062

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

	Hide			TOTAL PROJECT - PAST, CURRENT & FUTURE BUDGETS					CURRENT FISCAL YEAR					
	Project Code	Type	Description	Original Project Budget	Latest Project Budget	Project To Date Expenses	Project Budget Balance	% Budget Spent	Current Fiscal Yr. Budget	Revised Fiscal Yr. Budget	Fiscal YTD Expenses	% Budget Spent	Status	Comments
1			**FY2009**											
2	LB0901	M/G	New Library Project	$ 18,200,000	$ 24,679,934	$ 1,604,906	$ 23,075,028	6.5%	$ 6,687,039	$ 7,630,663	$ 867,840	11.4%	Started	Bid Pack A - Done. Bid Pack B - Construction Started.
3			**Totals - FY09**	$ 18,200,000	$ 24,679,934	$ 1,604,906	$ 23,075,028	6.5%	$ 6,687,039	$ 7,630,663	$ 867,840	11.4%		
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	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	$ 461,492	$ 273,693	62.8%	$ 735,185	$ 735,185	$ 461,492	62.8%	Started	Vehicles being ordered.
11	PD1001		Core Law Enforcement Server Replacement	-	53,500	35,708	17,792	66.7%	-	53,500	35,708	66.7%	Started	Specifications done.
12	PD1101		Public Assembly Room Upgrade	-	20,000	-	20,000	0.0%	-	20,000	-	0.0%		
13	PR1101		Playground Improv Program	-	15,000	12,952	2,048	86.3%	15,000	15,000	12,952	86.3%	Complete	BB Courts paved.
14	PR1102		Skate Park	-	30,000	-	30,000	0.0%	30,000	30,000	-	0.0%	Not Started	In discussions with equipment provider.
15	ST1101		Concrete Program	50,000	50,000	45,759	4,241	91.5%	50,000	50,000	45,759	91.5%	Started	Complete with contractor portion.
16	ST1102		Transfer to CT Fund	300,000	300,000	300,000	-	0.0%	300,000	300,000	300,000	100.0%	Started	Transfer to Com Transp Fund - December.
17	MR1101		Downtown Security Cameras	31,500	31,500	17,325	14,175	55.0%	31,500	31,500	17,325	55.0%	Started	Contract signed.
18			**Totals - FY11**	$ 445,175	$ 1,235,185	$ 873,236	$ 361,949	70.7%	$ 1,161,685	$ 1,235,185	$ 873,236	70.7%		
19														
20			**Grand Totals**	$ 18,695,175	$ 25,955,119	$ 2,506,770	$ 23,448,349	9.7%	$ 7,848,724	$ 8,902,720	$ 1,766,576	19.8%		

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
February, 2011

	Hide			TOTAL PROJECT - PAST, CURRENT & FUTURE BUDGETS					CURRENT FISCAL YEAR					
	Project Code	Type	Description	Original Project Budget	Latest Project Budget	Project To Date Expenses	Project Budget Balance	% Budget Spent	Current Fiscal Yr. Budget	Revised Fiscal Yr. Budget	Fiscal YTD Expenses	% Budget Spent	Status	Comments
1			**FY 2006**											
2	TE0601	M	Lincoln Park Center	$ 400,000	$ 479,148	$ 441,498	$ 37,650	92.1%	$ 121,891	$ 121,891	$ 84,241	69.1%	Started	Ongoing.
3			**Totals**	$ 400,000	$ 479,148	$ 441,498	$ 37,650	92.1%	$ 121,891	$ 121,891	$ 84,241	69.1%		
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%		Trying to move this to Library Project if State approves.
11			Turnberry Drive	40,000	40,000	40,000	-	100.0%	40,000	40,000	40,000	100.0%		Curb work complete, paving in process.
12			**Totals**	$ 61,950	$ 61,950	$ 40,000	$ 21,950	64.6%	$ 61,950	$ 61,950	$ 40,000	64.6%		
13														
14			**FY 2011**											
15	CT1051		Washington Street	$ 104,000	$ 104,000	$ 104,000	$ -	100.0%	$ 104,000	$ 104,000	$ 104,000	100.0%		Complete.
16	CT1108		Mitschner Road (incl. CDBG)	169,066	272,779	246,672	26,107	90.4%	272,779	272,779	246,672	90.4%		In progress.
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	10,375	1,500	87.4%	11,875	11,875	10,375	87.4%		Just received.
19	CT1142		Governor's Ave. Rebuild	1,000	1,000	-	1,000	0.0%	1,000	1,000	-	0.0%		
20	CT1161		Towne Point	7,500	7,500	-	7,500	0.0%	7,500	7,500	-	0.0%		
	CT1162		Library Access Rd.	105,000	105,000	-	105,000	0.0%	105,000	105,000	-	0.0%		
21	ST1101		Street & Alley Program	300,000	300,000	179,271	120,729	59.8%	300,000	300,000	179,271	59.8%		In progress.
22			State Agreements not yet rec'd	458,968	346,468	-	346,468	0.0%	242,755	242,755	-	0.0%		Agreements have not been received.
23			**Totals**	$ 1,163,659	$ 1,154,872	$ 546,569	$ 608,303	47.3%	$ 1,051,159	$ 1,051,159	$ 546,569	52.0%		
24														
25			**Grand Totals**	$ 1,690,609	$ 1,760,970	$ 1,028,067	$ 732,903	58.4%	$ 1,300,000	$ 1,300,000	$ 670,810	51.6%		

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

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

				TOTAL PROJECT - PAST, CURRENT & FUTURE BUDGETS					CURRENT FISCAL YEAR					
	Project Code	Type	Description	Original Project Budget	Latest Project Budget	Project To Date Expenses	Project Budget Balance	% Budget Spent	Approved Fiscal Yr. Budget	Revised Fiscal Yr. Budget	Fiscal YTD Expenses	% Budget Spent	Status	Comments
1			**FY 2008**											
2	WD0807		South Governors Ave. Water Main Upgrade	$ 200,000	$ 200,000	$ 2,664	$ 197,336	1.3%	$ -	$ 197,336	$ -	0.0%	Complete	Done.
3	WD0804	M	1.0 MG Elevated Water Storage Tower	4,196,600	2,590,000	12,847	2,577,153	0.5%	-	193,377	6,224	3.2%	Started	Selecting Tank Model & Site; FY11 = Constr.
4	WD0805	M	Piney Point Well	398,800	665,000	63,499	601,501	9.5%	-	162,525	11,024	6.8%	Started	DNREC permiting; FY11 = Constr.
5	WW0809	M	South Governors Ave. Sewer Main	300,000	291,000	13,561	277,439	4.7%	-	279,244	1,805	0.6%	Complete	Done.
6	WW0810	M/SL	US 13 East Sanitary Sewer Interceptor	2,376,800	3,409,641	2,884,955	524,686	84.6%	-	2,335,862	2,016,793	86.3%	Complete	Done.
7			**Totals - FY08**	$ 7,472,200	$ 7,155,641	$ 2,977,526	$ 4,178,115	41.6%	$ -	$ 3,168,344	$ 2,035,846	64.3%		
8														
9			**FY2009**											
10	WQ0905	M/SL	Bayard Avenue	$ 590,910	$ 590,910	$ 243,276	$ 347,634	41.2%	$ -	$ 584,420	$ 236,786	40.5%	Started	Starting construction in March.
11	WQ0906	M/SL	East side N. State Street	868,707	877,596	177,178	700,418	20.2%	-	847,700	148,175	17.5%	Started	Phase one complete.
12	WQ0907	M/SL	Route 13 Water Main	1,058,700	1,035,898	148,606	887,292	14.3%	-	967,801	24,610	2.5%	Started	Going to bid. Start in May.
13			Water Quality Improvements FY09	$ 2,518,317	$ 2,504,404	$ 569,060	$ 1,935,344	22.7%	$ -	$ 2,399,921	$ 409,571	60.5%	Started	
14														
15	WW0902	M/SL	DE State University Pumping Station	$ 386,400	$ 386,400	$ 293,367	$ 93,033	75.9%	-	240,324	147,652	61.4%	Completed	Done.
16	WW0905	M/SL	Fox Hall/Retreat Force Main Rerouting	133,100	139,245	238,789	(99,544)	171.5%	-	-	20,351	0.0%	Completed	Done. Overage covered by US 13 Interceptor (WW0810).
17	WW0907	M/SL	Acorn Lane Pump Station Replace.	386,400	386,400	294,040	92,360	76.1%	-	210,528	118,529	56.3%	Completed	Done.
18			**Totals - FY09**	$ 3,424,217	$ 3,416,449	$ 1,395,256	$ 2,021,193	40.8%	$ -	$ 2,850,773	$ 696,104	24.4%		
19														
20			**FY2010**											
21	WD1002	R	Remote Control & Monitor Wells	$ 55,000	$ 55,000	$ 23,104	$ 31,896	42.0%	$ -	$ 31,896	$ -	0.0%	Started	Material ordered.
22	WW1001	M/SL	Inflow/Infiltration Removal	1,800,000	1,800,000	1,221	1,798,779	0.1%	-	1,798,447	-	0.0%	Started	Construction to start in July.
23	WW1007	M/SL	Fox Hall Pump Station	427,900	52,000	46,076	5,924	88.6%	375,900	426,044	44,220	10.4%	Started	Out to bid.
24	WW1008	M/SL	Heatherfield Force Main Rerouting	220,400	40,000	35,534	4,466	88.8%	229,200	267,916	34,250	12.8%	Started	Out ot bid.
25	WW1010	I	Tar Ditch Interceptor Upgrade	518,230	518,230	15,081	503,149	2.9%	-	516,781	13,632	2.6%	Started	Reviewing design.
26	WS1001		Various Pump Motor Replacements	45,248	45,248	-	45,248	0.0%	-	45,248	-	0.0%	Started	Grant approved. Ordering begun.
27			**Totals - FY10**	$ 3,066,778	$ 2,510,478	$ 121,017	$ 2,389,461	4.8%	$ 605,100	$ 3,086,332	$ 92,103	3.0%		
28														
29			**FY2011**											
30	WD1101		Misc. Distribution System Upgrade	$ 60,000	$ 60,000	$ -	$ 60,000	0.0%	$ 60,000	$ 60,000	$ -	0.0%	Started	On-going as needed.
31	WD1102		Wellhead Redevelopement Program	60,000	60,000	-	60,000	0.0%	60,000	60,000	-	0.0%	Started	Work starting in March\April.
32	WQ1101		WQI - Loockerman Street	500,000	60,000	35,677	24,323	59.5%	500,000	60,000	35,677	59.5%	Not Started	See above FY09.
33	WQ1102		WQI - Columbia Avenue	-	303,000	637.50	302,363	0.2%	-	303,000	638	0.2%	Not Started	See above FY09.
34	WQ1103		WQI - Ross Street	-	117,000	637.50	116,363	0.5%	-	117,000	638	0.5%	Not Started	See above FY09.
35	WQ1104		WQI - William Street	-	10,000	637.50	9,363	6.4%	-	10,000	638	6.4%	Not Started	See above FY09.
36	WQ1105		WQI - West Street (W. Alley)	-	10,000	637.50	9,363	6.4%	-	10,000	638	6.4%	Not Started	See above FY09.
37	WW1101	M/SL	Inflow/Infiltration Removal	500,000	500,000	6,113.82	493,886	1.2%	500,000	500,000	6,114	1.2%	Started	Will start after FY10 is done.
38	WW1102	R	Scada Technology Equip Upgrade	82,100	82,100	63,589	18,511	77.5%	82,100	82,100	63,589	77.5%	Started	4 of 7 installed.
39	WW1103		Del State/Del Tech Force Main Rerouting	286,500	286,500	3,451	283,049	1.2%	286,500	286,500	3,451	1.2%	Done	Shifted completion to interceptor (WW0810).
40	WW1104	SL	Lepore Road Pump Station Replacement	52,000	52,000	13,135	38,865	25.3%	52,000	52,000	13,135	25.3%	Started	Design with Braun.
41	WW1105	R	Misc. Sewer System Improvements	35,000	35,000	35,152	(152)	100.4%	35,000	35,000	35,152	100.4%	Started	Ongoing as needed.
42			**Totals - FY11**	$ 1,575,600	$ 1,575,600	$ 159,668	$ 1,415,932	10.1%	$ 1,575,600	$ 1,575,600	$ 159,668	10.1%		
43														
44			**Grand Totals**	$ 15,538,795	$ 14,658,168	$ 4,653,466	$ 10,004,702	31.7%	$ 2,180,700	$ 10,681,049	$ 2,983,720	27.9%		

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
February, 2011

	Hide Project Code	Type	Description	TOTAL PROJECT - PAST, CURRENT & FUTURE BUDGETS: Original Project Budget	Latest Project Budget	Project To Date Expenses	Project Budget Balance	% Budget Spent	CURRENT FISCAL YEAR: 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%	Completed	In service.
3	EE0603	M/S	Governor's Avenue Rebuild	1,268,450	2,068,260	550,725	1,517,535	26.6%	-	250,000	30,264	12.1%	Completed	Done.
4			**Totals - FY06**	$ 12,328,450	$ 10,762,042	$ 9,312,486	$ 1,449,556	86.5%	$ -	$ 254,242	$ 34,506	13.6%		
5														
6			**FY 2008**											
7	EG0801		Unit 3 Turb Bearing Fire Protect Deluge	$ 50,000	$ 50,000	$ 44,720	$ 5,280	89.4%	$ -	$ 50,000	$ 44,720	89.4%	Completed	
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 (Replmnt)	$ 700,000	$ 610,000	$ 438,687	$ 171,313	71.9%	$ -	$ 152,050	$ 152,050	100.0%	Completed	In service.
12	EG1002	B	McKee Run Entrance Road	240,000	240,000	154,722	85,278	64.5%	-	154,244	154,244	100.0%	Completed	In service.
13	EG1005		Work Mgmt. System Replacement	85,000	85,000	26,577	58,423	31.3%	-	-	9,859	0.0%	Completed	Done.
14	EG1009		Photovoltaic Install @ McKee Run	-	65,065	65,065	-	100.0%	-	65,065	65,065	100.0%	Completed	In service.
15	EE1005	M/B	Mid City Substation	1,488,461	993,711	975,819	17,892	98.2%	-	1,087	1,087	100.0%	Completed	In service.
16	EE1009	S	LED Lighting Replacement	70,087	70,010	70,010	0	100.0%	-	70,010	70,010	100.0%	Completed	Installed on Division.
17	EU1002	B	Crossgates	396,904	543,075	524,391	18,684	96.6%	-	1,441	1,440	100.0%	Completed	Done.
18	EU1003	B	Buchanan Acres	406,000	1,094,646	1,207,967	(113,321)	110.4%	-	129,502	129,502	100.0%	Completed	Done.
19														
20			**Totals - FY10**	$ 3,386,452	$ 3,701,507	$ 3,463,238	$ 238,269	93.6%	$ -	$ 573,399	$ 583,257	101.7%		
21														
22			**FY2011**											
23	---		Vehicles & Equipment	$ 158,200	$ 158,200	$ 113,437	$ 44,763	71.7%	$ 158,200	$ 158,200	$ 113,437	71.7%	Started	Vehicles being ordered.
24	EE1101		Substation PT & CT Replacement	256,218	256,218	202,419	53,799	79.0%	256,218	256,218	202,419	79.0%	Started	Material being received.
25	EE1102		Replace of 69 kV Breakers	100,000	100,000	60,792	39,208	60.8%	100,000	100,000	60,792	60.8%	Completed	Installed.
26	EE1103		Lighting Rehabilitation	100,000	107,645	107,644	1	100.0%	100,000	107,645	107,644	100.0%	Completed	Fox Hall done.
27	EE1104		Walker Road OH Conversion	350,511	-	-	-	0.0%	350,511	-	-	0.0%	Dropped	Funds reappropriated.
28	EE1105		Engineering Misc Equipment Replmnt	40,000	40,000	24,751	15,249	61.9%	40,000	40,000	24,751	61.9%	Started	Ongoing as needed.
29	EE1106		Substation Batteries	24,500	24,500	23,489	1,011	95.9%	24,500	24,500	23,489	95.9%	Completed	Done.
30	EE1107		Wyoming Mill Road Realignment	-	91,000	705	90,295	0.0%	-	91,000	705	0.8%	Started	Electric line relocation.
31	EE1111		UG Transformers	120,536	120,536	77,703	42,833	64.5%	120,536	120,536	77,703	64.5%	Started	Ongoing as needed.
32	EE1111		UG Conductors	529,464	521,896	179,199	342,697	34.3%	529,464	521,896	179,199	34.3%	Started	Ongoing as needed.
33	EE1111		Meters	50,000	50,000	52,151	(2,151)	104.3%	50,000	50,000	52,151	104.3%	Started	Ongoing as needed.
34	EE1112		69kV Sub Switch Replacement	-	180,000	-	180,000	0.0%	-	180,000	-	0.0%		
35	EG1101		Unit 3 Cooling Tower Fill	353,338	398,338	371,513	26,825	93.3%	353,338	398,338	371,513	93.3%	Completed	Done.
36	EG1102		Units 1 & 2 Cooling Tower	218,730	173,730	70,280	103,450	40.5%	218,730	173,730	70,280	40.5%	Completed	Done.
37	EG1103		Unit 3 Tubine Inspection	348,000	-	-	-	0.0%	348,000	-	-	0.0%	Started	Scoping construction in FY12.
38	EG1104		Unit 3 Aux System Components	113,000	-	-	-	0.0%	113,000	-	-	0.0%	Deferred	Funding reallocated to Unit 1 repair. Defered 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%	Started	Ongoing as needed.
40	EG1106		Unit 3 Stack Repairs	25,000	-	-	-	0.0%	25,000	-	-	0.0%	Deffered	Funding reallocated Unit 1 repair. Defered to FY12.
41	EG1107		Units 1 & 2 Life Extension	276,000	225,000	41,546	183,454	18.5%	276,000	225,000	41,546	18.5%	Started	Scoping, some funding reallocated Unit 1 repair.
42	EG1108		Unit 1 Turbine Outage	-	412,000	424,747	(12,747)	0.0%	-	412,000	424,747	103.1%	Completed	Emergency repair; Budget amendment approved in Dec.
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%	Deffered	Next fiscal year.
45	EG1111		Unit 2 Boiler Inspection & Repair	-	124,000	102,151	21,849	82.4%	-	124,000	102,151	82.4%	Completed	Emergency repair.
46	EG1112		Unit 3 Heat Expansion Joint	-	65,000	-	65,000	0.0%	-	65,000	-	0.0%	Started	Started with spring outage.
47	EG1113		Units 1 & 2 Control Modifications	-	150,000	18,223	131,777	12.1%	-	150,000	18,223	12.1%	Started	Started with spring outage.
48	EG1114		Unit 3 Gas Line Modification	-	60,000	-	60,000	0.0%	-	60,000	-	0.0%	Started	Started with spring outage.
49	EU1101		Distribution Upgrades	400,000	373,018	255,578	117,440	68.5%	400,000	373,018	255,578	68.5%	Started	Ongoing as needed.
50				$ 3,609,497	$ 3,708,081	$ 2,192,378	$ 1,515,703	59.1%	$ 3,609,497	$ 3,708,081	$ 2,192,378	59.1%		
51														
52			**Grand Totals**	$ 19,374,399	$ 18,221,630	$ 15,012,823	$ 3,208,807	82.4%	$ 3,609,497	$ 4,585,722	$ 2,854,861	62.3%		

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

CITY OF DOVER PROPOSED ORDINANCE #2011-10

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:
The amounts hereinafter named in various City funds are changed from the currently approved revenues/receipts and appropriations to the revised revenues/receipts and revised appropriations for use by the various departments of the Municipal Government for:

2010-2011 Budget Ordinances

A. GENERAL FUND - Expenditures

EXPENDITURES	Current Budgets	Additions (Reductions)	Revised Budgets
Pension Unfunded Liability	$ 995,000	$ 454,978	$ 1,449,978
Current Year Balance	3,651,444	(454,978)	3,196,466
Net Adjustments		$ -	

B ELECTRIC REVENUE FUND - Expenses

EXPENSES	Current Budgets	Additions (Reductions)	Revised Budgets
Pension Unfunded Liability	833,000	277,477	1,110,477
Current Year Balance	10,947,900	(277,477)	10,670,423
Net Adjustments		$ -	

Comments:

1) Attached for reference is Ordinance 2011-09. See line numbers 102, 126, 329 and 348.

2) The General Fund current year balance meets the minimum policy requirement of 8%. The current balance is 8.9% of revenue or $334,267 greater than the minimum requirement.

3) The Electric Fund current year balance meets the minimum policy requirement of 8%. The current balance is 10.5% of revenue or $2,536,542 greater than the minimum requirement.

4) The total budget remains the same as in Ordinance 2011-09. The revisions have a zero sum effect.

Action History: April 11, 2011 Proposed First Reading

FINAL READING

CITY OF DOVER PROPOSED ORDINANCE #2011-09

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

The amounts hereinafternamed in various City funds are changes from the currently approved revenues/receipts and appropriations to the revised revenues/receipts and revised appropriations for use by the various departments of the Municipal Government for:

20010-2011 BUDGET ORDINANCES
GENERAL FUND
CASH RECEIPTS AND BUDGET FOR 2010-2011

	INFO ONLY 2010-11 LATEST EST ADJMTS	2010-11 REVISED
RECEIPTS		
PRIOR YEAR BALANCE	1,034	2,655,562
FINES AND POLICE REVENUE	42,387	578,889
911 FEE	15,000	60,000
INVESTMENT INCOME	(108,000)	116,000
LIBRARY REVENUES	-	64,189
KENT COUNTY BOOK REIMBURSEMENT	-	460,000
BUSINESS LICENSES	-	1,523,675
PERMITS AND OTHER LICENSES	(42,000)	892,000
DEMOLITION REVENUE	-	-
MISCELLANEOUS CHARGES	11,500	65,750
POLICE EXTRA DUTY	-	300,000
PROPERTY TAXES	-	10,982,634
BID REVENUE	-	52,692
RECREATION REVENUE	-	141,500
FRANCHISE FEE	34,000	520,000
TRASH FEES	(194,511)	2,050,000
DSWA TRASH FEE REBATE	-	143,000
RENT REVENUE - GARRISON FARM	-	87,000
COURT OF CHANCERY FEES	-	645,000
RECEIPTS SUBTOTAL	(240,590)	21,337,891
INTERFUND SERVICE RECEIPTS		
INTRAFUND SERVICE RECEIPTS WATER/WASTEWATER	(14,631)	958,258
INTRAFUND SERVICE RECEIPTS ELECTRIC	(33,445)	3,341,500
INTERFUND SERVICE RECEIPTS SUBTOTAL	(48,076)	4,299,758
GRANTS		
POLICE RELATED	(58,350)	80,000
CAPITAL SCHOOL DISTRICT REVENUE	-	73,500
POLICE PENSION GRANT	-	620,000
RECREATION GRANTS	51,000	51,000
MISC GRANT REVENUE	-	-
HOMELAND SECURITY GRANT	188,061	188,061
SALE OF ASSETS	-	-
GRANTS SUBTOTAL	180,711	1,012,561

20010-2011 BUDGET ORDINANCES
GENERAL FUND - CONTINUED

	INFO ONLY	
	2010-11	2010-11
	LATEST EST ADJMTS	REVISED
TRANSFERS FROM		
TRANSFER TAX	750,000	1,400,000
MUNICIPAL STREET AID	-	526,843
CIVIL TRAFFIC PENALTIES	70,000	1,000,000
WATER/WASTEWATER	-	-
ELECTRIC	-	8,856,000
PARKLAND RESERVE	-	-
LIBRARY RESERVE	-	-
CAPITAL ASSET RESERVE	-	-
WORKER'S COMP FUND	-	-
CONTINGENCY FUND		-
TRANSFERS FROM SUBTOTAL	820,000	11,782,843
TOTALS	**712,045**	**38,433,053**
EXPENSES		
CITY CLERK	(3,035)	284,368
COUNCIL	-	130,769
TAX ASSESSOR	69,497	266,746
FIRE	(44,130)	665,732
GROUNDS MAINTENANCE	(23,668)	1,031,889
LIBRARY	(46,711)	1,079,516
RECREATION	38,157	816,626
LIFE SAFETY	15,757	517,592
CODE INFORCEMENT	18,229	295,010
PLANNING	-	422,893
INSPECTIONS	65,000	559,807
ECONOMIC DEVELOPMENT	-	247,488
POLICE	(182,750)	12,275,623
POLICE EXTRA DUTY	-	449,516
STREETS	13,530	815,559
SANITATION	(49,505)	2,297,839
CITY MANAGER	17,943	579,515
INFORMATION TECHNOLOGY	(50,885)	697,329
FINANCE	(22,000)	805,169
PUBLIC SERVICES - ADMINISTRATION	-	369,752
FACILITIES MANAGEMENT	(34,925)	955,832
CENTRAL SERVICES	(13,133)	656,844
FLEET MAINTENANCE	(30,297)	731,632
CUSTOMER SERVICES	4,219	873,623
HUMAN RESOURCES	(12,500)	346,390
MAYOR	-	88,341
DEPARTMENT SUBTOTALS	(271,207)	28,261,400

20010-2011 BUDGET ORDINANCES
GENERAL FUND - CONTINUED

		INFO ONLY	
		2010-11	2010-11
		LATEST EST ADJMTS	REVISED
RETIREES HEALTH CARE		-	1,297,509
RETIREES PAYMENTS		-	-
PENSION UNFUNDED LIABILITY		-	995,000
POLICE PENSION UNFUNDED LIABILITY		-	95,000
POLICE PENSION FUND		-	620,000
OPEB		-	-
UNCOLLECTIBLES - TRASH AND OTHER		100,000	110,000
LOSS ON SALE OF ASSET		-	-
STORM EMERGENCY		-	-
STREET LIGHTS		-	985,000
OTHER EXPENSE SUBTOTAL		272,061	5,206,370
GRANTS			
IT EMERGENCY PREPAREDNESS PLAN		-	-
GRANTS SUBTOTAL		-	-
TRANSFERS			
TRANSFER TO PENSION COLA		-	-
TRANSFER TO CAPITAL ASSET RESERVE		-	-
TRANSFER TO CAPITAL FUND - PROJECTS		-	1,307,839
TRANSFER TO CAPITAL FUND - RESERVE		-	-
TRANSFER TO STREET PROGRAM		-	-
TRANSFER TO PARKLAND/RECREATION RESERVE		-	-
TRANSFER TO LIBRARY RESERVE		-	-
TRANSFER TO CDBG FUND		-	6,000
TRANSFER TO VERIZON RESERVE		-	-
INVENTORY WRITE OFFS		-	-
TRANSFERS SUBTOTAL		-	1,313,839
CURRENT YEAR BALANCE		711,191	3,651,444
TOTALS	**$**	**712,045**	**$** **38,433,053**

2010-2011 BUDGET ORDINANCES
GENERAL CONTINGENCY FUND
CASH RECEIPTS AND EXPENDITURES FOR FISCAL 2010-2011

	INFO ONLY 2010-11 LATEST EST ADJMTS	2010-11 REVISED
CASH RECEIPTS		
BEGINNING BALANCE	$ -	$ 530,393
INTEREST EARNINGS	-	23,100
REIMBURSEMENT FROM DEMA (SNOW EMERGENCY)	172,061	172,061
TOTALS	**172,061**	**725,554**
EXPENDITURES		
TRANSFER TO GENERAL FUND	-	-
TRANSFER TO OPEB	-	-
TRANSFER TO LIBRARY FUND	-	-
CARRY FORWARD TO NEXT YEAR	172,061	725,554
TOTALS	**$ 172,061**	**$ 725,554**

2010-2011 BUDGET ORDINANCES
GOVERNMENTAL CAPITAL PROJECTS FUND
CASH RECEIPTS AND EXPENDITURES FOR FISCAL 2010-2011

	INFO ONLY 2010-11 LATEST EST ADJMTS	2010-11 REVISED
CASH RECEIPTS		
BEGINNING BALANCE - PROJECTS	$ -	$ 227,592
STATE GRANTS	-	4,232,348
INTEREST EARNINGS	-	10,900
INCOME FROM SALE OF ASSETS	-	-
RECREATION GRANTS	-	34,583
POLICE GRANTS	20,000	38,000
HOMELAND SECURITY GRANTS	-	-
LIBRARY BOND ISSUE/CONTRIBUTIONS	-	1,000,000
TRANSFER FROM GENERAL FUND FOR PROJECTS	-	1,307,839
TRANSFER FROM PARKLAND RESERVE (JWP CNTR)	-	-
TRANSFER FROM LIBRARY RESERVE	-	2,363,732
GIFTS/DONATIONS (RECREATION)	-	-
PARKLAND RESERVE RECEIPT	-	36,872
TRANSFER FROM CAPITAL ASSET RESERVE	-	-
TOTALS	**20,000**	**9,251,866**
EXPENDITURES		
CITY CLERK	-	-
COUNCIL	-	-
TAX ASSESSOR	-	-
FIRE	-	223,700
GROUNDS MAINTENANCE	(17,158)	46,517
LIBRARY	-	7,630,663
RECREATION	-	81,872
LIFE SAFETY	-	-
PLANNING	-	-
INSPECTIONS	-	-
ECONOMIC DEVELOPMENT	-	-
POLICE	7,648	343,528
STREETS	(26,579)	454,476
SANITATION	(33,656)	212,419
CITY MANAGER	-	-
INFORMATION TECHNOLOGY	(5,000)	7,000
FINANCE	-	-
PUBLIC SERVICES - ADMINISTRATION	-	-
FACILITIES MANAGEMENT	-	-
CENTRAL SERVICES	-	-
FLEET MAINTENANCE	-	-
CUSTOMER SERVICES	-	-
HUMAN RESOURCES	-	-
MAYOR	-	31,500
DEPARTMENT SUBTOTAL	(74,745)	9,031,675
TRANSFERS		
TRANSFER TO CAPITAL ASSET RESERVE	-	-
TRANSFER TO PARKLAND RESERVE	-	-
TRANSFER TO LIBRARY RESERVE	-	-
TRANSFER TO GENERAL FUND	-	-
TRANSFER TO COMMUNITY TRANS. FUND 318	25,000	25,000
TRANSFER SUBTOTAL	25,000	25,000
CURRENT YEAR BALANCE	69,745	195,191
TOTALS	**$ 20,000**	**$ 9,251,866**

2010-2011 BUDGET ORDINANCES
WATER/WASTEWATER FUND
REVENUES AND EXPENSES FOR FISCAL 2010-2011

		INFO ONLY 2010-11 LATEST EST ADJMTS	2010-11 REVISED
REVENUE			
PRIOR YEAR BALANCE - WATER	$	353	$ 1,236,546
PRIOR YEAR BALANCE - WASTEWATER		-	902,719
PRIOR YEAR BALANCE - KCSA		(353)	(1,872,434)
WATER FEES		-	4,206,700
WASTEWATER FEES		-	3,308,300
WASTEWATER ADJUSTMENT FEES		-	4,275,600
WATER TANK SPACE LEASING		-	299,400
SEWER IMPACT FEES		-	323,000
WATER IMPACT FEES		-	357,000
INTEREST - WATER		8,206	8,886
INTEREST - WASTEWATER		10,079	10,914
MISCELLANEOUS SERVICE FEE		-	71,000
REVENUE SUBTOTAL		18,285	13,127,631
GRANTS AND REIMBURSEMENTS			
STATE REIMBURSEMENT		-	-
GRANT REVENUE		-	-
GRANTS AND REIMBURSEMENTS SUBTOTAL		-	-
TRANSFERS FROM			
TRANSFER FROM CAPITAL ASSET RESERVE		-	-
TRANSFER FROM CONTINGENCY		-	-
TRANSFERS FROM SUBTOTAL		-	-
TOTALS	**$**	**18,285**	**$ 13,127,631**

2010-2011 BUDGET ORDINANCES
WATER/WASTEWATER FUND - CONTINUED

	INFO ONLY	
	2010-11	2010-11
	LATEST EST ADJMTS	REVISED
EXPENSES		
ENGINEERING & INSPECTION	$ (70,548)	$ 572,330
WATER CONSTRUCTION	8,362	400,923
WATER DEPARTMENT	(26,692)	385,896
WATER TREATMENT PLANT	12,390	1,512,247
WASTEWATER DEPARTMENT	(45,852)	923,910
KENT COUNTY TREATMENT CHARGE		4,235,403
DIRECT EXPENDITURE SUBTOTAL	(122,340)	8,030,709
OTHER EXPENSES		
DEBT SERVICE - WATER	-	246,403
DEBT SERVICE - WASTEWATER	-	316,198
RETIREES HEALTH CARE	-	177,427
PENSION UNFUNDED LIABILITY	-	372,000
OPEB		-
UNCOLLECTIBLES - TRASH AND OTHER	71,000	71,000
INTRAFUND SERVICE FEES	(140,756)	1,131,575
ARBITRAGE PAYMENT 60/40 Water		-
OTHER EXPENSES SUBTOTAL	(69,756)	2,314,603
TRANSFER TO		
GENERAL FUND FROM WATER	-	-
GENERAL FUND FROM WASTEWATER	-	-
WATER IMP AND EXT	-	500,000
WASTEWATER IMP AND EXT	-	500,000
TRANSFER TO PENSION COLA	-	-
SEWER IMPACT FEE RESERVE	-	6,802
WATER IMPACT FEE RESERVE	-	110,597
CAPITAL ASSET RESERVE WATER	-	100,000
CAPITAL ASSET RESERVE WASTEWATER	-	100,000
TRANSFER TO SUBTOTAL	-	1,317,399
CURRENT YEAR BALANCES		
CURRENT YEAR BALANCE WATER	85,223	1,726,372
CURRENT YEAR BALANCE WASTEWATER	125,158	1,570,432
CURRENT YEAR BALANCE KCSA		(1,831,884)
CURRENT YEAR BALANCE SUBTOTALS	210,381	1,464,920
TOTALS	**$ 18,285**	**$ 13,127,631**

2010-2011 BUDGET ORDINANCES
ELECTRIC REVENUE FUND
REVENUES AND EXPENSES FOR FISCAL 2010-2011

	INFO ONLY 2010-11 LATEST EST ADJMTS	2010-11 REVISED
REVENUE		
PRIOR YEAR BALANCE	$ -	$ 13,537,864
DIRECT SALES TO CUSTOMER	1,321,906	97,917,206
PURCHASE POWER ADJUSTMENT	(293,603)	(2,293,603)
UTILITY TAX	100,200	1,965,000
GREEN ENERGY		128,600
MISCELLANEOUS REVENUE		891,200
RENT REVENUE		186,816
EMISSION CREDIT SALES		-
TRANSFER FROM CONTINGENCY	-	301,070
INTRAFUND SERVICE RECEIPTS WATER/WASTEWATER	(126,125)	173,317
REIMBURSEMENT OF BOND ISSUANCE COST		-
INTEREST EARNINGS	44,600	110,300
TOTALS	**$ 1,046,978**	**$ 112,917,770**

2010-2011 BUDGET ORDINANCES

ELECTRIC REVENUE FUND - CONTINUED

	INFO ONLY 2010-11 LATEST EST ADJMTS	2010-11 REVISED
EXPENSES		
POWER SUPPLY	$ (425,336)	$ 47,634,363
POWER SUPPLY MANAGEMENT	41,562	2,321,562
PJM CHARGES - LOAD	1,512,556	13,363,432
CAPACITY CHARGES	684,169	12,302,392
RATE STABILIZATION CREDIT	-	-
SUB-TOTAL POWER SUPPLY	1,812,951	75,621,749
PLANT OPERATIONS	469,000	6,163,315
GENERATIONS FUELS	2,947,157	3,244,977
PJM CREDITS	(4,832,607)	(5,553,404)
CAPACITY CREDITS	69,062	(11,419,723)
GENERATION SUBTOTAL	(1,347,388)	(7,564,835)
POWER SUPPLY & GENERATION SUBTOTAL	465,563	68,056,914
DIRECT EXPENDITURES		
TRANSMISSION/DISTRIBUTION	(159,371)	3,047,144
ELECTRICAL ENGINEERING	(87,898)	1,755,005
ADMINISTRATION	54,750	964,989
METER READING	(13,253)	209,655
SYSTEMS OPERATIONS	(25,560)	492,493
UTILITY TAX	100,200	1,965,000
DIRECT EXPENDITURE SUBTOTALS	(131,132)	8,434,286
OTHER EXPENSES		
ALLOW FOR UNCOLLECTIBLES	175,000	310,000
RETIREES HEALTH CARE	-	639,110
PENSION UNFUNDED LIABILITY	-	833,000
OPEB	-	1,200,000
GREEN ENERGY PAYMENT TO DEMEC	-	128,600
INTRAFUND SERVICE FEES	(33,445)	3,341,500
INTEREST ON DEPOSITS	-	54,500
INVENTORY WRITE OFFS	-	175,000
BOND ISSUANCE COSTS	-	-
POWER SUPPLY STUDY	-	-
DEBT SERVICE	(468,810)	3,589,890
OTHER EXPENSES SUBTOTAL	(327,255)	10,271,600
TRANSFER TO		
IMPROVEMENT & EXTENSION	-	3,500,000
GENERAL FUND	-	8,856,000
TRANSFER TO CONTINGENCY	301,070	301,070
TRANSFER TO PENSION COLA	-	-
TRANSFER TO DEPRECIATION RESERVE	-	1,250,000
TRANSFER FUTURE CAPACITY	-	-
RATE STABILIZATION RESERVE	-	1,300,000
TRANSFER TO SUBTOTAL	301,070	15,207,070
CURRENT YEAR BALANCE	738,732	10,947,900
TOTALS	**$ 1,046,978**	**$ 112,917,770**

2010-2011 BUDGET ORDINANCES
ELECTRIC CONTINGENCY RESERVE FUND
CASH RECEIPTS AND EXPENDITURES FOR FISCAL 2010-2011

	INFO ONLY 2010-11 LATEST EST ADJMTS	2010-11 REVISED
CASH RECEIPTS		
BEGINNING BALANCE	$ -	$ 1,039,766
INTEREST EARNINGS	-	31,200
TRANSFER FROM INSURANCE STABILIZATION	-	-
TRANSFER FROM ELECTRIC REVENUE	301,070	301,070
TOTALS	**301,070**	**1,372,036**
EXPENDITURES		
TRANSFER TO ELECTRIC FUND	-	279,640
TRANSFER TO RATE STABILIZATION FUND	-	-
CARRY FORWARD TO NEXT YEAR	301,070	1,092,396
TOTALS	**$ 301,070**	**$ 1,372,036**

2010-2011 BUDGET ORDINANCES
ELECTRIC IMPROVEMENT AND EXTENSION FUND
CASH RECEIPTS AND EXPENDITURES FOR FISCAL 2010-2011

		INFO ONLY 2010-11 LATEST EST ADJMTS	2010-11 REVISED
	CASH RECEIPTS		
	PRIOR YEAR BALANCE	$ -	$ 3,429,624
	PRIOR YEAR BALANCE BOND	-	415,585
	INTEREST EARNINGS	-	40,700
	INTEREST TRUSTEE	-	-
	INCOME FROM SALE OF ASSETS	-	-
	ELECTRIC NEW SERVICE FEES	-	-
	RECEIPT FROM DEPRECIATION RESERVE	-	-
	RECEIPT FROM FUTURE CAPACITY RESERVE	-	-
	DEMA GRANT	-	-
	STATE REIMBURSEMENT FOR SR1 &SR9	-	-
	STATE REIMBURSEMENT FOR GOVS AVE	-	254,757
	STATE REIMBURSEMENT WYOMING MILL RD	91,000	91,000
	STATE GRANTS	-	-
	FEDERAL GRANTS	-	135,152
	INSURANCE CLAIM PROCEEDS	-	280,000
	TRANSFER FROM ELECTRIC	-	3,500,000
	TOTALS	**91,000**	**8,146,818**
	EXPENDITURES		
	ELECTRIC GENERATION	-	2,106,427
	TRANSMISSION AND DISTRIBUTION	-	739,000
	ELECTRICAL ENGINEERING	91,000	1,740,295
	ADMINISTRATION	-	-
	METER READING	-	-
	SYSTEMS OPERATIONS	-	-
	TRANSFER TO DEPRECIATION RESERVE	-	1,000,000
	CURRENT YEAR BALANCE	-	2,561,096
	CURRENT YEAR BALANCE -BOND	-	-
	TOTALS	**$ 91,000**	**$ 8,146,818**

2010-2011 BUDGET ORDINANCES
COMMUNITY TRANSPORTATION IMPROVEMENT FUND
CASH RECEIPTS AND EXPENDITURES FOR FISCAL 2010-2011

	INFO ONLY 2010-11 LATEST EST ADJMTS	2010-11 REVISED
CASH RECEIPTS		
PRIOR YEAR BALANCE	$ -	$ 100,913
GRANTS REVENUE	-	1,000,000
TRANSFER FROM GENERAL	25,000	325,000
INTEREST INCOME	-	2,800
TOTALS	**25,000**	**1,428,713**
EXPENDITURES		
PROGRAM EXPENSES	25,000	1,325,000
OPERATING TRANSFERS OUT	-	-
CURRENT YEAR BALANCE	-	103,713
TOTALS	**$ 25,000**	**$ 1,428,713**

ADOPTED: *

ACTIONS HISTORY

March 28, 2011 - Proposed Final Reading - Council
March 14, 2011 - First Reading - Council
February 28,2011 - Presented Latest Estimate to Legislative, Finance and Administration Committee