City of Dover
Electric Tariffs

Effective ~~September 1~~August 24, 2009

Net Energy Metering
"NM"

AVAILABILITY

This rider is available to customers served under the following service classifications, Residential "R", Small Commercial "C and C1", Medium Commercial "C2 and C3", Large Commercial "C5", Primary "P", and Transmission "T" who own and operate an electric generation facility on the Customer's premises. The primary intent of this installation is to offset part or all of the Customer's electricity requirements. Capacity cannot be more than 25 kW for residential customers, 100 kW for farms (subject to rules of Delaware Code – Title 26, Chapter 10, Subsection 1014 (d) (1.) (b.)), and 500 kW for non-residential customers. The primary source of fuel must be solar, wind, hydro, or another approved source of renewable energy. This rider is applicable to generation interconnected and operated in parallel with the City of Dover's transmission and/or distribution facilities. Application for the installation of any generation system in excess of 500 kilowatts shall be made under a special contract.

Any customer who elects this rider must apply by filling out the City of Dover Generator Interconnection Application at least 60 days in advance of the proposed activation date. Approval of the application by the City must be granted prior to activation of the electric generation facility.

CONNECTION TO THE CITY'S SYSTEM

The electric generation system cannot be connected to the City's system unless it meets all applicable safety and performance standards set forth by the following: The City of Dover Technical Considerations Covering Parallel Operations of Customer Owned Generation of 500 kW or less dated July 1, 2008, National Electric Code, the Institute of Electrical and Electronic Engineers, Underwriters Laboratories, and the City of Dover Electric Service Handbook. The Customer must, at his/her expense, obtain any and all necessary permits, inspections, and approvals required by any local public authorities and any other governing regulations in effect at that time.

DELIVERED VOLTAGE

The delivered voltage and delivery point of the Customer's electric generation shall be at the same delivered voltage and delivery point that would be supplied by the City if the Customer purchased all of its electricity from the City.

CONTRACT TERM

The contract term shall be the same as the Customer's applicable rate tariff.

RATE

The monthly billing shall be as stated in the applicable rate tariff. Under this rider, only the kWh charge for electricity delivered by the Customer is affected. The Customer will pay for all kWh delivered by the City of Dover. If the Customer has delivered electricity to the City's system a credit will be issued equal to the City's current kWh rate for that particular class of customer ~~(equal to the Delivery Service Charges and Supply Service Charges)~~. This credit will be applied to subsequent billing periods to offset a customer's consumption (City delivered kWh) in those billing periods until all credits are used or until the end of ~~a twelve month period~~ the calendar year. ~~After a 12 month period ending either on December 31 or July 31, to be chosen at the discretion of the customer, any excess kWh credits shall be forfeited to the City for use solely to augment existing funding for the Green Energy Fund. The payment to the Green Energy Fund shall be equal to the avoided cost of wholesale power.~~ At the end of the calendar year the Customer may request a payment for any excess kWh credit. **Any excess kWh credits from the customer shall not reduce any fixed monthly customer charges, taxes or other components of the electric bill imposed by the City**.

METERING

A bi-directional watt-hour electric meter will be installed at the Customer's location to measure the energy consumed and the energy delivered to the City system. The City will furnish, install, maintain, and own all bi-directional revenue meters. However, where a large capacity meter is required to serve a customer, or a larger capacity meter is requested by the customer, the customer shall pay the City the difference between the larger capacity meter and the meter normally provided under the customer's applicable rate tariff. Cost will be determined under the Additional Costs and Responsibilities clause below.

ADDITIONAL COSTS AND RESPONSIBILITIES

The customer will be required to pay for any additional transmission and distribution costs, transformation, system protection, and any related safety/protective equipment in excess of what would normally be paid for by the City. Protective equipment will be installed by the Customer to provide safety for personnel, provide adequate protection for the City's electric utility system and to the Customer's property, and to prevent any interference with the City's supply of energy to other utility customers. This equipment will be owned, installed, and maintained by the Customer.

FAILURE TO COMPLY

The City may disconnect the Customers service from the City's electric system if the Customer fails to comply with any of the stipulations of this rider, The Technical Considerations Covering Parallel Operations of Customer Owned Generation of 500 kW or Less dated July 1, 2008, National Electric Code, the Institute of Electrical and Electronic Engineers, Underwriters Laboratories, the Generator Interconnection Application and the City of Dover Electric Service Handbook.

RULES AND REGULATIONS

The General Rules and Regulations of the City of Dover for electric service shall apply to service rendered under this service classification. All minimum billings, charges for kWh, kW, Purchased Power Adjustment, Public Utility Tax, Renewal Energy Charge, etc. will be covered under the applicable rate tariff.

ADOPTED: ~~May 12, 2008~~ August 24, 2009

McDowell, Traci

From: McDowell, Traci
Sent: Monday, September 14, 2009 8:17 AM
To: City Clerks Office
Subject: FW: Temporary Parking Permits on S. Bradford Street

E-mail sent to City Council, Koenig, Townshend, and DePrima

From: Bruce Littleton [mailto:bruceelittleton@yahoo.com]
Sent: Sunday, September 13, 2009 3:51 PM
To: McDowell, Traci
Cc: Ruane, Eugene B.
Subject: Temporary Parking Permits on S. Bradford Street

Traci -

Would you please forward this to the Mayor and City Council?

Thanks!

Mayor and City Councill -

I find it absolutely fascinating how this is so rapidly getting out of hand. The fact of the matter is that parking along S. Governor's Avenue is being removed not only by the current construction, but forever. If anyone were to look at the construction plans, there will be a continuous left turn lane along S. Governor's Avenue (as there is today south of Webb's Lane), sidewalks on both sides and a bike lane against the curb. Left turn access to all businesses along Governor's Avenue will be greatly improved with a much higher degree of safety than currently exists. The major intersections are being widened to include separate right and left turn lanes, adding capacity and improving safety. Similarly alternate modes of transportation are being improved, sidewalks are being added for the pedestrians, bike lanes for the bicyclists and pull off bus stops for the DART buses. This will have both a positive and negative impact on the businesses. Access will be better at the cost of several on-street parking spaces.

Businesses today are supposed to exist with sufficient off street parking so as not to need on-street parking. Businesses that have recently moved to S. Governors have been constructed or reconstructed with adequate off street parking. A number of the older businesses already had off street parking, a few did not as they were not required to provide parking at the time that they came into existence. These are the businesses that will not only be impacted now by the road construction project, but forever by the ultimate curbing, entrances and lane configurations for Governor's Avenue. Temporary parking permits will not solve this problem.

Issuing temporary parking permits on S. Bradford Avenue is not the solution for either the temporary fix or the permanent fix. Residents that do not have off street parking rely on spaces being available in front of, or near, their home. A number of us have multiple cars at our residences with no off street parking relief. The current parking permit system was created a number of years ago to address the problems along the entire length of Bradford Street. Parking overflow from the hospital at the north end, and overflow parking from the medical offices interspersed along the rest of the residential street was the issue. That system has been a work in progress. For the most part it has worked. Cooperation among the residents, the employees and customers for the businesses on S. Bradford has made the program function well enough. It is a very fragile balance. Any additional temporary parking permits will reek havoc with the existing system.

As has been mentioned in other e-mails, there are vacant office buildings on S. Bradford Street that could be used for parking. This works provided that the businesses remain vacant. Unless there is financial remuneration, there is no incentive for the owners to allow parking, they are trying to rent or sell their space; they can't do that with no available parking. The best action on this matter is no action. There is no demonstrated need for the issuance of temporary parking permits. Only on-street parking is being eliminated along Governor's Avenue. During the construction DelDOT's contractor is required to maintain access to every property along the street at all times.

Yes, Governor's Avenue will become a quagmire to travel along as it is being constructed, but it will not be closed. We

are already faced with additional traffic on S. Bradford trying to avoid this construction. We are already faced with competing with the businesses on S. Bradford for parking spaces, we should not also have to face competition with businesses that are not on our street. As has also been perviously mentioned, there may be other parking solutions such as along New Street that will require no action on the part of Council.

I've made statements as to what the project will look like and how the contractor must schedule his work so as to not close driveways completely. The City has scheduled a meeting for DelDOT to discuss Phase II of the project in Council Chambers on Tuesday, September 29th at 7PM. It may behoove Council to delay any action on the decisioni to issue temoprary parking permits until the Council has had the opportunity to ask any questions of DelDOT so that they can make a fully informed decision that is unbaised. This is an emotional issue for all concerned.

- Bruce

Bruce E. Littleton
1063 S. Bradford Street
Dover, DE 19904-4141

Home Phone - 302-678-3467
Cell Phone - 302-423-6599

McDowell, Traci

From: McDowell, Traci
Sent: Friday, September 11, 2009 4:23 PM
To: City Clerks Office
Subject: FW: Letter re: Parking on Stone Lot

Categories: Traci-FORTIS

E-mail sent to City Council

From: Art Geary [mailto:ageary@halperneye.com]
Sent: Thursday, September 10, 2009 4:01 PM
To: Townshend, Ann Marie; Joel Halpern; John W Paradee
Cc: Taraila, Tim; Koenig, Scott; City Clerks Office
Subject: RE: Letter re: Parking on Stone Lot

Fair enough. Since the Council will decide, are we agreed that we will comply with the stone lot site plan and begin using it as such? Also, since you will likely be asked for your input by Council, are you inclined to support our Bradford Street permits based on the additional information I provided in my last email?

Art

"Townshend, Ann Marie" <ATownshend@dover.de.us> wrote:

> City Council is set to make a final decision on if and how the City will allocated parking permits on Monday night. I am sure that this issue will be addressed at this time, and we will have a clearer path forward.
>
> Ann Marie Townshend, AICP
>
> Director, Planning & Community Development
>
> City of Dover
>
> **From:** Art Geary [mailto:ageary@halperneye.com]
> **Sent:** Thursday, September 10, 2009 3:19 PM
> **To:** Townshend, Ann Marie; Joel Halpern; John W Paradee
> **Cc:** Taraila, Tim; Koenig, Scott; City Clerks Office
> **Subject:** Re: Letter re: Parking on Stone Lot
>
> Ann Marie,

We certainly appreciate your approval of our temporary site plan and will do our best to have your conditions in place by the close of business Friday. We would appreciate you waiting until Monday for your site inspection.

There is one condition in your letter that I do not believe is reasonable and therefore cannot agree to. The temporary parking passes are one of the suggestions by Joel two years ago in conjunction with our rear access and the stone lot. We made these requests not as a "Chinese Menu" format, but because we calculated that we needed them all. Let me explain why:

- We are losing 5 parking street parking spaces in front of our properties.
- We are losing 1 parking space for access to the stone lot.
- We are losing 3 parking spaces behind our building to accomodate access from the temporary rear entrance.

Therefore, we are losing a total of 9 parking spaces, and the approved site plan for the stone lot will safely accomodate only 4 cars at best because of the limited access and the need to turn around. Consequently, we are still short 5 parking spaces which is why we requested the 5 temporary parking passes for Bradford. I hope this provides an adequate explanation for our request and our position on the condition in your letter.

We have tried to be cooperative and supportive of your office during the last several months, just as you have tried to be with us. I know you are attempting to balance a lot of competing interests, but I think you have to agree that Joel and I have been involved in this process from the beginning. We have made numerous suggestions in anticipation of these problems, and it is not our fault little was done beforehand. Our requests have not been capricious, but rather based on our very real needs. Therefore, we request that you remove this condition from the stone lot approval.

Respectfully yours,

Art

"Townshend, Ann Marie" <ATownshend@dover.de.us> wrote:

> Please see the attached letter that went in the mail today. Please put the signage and bumpers in place ASAP and call me to come out and inspect the area. I drove by today and there were cars parked on the residential lot. If I see cars there tomorrow, I will be sending out another summons.
>
> Thank you in advance for getting this taken care of quickly.
>
> Sincerely,

Ann Marie Townshend, AICP

Director, Planning & Community Development

City of Dover

PO Box 475

Dover, DE 19901

(302) 736-7196 phone

(302) 736-4217 fax

atownshend@dover.de.us

Arthur A. Geary

President

Halpern Eye Care

Halpern Ophthalmology Associates

885 S. Governors Avenue

Dover, DE 19904

Direct Dial: 302-346-1520

Fax: 302-734-1921

email: ageary@halperneye.com

website: www.halperneye.com

Arthur A. Geary
President

Halpern Eye Care
Halpern Ophthalmology Associates
885 S. Governors Avenue
Dover, DE 19904
Direct Dial: 302-346-1520
Fax: 302-734-1921
email: ageary@halperneye.com
website: www.halperneye.com

City of Dover

September 10, 2009

David Braun
Braun Engineering & Surveying
429 South Governors Avenue
Dover, DE 19904

RE: Temporary Parking – Halpern Family Property Investment, L.P.

Dear Mr. Braun:

I have reviewed your request on behalf of Halpern Family Property Investment, L.P., regarding temporary use of the stone lot on their parcel of land with tax ID number ED05-077.17-03-06.00, zoned C-PO (Commercial and Professional Office). The northern portion of this parcel bisects the building that houses Halpern Eye Associates' practice, and the southern portion of the parcel is currently used as a residence.

Your request is that the stone lot behind the residential home be permitted to be used as temporary parking during the construction of South Governors Avenue. Your request is acceptable with the following rationale and under the following conditions:

- Use of this lot will be permitted only while the portion of South Governors Avenue in the vicinity of Halpern Eye is under construction;
- This approval does not include use of the adjacent parcel (975 S. Governors Avenue) for parking. Parking bumpers and signage prohibiting parking on the residential parcel must be in place before parking is allowed on the property;
- The temporary use of this area as parking is allowed because the parcel is zoned C-PO (Commercial and Professional Office) and the temporary parking is viewed as accessory to the commercial use on the northern portion of the parcel;
- In light of what we believe to be a reasonable accommodation in allowing parking in this portion of the stone lot, staff believes that it would be appropriate for Halpern Eye to withdraw their request for residential parking permits, as the temporary parking need can be met in this other area. The curb cut for the temporary entrance on South Bradford Street has already removed two on-street parking spaces.
- If Dr. Halpern wishes to use this area as permanent parking, the residential use would need to be removed, and a site plan would need to be reviewed and approved by the Planning Commission to construct parking in accordance with the requirements of the *Zoning Ordinance*.

Please contact me when the parking bumpers and appropriate signage are in place so that I can inspect the site prior to opening it for temporary parking. If you have any questions, please call me at (302) 736-7196.

Sincerely,

Ann Marie Townshend

Ann Marie Townshend, AICP
Director of Planning and Community Development

cc: City Clerk's Office
Scott D. Koenig, P.E., Public Services Manager
Joel Halpern
Art Geary
John W. Paradee
Tim Taraila, Code Enforcement Supervisor

McDowell, Traci

From: McDowell, Traci
Sent: Friday, September 11, 2009 3:11 PM
To: City Clerks Office
Subject: FW: parking permits

E-mail sent to City Council, Koenig, Townshend, and DePrima

From: Hspdhill [mailto:hspdhill@comcast.net]
Sent: Friday, September 11, 2009 10:52 AM
To: McGlumphy, William; McDowell, Traci; tmcdowell-gr
Subject: parking permits

I live on 901 S. Bradford St. across from Dover Street. Parking around this area and on this street is a real problem. We get cars from the hospital employees,plus visitors to the hospital. Three complex apartments at the corner of Dover St. and Bradford St. at least 12 units, and cars from S. Governors St. Plan Parenthood clinic on some days of the week plus the protesters park in this area. Please DO NOT GRANT THESE TEMPORARY PERMITS. We have the 2 hour for this reason.

McDowell, Traci

From: McDowell, Traci
Sent: Friday, September 11, 2009 8:14 AM
To: City Clerks Office
Subject: FW: S Bradford St - temp parking permits
Attachments: Bradford Street Temp Parking Permits.docx

Please see attached letter related to request for temporary parking. As a reminder, this item is on the 9/14/09 Council agenda for consideration.

Thanks!

Traci A. McDowell, CMC
City Clerk
City of Dover
e-mail: tmcdowell@dover.de.us
Ph: 736-7009
Fax: 736-5068

From: RAYMOND OSIKA [mailto:rayosika@verizon.net]
Sent: Thursday, September 10, 2009 8:24 PM
To: McDowell, Traci
Cc: Ruane, Eugene B.
Subject: S Bradford St - temp parking permits

Please see attached letter.

September 10, 2009

Traci A. McDowell, CMC
City Clerk
City of Dover
PO Box 475
Dover, DE 19903

Re: Request for Temp Parking Permits letter dated September 2, 2009 for South Bradford Street.

As a property owner on S. Bradford Street I am opposed to any type of temporary parking permits. The local residents are currently overtaxed for parking. Overflow parking from Bay Health exists at the Northern end of the street. With the construction on Governors Ave now, we are seeing an increase in traffic with people trying to avoid the project. Bradford Street currently has some commercial property that utilizes the street at some locations.

There is the possibility of using parts of Monroe Terrace and South News Street for the current request and no permits would be required. The old Kaza building on South Bradford Street (currently vacant) has parking in the rear. There is also a building that has not been utilized for some time next to Dr. Vu's practice and could be considered for parking. Contact the property owners.

If the temporary permits are granted will my property and the other properties be properly marked for two parking spots to accommodate the residence at that location giving them a guarantee for parking in front of their residence?

Sincerely,

Raymond L. Osika
858 Sunset Terrace
Dover, DE 19904

(302) 678-1536

McDowell, Traci

From: Sharon Currey [sharon.currey@gmail.com]
Sent: Wednesday, September 09, 2009 5:59 PM
To: McDowell, Traci
Subject: Request for Temporary Parking Permits to Allow Parking on South Bradford Street

Dear City Clerk,

This is in response to the 9/2/09 letter regarding the granting of residential parking permits on South Bradford Street to employees of businesses on South Governors Avenue for the next year while construction is underway. My husband and I are senior citizens and have lived in our home at 1090 South Bradford Street for the past 7 years as renters and we strongly object to this proposal. We do not have a driveway or alleyway and the only place we can park our two vehicles is on the street. We already have to compete with the employees and customers of Delmarva Rural Ministry's clinic across the street for the very limited parking spaces near our home. Having to compete for parking with even more people would pose an extreme hardship for us and we respectfully ask that you find another way to accommodate the customers and employees of these businesses.

Sincerely,
John and Sharon Currey

McDowell, Traci

From: McDowell, Traci
Sent: Tuesday, September 08, 2009 7:26 AM
To: City Clerks Office
Subject: FW:
Attachments: City of Dover parking letter.doc

Please see attached letter from Steve Lediger regarding the request for temporary parking. This item is on the 9/14 Council agenda for consideration.

Traci

E-mail sent to City Council, DePrima, Koenig, and Townshend

From: Steve Lediger [mailto:slediger@StandardDE.com]
Sent: Monday, September 07, 2009 8:43 AM
To: McDowell, Traci
Cc: gruane@dover.de.us
Subject:

Please read attached letter.

Steve Lediger
COMBO Sales Supervisor
Standard Distributing Co Inc
800.220.5511 ext 329

City of Dover

Re: Request for temporary permits to allow parking on South Bradford and Dover Streets

I live on the SW corner of S Bradford and Dover Streets. Twenty years ago when I moved in, there were no parking restrictions and parking was a mess. We fought to implement a resident parking program and it's been working just fine ever since.

I have (4) vehicles in my household, my driveway holds (1).
My next door neighbor has (2) vehicles and no driveway parking.
There is an apartment complex on the NW corner of S Bradford and Dover Streets and they have very limited off street parking, maybe six or seven spaces.
Dover Street has enough parking for (6), provided everyone "tightens up".

This is a close knit neighborhood and we all have a mutual understanding and park in the same spots each day. It works very well.

By adding (17) + permits you will create chaos and hardship on the residents.

The two commercial properties on Governors' Ave and Dover Street EACH have about (14) spaces. Their customers are already allowed to park for up to two hours on Dover and S Bradford Streets.

I propose that the employees of these businesses park one block away on S New Street or Monroe Terrace where there are no restrictions.

S New Street, next to Dover Park, doesn't even have any residences; the parking is wide open with possibly FIFTY spots or more.

PLEASE, do not issue permits to non residents of the streets.

Please feel free to contact me at slediger@standardde.com or 302.270.5292.

Thank You,

Steve Lediger
904 S Bradford Street
Dover, Delaware 19904

McDowell, Traci

From: McDowell, Traci
Sent: Tuesday, September 08, 2009 7:21 AM
To: City Clerks Office
Subject: FW: Request for Teporary Parking Permits - S. Bradford St.
Attachments: Bradford_St.pdf

Please see attached letter from Mr. Bruce Littleton regarding the request for temporary parking for Governors Avenue businesses. This item is on the 9/14/09 Council agenda for consideration.

Traci

E-mail sent to City Council, DePrima, Koenig, and Townshend

From: Bruce Littleton [mailto:bruceelittleton@yahoo.com]
Sent: Monday, September 07, 2009 9:35 PM
To: McDowell, Traci
Cc: Ruane, Eugene B.
Subject: Request for Teporary Parking Permits - S. Bradford St.

Traci -

Please distribute this response to your letter about the parking permits to the Mayor and Council at your earliest convenience.

- Bruce

Bruce E. Littleton, PE, PTOE
1063 S. Bradford St.
Dover, DE 19904
September 7, 2009

Traci A. McDowell, CMC
City Clerk
City's Clerk's Office
PO Box 475
Dover, DE 19903

RE: Request for Temporary Parking Permits on South Bradford St.

Dear Mayor and City Council:

I appreciate the opportunity to comment on the recent recommendation of the Safety Advisory and Transportation Committee to allow for the issuance of temporary parking permits for businesses on South Governors Avenue as part of Phase II of DelDOT's construction project on Governor's Avenue. The request was initiated by a request of the Central Delaware Chamber of Commerce to provide 12 parking permits for businesses potentially impacted by the construction project. That has been expanded to 17 parking permit requests.

Let's first eliminate the emotional aspects of both the parking permit request, the expansion of the request, and the impacts to the residents on South Bradford Street. It is an unfortunate consequence that the construction project on S. Governor's Avenue creates impacts. That occurs on any project, particularly one within a built up area on an existing alignment. All businesses along Governor's Avenue will be impacted, some quite severely, for length of time that the construction occurs in the vicinity of the business. Similarly, the residents along S. Bradford have been, and will continue to be impacted with additional traffic along S. Bradford until the construction is completed northward beyond Hope Street. Issuing parking permits to businesses on S. Governors to allow parking on S. Bradford Street will impact residents. Emotions are running high for both the impacted businesses and the residents. The City needs to defuse the situation by using a rational basis to issue any temporary parking permits.

Commercial properties are supposed to have sufficient off-street parking to accommodate their business. Some of the businesses have been around for many years and predate such requirements, however, quite a few meet code or are very close to meeting it, and have sufficient off-street parking. While DelDOT's contractor has Governor's Avenue torn up, there will be lane restrictions and travel along Governor's Avenue will be impacted; however, the contractor will be required to provide access to each driveway along the street. For those businesses with full off street parking, the impact will be to the customers getting to their business, not having a parking space, once there. There are several commercial properties along S. Governors Avenue that have pull in parking as opposed to off-street parking. The strip center on the east side of Governors, just north of Dover Street has 10 parking spaces that will more than likely be severely impacted for potentially many months while the construction is in front of their

property. There are four businesses within that strip center. These four businesses are the genesis of the request from the Chamber of Commerce (twelve spaces). By allowing their employees to park elsewhere (by permit on Dover Street or on S. Bradford St.), this generates off street parking on the strip center's property adjacent to Dover Street. There are three other properties similarly affected, A& H Uniform and two of which are currently closed (Scotti's Muffler and Dr. Austria's former office). A&H has 6 affected spaces. Others with similar parking such as Shore Distributors, Benchmark Transmission, Planned Parenthood, and Holden Dodge have other parking on premises that can be used.

A rational basis has been established to evaluate temporary parking permit requests. Provide one temporary parking permit for each off-street (pull-in) parking space lost until such time that the construction is complete in the vicinity of the parking stalls and they are available for use by customers. While this will have an impact on S. Bradford, it will be minimal and reasonable. To allow any other businesses to have temporary parking permits which already provide off street parking that will not be lost due to construction is unconscionable and incendiary to the affected residents who also pay taxes and are similarly impacted by the construction.

While I am a resident on S. Bradford Street and one of those impacted, I am also a DE registered Professional Engineer, my specialty being Traffic Engineering. Thank you for your patience and giving serious consideration of this matter.

Sincerely,

Bruce E. Littleton, PE, PTOE

McDowell, Traci

From: Bernice Biddle [bkbiddle1@yahoo.com]
Sent: Tuesday, September 08, 2009 3:14 PM
To: McDowell, Traci
Cc: Carey Sr., Carleton; Williams, Beverly C.; Ruane, Eugene B.; McGlumphy, William; McGiffin, James G Jr.; Slavin, Timothy A.; Leary, Thomas J.; Hogan, Kenneth L; Salters, Reuben; Sophie Russell; bruceelittleton@yahoo.com; Jason Belcher; Patrice McDowell; Barbara Hutchins; RAMfromDE@webtv.net; Regina Stubolo; Tina Littleton; Toni Gillis; Toni Gillis; sframpton@mail.milford.K12.de.us
Attachments: Bradford Street Parking.docx

Ms. McDowell:

I have attached a statement regarding my concerns with the above issue that I have also emailed to the City Council, and other city officials.

Bernice Biddle
1067 S. Bradford Street
Dover, DE 19904

Traci A. McDowell, CMC
City Clerk

It has come to my attention that the City of Dover's Safety Advisory and Transportation Safety Committee has approved a resolution to issue "temporary" permits for parking on South Bradford Street (between Hope Street and Wyoming Avenue) to accommodate businesses located on South Governors Avenue.

This is apparently to be a temporary measure. The term "temporary" is rather ambiguous inasmuch as it could mean a week, a month, or (as in this case) in all probability up to two years. By passing this as a temporary measure, it apparently did not require that all those affected property owners be informed and invited to take part in the discussion of this topic.

I feel it is grossly unfair to the property owners along South Bradford Street to have to comply with this resolution. There are many individuals who do not have access or parking in the rear of their property. They have to rely on on-street parking for their vehicles and to carry on their day-to-day needs. Also, many of us have lawn-care services and there is a question where these vehicles will be able to park while maintaining our lawns; in addition to various types of maintenance vehicles for servicing our heat/air, cable, telephone, etc.

At a recent meeting held at the Grange Hall with various businesses and residents, it was thought that most of our concerns had been discussed. Now we are faced with another surprise. I have a feeling this issue was probably being considered at that time - - and never mentioned. Having dealt with a few issues similar in nature along our street, I question why this could not have been dealt with more effectively in a timely, open manner.

I realize we all will be inconvenienced to some degree during this phase of road construction; and we are not unsympathetic to those individuals whose businesses will be affected. However, we also pay city taxes and feel we deserve consideration when these situations are being discussed and decided, even when classified as a "temporary" measure.

I would appreciate each council person giving this resolution careful consideration to our problems before passing it. When looking at the list of businesses requesting permits (even before the resolution is passed by Council), I would also suggest, if passed, restriction on the number of permits issued to any one business. One business has requested seven and another five with several other requests for two each, which truly will restrict our parking privileges.

However, I would hope there is some other resolution to this problem besides penalizing those who reside in this area. Again, I request that you please give this careful consideration, and may I suggest that you not take action on this resolution on September 14th, but schedule a meeting between all parties involved to discuss and reach a solution beneficial to all.

MEMORANDUM

Department of Public Services
P.O. Box 475
Dover, Delaware 19903
Phone: 302.736.7196 Fax: 302.736.4217

Date: September 14, 2009

To: City Council

From: Scott D. Koenig, P.E.
Ann Marie Townshend, AICP

CC: Anthony J. DePrima, AICP, ICMA-CM

RE: Request by S. Governors Avenue Businesses for Parking Permits on S. Bradford Street

---

On September 14, 2009, Council will consider a request to issue parking permits on S. Bradford Street and Dover Street for businesses on S. Governors Avenue. This request came through the Central Delaware Chamber of Commerce and was considered by the Safety Advisory and Transportation Committee on August 26, 2009. Following discussion, the Safety Advisory and Transportation Committee recommended in favor of issuing the requested permits to businesses located on S. Governors Avenue.

Since the Committee meeting, staff has received numerous phone calls and letters from residents and property owners on S. Bradford Street who are concerned about the negative impact such action may have on the on-street parking availability on S. Bradford Street. Below is a listing of relevant factual information:

- The original request from the Chamber was for 12 parking permits. This request was increased to 17 permits at the SA&T meeting. The Committee's motion did not stipulate a maximum number of permits to be issued either in total or per business. We have now received requests for 22 permits. There are other business who have not requested permits; however, we anticipate that we will have more requests should Council authorize staff to make the permits available.
- Currently, there are 23 active parking permits (22 residential, 1 business) that have been issued on S. Bradford Street in accordance with current requirements. None of these permits are related to the chamber's specific request.
- There are a number of existing businesses on S. Bradford Street. The Dover Code restricts issuance of parking permits to these businesses to one (1) permit per business.
- Several businesses on S. Bradford Street seem to rely on the available 2-hour parking for their clients and customers.
- In some cases, staff believes alternative private parking arrangements can be made to meet the parking needs for businesses with minimal impact to the residential parking district.
- Staff has mapped actual parking on S. Bradford Street at three points during a two-day period (September 11 and September 14), and has attached maps to help Council gauge parking availability during the day on the street.

Based on this information, public feedback received, and direction taken from the Committee discussion, if City Council passes the proposed resolution, Staff would apply the following parameters in issuance of temporary permits:

1. Number of permits issued to businesses shall not exceed the number of off-street parking spaces lost during the construction project or the number of employees whichever is less.
2. Permits should not be issued until the parking is lost due to construction.
3. Staff will work with businesses and property owners to develop alternative arrangements that minimize the impact on the residential parking district, such as the removal of "no parking" signs on the south side of Dover Street.

South Bradford Street
Hope Street to Wyoming Avenue
On-street Parking



September 11, 2009
1:30 PM

0 210 420 840 Feet

Legend

Car Parked On-Street

N

South Bradford Street
Hope Street to Wyoming Avenue
On-street Parking



September 14, 2009
10:00 AM

0 210 420 840 Feet

Legend

Car Parked On-Street

N

South Bradford Street
Hope Street to Wyoming Avenue
On-street Parking



September 14, 2009
3:00 PM

0 210 420 840 Feet

Legend

Car Parked On-Street

N

A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF UP TO $5,942,481 WATER AND SEWER REVENUE BONDS OF THE CITY OF DOVER FOR THE CONSTRUCTION OF CERTAIN WASTEWATER PROJECTS AND AUTHORIZING ALL NECESSARY ACTION IN CONNECTION THEREWITH

WHEREAS, the City of Dover (the "City") is authorized pursuant to Volume 52, Delaware Laws, Chapter 111, as amended by Volume 57, Delaware Laws Chapter 340, Volume 36 Delaware Laws, Chapter 158, as amended, and the City Charter (collectively the "Enabling Acts") to issue revenue bonds for the purpose of financing the extension, reconstruction or improvements to the City's water, sewer and electric systems;

WHEREAS, pursuant to the Enabling Acts, the City adopted a Bond Resolution on February 27, 1989 (the "Bond Resolution") providing for the issuance of water and sewer revenue bonds and pursuant to the Bond Resolution the City has issued and there remains outstanding its $7,980,000 Water and Sewer Revenue Bonds, Series 2003 (the "Outstanding Bonds");

WHEREAS, the City desires to issue additional revenue bonds pursuant to the Bond Resolution on a parity with the Outstanding Bonds;

WHEREAS, the City has approved certain capital improvements to its Water and Sewer Systems and desires to issue its additional parity revenue bonds pursuant to the Bond Resolution and to pay the costs of said improvements, including, but not limited to the following:

1. Route 13 Sanitary Sewer Interceptor
2. Fox Hall/Retreat Force Main Rerouting
3. Acorn Lane Pump Station Replacement #24
4. Delaware State University Pump Station #18
5. Inflow/Infiltration Removal/Sewer Main Relining

(the "Projects").

NOW THEREFORE THE CITY OF DOVER HEREBY ORDAINS (AT LEAST THREE FOURTHS OF THE MEMBERS OF COUNCIL CONCURRING HEREIN):

Section 1. Amount and Purpose of the Bonds. Acting pursuant to the Enabling Acts, and the Bond Resolution the City shall issue its negotiable obligations in the maximum aggregate principal amount not to exceed $5,942,481 to finance or refinance a portion of the cost of the construction and equipping of the Projects, an estimate of which is appended hereto as Exhibit A.

The monies raised from the sale of the Bonds (including the investment earnings thereon) after the payment of the costs of issuance, shall be expended only for the purposes authorized herein or as may otherwise be authorized by subsequent action by City Council. Authorized purposes include the costs of planning, constructing, acquiring and equipping the Projects or any portion thereof; interest on the Bonds and any interim financing during the construction period and for a period of up to one year following the estimated date of completion; the costs of

issuance of the Bonds and any interim financing; the repayment of temporary loans incurred with respect to the Projects; and the reimbursement of authorized costs previously expended by the City from other funds.

Section 2. Terms of the Bonds. The Bonds shall be sold to the Delaware Water Pollution Control Revolving Fund (the "SRF Fund") administered by the State of Delaware Department of Natural Resources and Environmental Control pursuant to the terms of its commitment letter dated August 25, 2009 (the "Commitment Letter"), a copy of which is appended hereto as Exhibit B, and the other terms and conditions to be contained in a Financing Agreement between the City and the SRF Fund (the "Financing Agreement").

It is anticipated that the interest rate on the loan shall be 2.0% if the Projects are under contract or in construction by December 30, 2009. Otherwise, the interest rate for the Loan will be based on the SRF Fund Interest Rate Policy.

Section 3. Security for the Bonds. The principal, interest and premium, if any, on the Bonds shall be payable solely from the City's Net Operating Revenue which is hereby pledged to secure the Bonds on a parity with the Outstanding Bonds. The full faith and credit of the City shall not be pledged to pay principal and interest on the Bonds.

Section 4. Rate Covenant. The City covenants that it will fix and collect rates, fees and other charges for the use of and for services furnished or to be furnished by the System, and will from time to time revise such rates, fees and other charges so that in each Fiscal year the Net Operating Revenue available to pay debt service on the Bonds will equal at least the principal and interest requirements for the Bonds. If, for any reason, the revenues are insufficient to satisfy the foregoing covenant, the City shall within ninety (90) days adjust and increase its rates, fees and other charges or reduce its Operating Expenses so as to provide sufficient Net Operating Revenue to satisfy such requirement.

Section 5. Details of the Bonds. The Mayor and City Treasurer are authorized to determine the details of the Bonds including the following: the date or dates of the Bonds; provisions for either serial or term bonds; sinking fund or other reserve fund requirements; due dates of the interest thereon; the form of the Bonds; the denominations and designations of the Bonds; registration, conversion and transfer provisions; provisions for the receipt, deposit and investment of the proceeds of the Bonds; provisions for the replacement of a lost, stolen, mutilated or destroyed Bonds; and provisions for issuing uncertificated obligations and all procedures appropriate for the establishment of a system of issuing uncertificated debt. The Bonds shall be executed by the manual or facsimile signature of the Mayor and City Treasurer, shall contain an impression of the City Seal of a facsimile thereof and shall be attested by the manual signature of the City Clerk.

Section 6. Further Action. The Mayor, the President of the City Council, the City Treasurer, the City Manager and the City Clerk are authorized and directed to take such other action on behalf of the City, as may be necessary or desirable to effect the adoption of this Resolution and the issuance and sale of the Bonds and to provide for their security and to carry out the intent of this Resolution, including the publication of notices and advertisements and the execution and delivery of customary closing certificates.

Section 7. Effective Date. This Resolution shall become effective immediately upon its passage. The City Clerk is hereby directed to publish once in a newspaper published in the City a notice in substantially the following form:

"NOTICE IS HEREBY GIVEN that the City Council of The City of Dover, Delaware on _____, 2009 pursuant to Chapter 111, Volume 52, Delaware Laws, as amended, adopted a resolution entitled as follows:

"RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF UP TO $5,942,481 WATER AND SEWER REVENUE BONDS OF THE CITY OF DOVER FOR THE CONSTRUCTION OF CERTAIN WASTEWATER PROJECTS AND AUTHORIZING ALL NECESSARY ACTION IN CONNECTION THEREWITH"

"The purpose of the issuance and sale of said bonds is to provide funds (approximately $5,942,481) to pay a portion of the costs of certain projects including, but not limited to: (1) Route 13 Sanitary Sewer Interceptor; (2) Fox Hall/Retreat Force Main Rerouting; (3) Acorn Lane Pump Station Replacement #24; (4) Delaware State University Pump Station #18; (5) Inflow/Infiltration Removal/Sewer Main Relining.

"Any action or proceeding to contest the validity of said resolution or any of its provisions must be commenced within thirty (30) days after publication of this notice. After expiration of such period of limitation, no right of action or defense founded upon the invalidity of said resolution or any of its provisions shall be asserted, nor shall the validity of said resolution or any of its provisions be open to question in any court upon any ground whatsoever, except in an action or proceeding commenced within such period."

By order of the City Council of the City of Dover.

_____
City Clerk

ADOPTED this __th day of _____, 2009.

CITY OF DOVER, DELAWARE

Attest:

_____ _____
Clerk, Dover City Council President, Dover City Council

APPROVED by the Mayor of the City of Dover on the __ day of _____, 2009.

_____
Mayor

Exhibit A

Estimated Costs of Projects

Project #	Description	Project Estimate
WW0810	Route 13 Sanitary Sewer Interceptor	$3,362,481
WW0905	Fox Hall/Retreat Force Main Rerouting	107,200
WW0907	Acorn Lane Pump Station Replacement #24	336,400
WW0902	Delaware State University Pump Station #18	336,400
WW0903	Inflow/Infiltration Removal/Sewer Main Relining	1,800,000
	Total Project Estimates	$5,942,481

Exhibit B

Commitment Letter

STATE OF DELAWARE
DEPARTMENT OF NATURAL RESOURCES & ENVIRONMENTAL CONTROL
DIVISION OF WATER RESOURCES
5 E. REED STREET, SUITE 200
DOVER, DELAWARE 19901

FINANCIAL ASSISTANCE BRANCH

TELEPHONE: (302) 739-9941
FAX: (302) 739-2137

August 25, 2009

Ms. Donna Mitchell,
Controller/Treasurer
City of Dover
Finance Department
P O Box 475
Dover, DE 19903-0475

RE: Delaware Water Pollution Control Revolving Fund, Binding Commitment Letter Offer, City of Dover – Wastewater Projects

Dear Ms. Mitchell:

On behalf of the Delaware Water Pollution Control Revolving Fund, (the "Fund"), the Delaware Department of Natural Resources and Environmental Control (the "Department") is pleased to advise you that a Loan (the "Loan") has been authorized from the Fund to the City of Dover (the "City") in the amount of **$5,942,481** for a term of **twenty (20) years**. The Loan will primarily be used for the construction costs associated with the City's approved wastewater projects (the "Projects"), namely

- Route 13 Sanitary Sewer Interceptor: $3,362,481
- Fox Hall/Retreat Force Main Rerouting: $107,200
- Acorn Lane Pump Station Replacement #24: $336,400
- Delaware State University Pump Station #18: $336,400
- Inflow/Infiltration Removal/Sewer Main Relining: $1,800,000

The interest rate for the Loan shall be of **2.0%**, if the Projects are under contract or in construction by **December 30, 2009**. Otherwise, the interest rate for the Loan will be based on the Fund's Interest Rate Policy; the current interest rate is **3.97%**. The City shall pay semi-annual interest only payments during construction based on cumulative loan disbursements. Amortized loan payments shall begin semi-annually after the completion of each project, respectively.

It is understood that a Water and Sewer Revenue Pledge of the City will secure the Loan. The City must, if applicable, provide the Fund with evidence that other funds and/or financing are in place for the Project costs not funded with the proceeds of the Loan, prior to the closing of the Loan. All legal costs, incurred by the Fund, associated with loan closing shall be borne by the City and will become a part of loan proceeds.

It is further understood that the Loan is subject to the following recommendations of the Clean Water Advisory Council:

- Due to inadequate capacity at the Kent County Pump Station #2, the City of Dover shall not re-route sewer flows from the Fox Hall/Retreat Pump Station to the Kent County Pump Station #2 until a future force main connection is made from the Delaware State University Pump Station #18 to the proposed Route 13 Interceptor and,

- The City of Dover and Kent County shall develop and coordinate a sequence outlining the construction and operation of the proposed projects

The Fund reserves the right to withdraw or alter the terms of the commitment if, between the date of the City's loan application and the date of the closing, the City incurs any debt or its financial condition changes in any way deemed material by the Fund at its sole discretion. Loan closing and the disbursement of funds in connection therewith shall remain subject to satisfaction of any condition prerequisite thereto established by the Fund. The City shall comply in all respects with all applicable Fund project requirements and reporting, federal laws, regulations and other requirements related to or arising out of or in connection with the Project and the funding thereto by the Fund. The City shall also comply in all respects with the Federal Single Audit Act and OMB Circular A-128, as a sub recipient of Federal funds. The Catalog of Federal Domestic Assistance (CFDA) number for the Fund is 66.458. Where noncompliance of such requirements is determined by the Fund or the Department, the issue shall be referred to the Proper Federal authority and/or agency for consultation and/or enforcement action.

If you have any questions concerning the foregoing, please contact this office (302) 739-9944. If you concur with the terms and conditions herein stated, please acknowledge your acceptance thereof by signing below and returning the original to this office no later than September 15, 2009.

If Loan closing shall not have occurred within 120 days of receipt of this letter, the Fund reserves the right to discontinue processing the City's application.

Sincerely,
FOR THE DELAWARE WATER POLLUTION CONTROL REVOLVING FUND

Terry L. Deputy, CEcD
Administrator
Financial Assistance Branch
Division of Water Resources

The foregoing terms and conditions are hereby acknowledged and accepted this day of _____, _____.

By: _____
Donna Mitchell,
Controller/Treasurer

(SEAL OF THE CITY)

cc: Katherine Burting-Howard, DNREC
Ron Lunt, City of Dover
Brian Turner, City of Dover
Ryan Flickinger, KCI Technologies
Hans Medlarz, Kent County