REGULAR COUNCIL MEETING

A G E N D A

July 13, 2009 - 7:30 P.M. - Council Chambers - City Hall - City of Dover

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

INVOCATION BY CHAPLAIN WALLACE DIXON

PLEDGE OF ALLEGIANCE

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 June 22, 2009

2. Presentations
   A. Certificate of Appreciation - 4th of July Committee
   B. Certificate of Appreciation - Juana Fuentes-Bowles - Delaware Human Relations Office

3. Mayor Carleton E. Carey, Sr. Veto - Motion Adopted by City Council on June 22, 2009 - Adoption of Fiscal Year 2009/2010 General Fund - Cash Receipts and Budget Ordinance

4. Mayor Carleton E. Carey, Sr. Veto - Motion Adopted by City Council on June 22, 2009 - Adoption of Fiscal Year 2009/2010 Water/Wastewater Fund - Revenue and Budget Ordinance

5. Mayor Carleton E. Carey, Sr. Veto - Motion Adopted by City Council on June 22, 2009 - Adoption of Fiscal Year 2009/2010 Electric Revenue Fund - Revenue and Budget Ordinance

* 6. Legislative, Finance, and Administration Committee Report - June 22, 2009
   A. Review and Recommendation - Filling of Critical Positions
      (Committee Action Not Required)
   B. Proposed Ordinance No. 2009-05 - Chapter 102 - Taxation
      (Committee Recommended Adoption of Ordinance #2009-05) (See Item #11-A)
   C. Phase II of the MAG Study
      c-1. MAG Recommendations
      c-2. Employee Recommendations
      (Tabled by Committee on June 22, 2009)

* 7. Safety Advisory and Transportation Committee Report - June 24, 2009
   A. Briefing on DelDOT Projects - Gary Laing
      (Committee Action Not Required)
   B. Briefing on MPO Projects - James Galvin and Juanita Wieczoreck
      (Committee Action Not Required)

* 8. Monthly Reports - May 2009
   A. Budget Report
   B. Chief of Police Report
   C. City Assessor Report
   D. City Manager's Report
   E. Planning Director's Report
   F. Dover Fire Department Report
   G. CIP Report

* 9. Reappointment Recommended by Mayor Carey - Ethics Commission - Nancy Shevock - Five (5) Year Term to Expire July 31, 2014

* 10. Appointment Recommended by Mayor Carey - Dover 4th of July Celebration Committee - Karen Nickerson - Term to Expire May 10, 2010

11. First Reading - Proposed Ordinances
    The First Reading is offered on the following proposed ordinances. Final action by Council will take place during the Second Reading of the ordinances on July 27, 2009. 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. 2009-05 - Chapter 102 - Taxation
       a-1. Article I - In General, Section 102-5 - Income and Expense Reports
       a-2. Article III - Realty Transfer Tax, Section 102-77 - Duties of City Assessor
       a-3. Article VI - Exemptions; Tax Appeals Committee, Section 102-185 - Appeals
       Legislative, Finance, and Administration Committee
    B. 2009-16- Chapter 2 - Administration, Article IV - Officers and Employees, Division 1 - Generally, Section 2-201 (2) - Compensation and expenses for mayor, council, employees and other elected or appointed officials; Councilmembers generally

12. Council Members Announcements

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REGULAR COUNCIL MEETING

The Regular Council Meeting was held on June 22, 2009 at 7:30 p.m. with Council President Williams presiding. Council members present were Mr. Leary, Mrs. Russell, Mr. McGlumphy, Mr. Slavin, Mr. McGiffin, Mr. Hogan, and Mr. Salters. Mr. Ruane was absent.

Council staff members present were Police Chief Horvath, Ms. Russell, Mrs. Mitchell, Mrs. Melson-Williams, Fire Chief Strochine, Mr. DePrima, City Solicitor Rodriguez, Mrs. McDowell, and Mayor Carey.

OPEN FORUM

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

There was no one present wishing to speak during the Open Forum.

Members held a moment of silence for the family of Council President Williams, noting the death of her mother, Mrs. Elizabeth Humble Carter.

The invocation was given by Chaplain Dixon, followed by the Pledge of Allegiance.

AGENDA ADDITIONS/DELETIONS

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

Mr. McGlumphy moved for approval of the Consent Agenda, seconded by Mr. McGiffin and carried by a unanimous roll call vote (Mr. Ruane absent).

ADOPTION OF MINUTES - SPECIAL COUNCIL MEETING OF MAY 19, 2009

The Minutes of the Special Council Meeting of May 19, 2009 were unanimously approved by motion of Mr. McGlumphy, seconded by Mr. McGiffin and bore the written approval of Mayor Carey.

ADOPTION OF MINUTES - SPECIAL COUNCIL MEETING OF JUNE 1, 2009

The Minutes of the Special Council Meeting of June 1, 2009 were unanimously approved by motion of Mr. McGlumphy, seconded by Mr. McGiffin and bore the written approval of Mayor Carey.

ADOPTION OF MINUTES - REGULAR COUNCIL MEETING OF JUNE 8, 2009

The Minutes of the Regular Council Meeting of June 8, 2009 were unanimously approved by motion of Mr. McGlumphy, seconded by Mr. McGiffin and bore the written approval of Mayor Carey.

CERTIFICATE OF RECOGNITION - ZACHERY CARTER - INDUCTION INTO DELAWARE BASEBALL HALL OF FAME

Mayor Carey presented the following Certificate of Recognition to Mr. Zachery Carter in recognition of his induction into the Delaware Baseball Hall of Fame:

This certificate of recognition is being presented to Mr. Zachery Carter on this twenty-second day of June, two thousand and nine for his outstanding achievement of being inducted into the Delaware Baseball Hall of Fame. His long devotion to baseball is very admirable and we wish him much success in all future endeavors. Congratulations and best wishes from his City of Dover family.

PRESENTATION - RECOGNITION OF SERVICE - JOHN LINK - SAFETY ADVISORY AND TRANSPORTATION COMMITTEE *(MAY 2005 - MAY 2009)*

On behalf of members of Council, Mayor Carey presented Mr. John Link with a Dover Cup in recognition of his service on the Safety Advisory and Transportation Committee from May 2005 through May 2009.

PUBLIC HEARING/FINAL READING - PROPOSED ORDINANCE #2009-09 - APPENDIX F - FEES AND FINES

A public hearing was duly advertised for this time and place to consider Ordinance #2009-09, which proposes to establish a new Appendix F - Fees and Fines.

Mr. Leary moved that the Final Reading of the proposed ordinance be acknowledged by title only, seconded by Mr. Hogan and unanimously carried. *(The First Reading of the ordinance was accomplished during the Council Meeting of May 11, 2009)*

Mr. DePrima advised members that the ordinance places all of the fees and fines currently located throughout the Dover Code into a new Appendix F - Fees and Fines. He noted that the appendix was created to provide ease of access to the fees and fines for reference and amendments. Mr. DePrima emphasized that there were no new or increased fees or fines.

Mrs. Melson-Williams, Principal Planner, advised members that the Planning Commission reviewed the amendments to Appendix A - Land Subdivision and Appendix B - Zoning. She noted that the Planning Commission discovered a few omissions; however, the ordinance has been amended to include the omissions and the Planning Commission recommended approval of the consolidation of the fees into Appendix F.

Council President Williams declared the hearing open.

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

Mr. McGlumphy moved for adoption of Ordinance #2009-09, seconded by Mr. Hogan and carried by a unanimous roll call vote (Mr. Ruane absent), Council adopted Ordinance #2009-09 (Exhibit #1).

SETTING OF PROPERTY TAX RATES FOR FISCAL YEAR 2009/2010

The current property tax rate for the City of Dover is thirty-three cents ($0.33) per one hundred of assessed valuation. The proposed budget maintains the same rate for the upcoming tax billing.

Mr. Salters moved that the property tax rate remain at thirty-three cents ($0.33) per one hundred dollars of assessed valuation for the upcoming 2009/2010 property tax billing. The motion was seconded by Mr. Hogan and carried by a unanimous roll call vote (Mr Ruane absent).

TAX APPEALS COMMITTEE REPORT OF MAY 20, 2009

The Tax Appeals Committee met on May 20, 2009 with Chairman Hogan presiding.

Exemption - Children's Choice Properties

Location: 707 Walker Road (ED05067.15-04-76.01)

Assessor's Comments: Staff recommended consideration of approval.

Background and Analysis:

This parcel falls under State Statue 9 Del. C. §8105 Property Owned by Governmental religious educational or charitable agency.

Mr. Corbett and Ms. Neal came to the meeting to represent the organization. They both informed the Committee about the purpose and services of the organization. The organization provides service to foster children and training for parents who would like to become foster parents. The organization has been in business for about 25 years.

The Committee recommended approval of the exemption.

By consent agenda, Mr. McGlumphy moved for approval of the Committee's recommendation. The motion was seconded by Mr. McGiffin and carried by a unanimous roll call vote (Mr. Ruane absent).

Exemption - NCALL

Location: 363 Saulsbury Road (ED05-067.19-02-02.02)

Assessor's Comments: Staff recommended consideration of approval.

Background and Analysis:

This parcel falls under State Statue 9 Del. C. §8105 Property Owned by Governmental religious educational or charitable agency.

Mr. Joe Myer represented the organization. The organization has been in Dover since 1976. They are a non-profit organization which provides affordable housing work, homeownership counseling, as well as foreclosure counseling.

The Committee recommended acceptance of the application for exemption.

Councilman McGiffin excused himself, as he sits on the Board of Directors for this organization.

By consent agenda, Mr. McGlumphy moved for approval of the Committee's recommendation. The motion was seconded by Mr. McGiffin and carried by a unanimous roll call vote (Mr. Ruane absent).

Exemption - Maple Glen Homeowner Association
Location: 363 Saulsbury Road (ED05-056.20-01-48.00)

Assessor's Comments: Staff recommended consideration of approval.

Background and Analysis:

This parcel falls under State Statue 9 Del. C. §8110 Civic Organizations Owning Parkland.

Before the Committee met with the Association, Councilman Hogan asked Ms. Russell to explain why there are six parcels associated with this request for exemption. Ms. Russell stated that these parcels are considered open spaces and are part of the development.

Ms. Akin and Ms. Shernofsky came to the meeting to represent the Association.

Ms. Akin went over the upcoming expenses the Association would have and explained to the Committee that the Association would not have the funds to cover all of the expenses. Councilman Hogan asked if these parcels were all connected. Ms. Akin and Ms. Shernovsky explained where in the neighborhood these parcels were and what they are being used for. It was explained to the Committee that these parcels are common spaces and will not be able to be sold for any development. After going through the paperwork the Maple Glen Homeowners Association provided, Councilman McGiffin noticed that the exemption form 501(C)3 or the Certificate of Incorporation, which would indicate that the organization is a non-profit organization was missing fr0m the paperwork which had been filed for the appeal. Councilman McGiffin emphasized the importance of these papers and that one of these would be needed in order for the Committee to make any recommendations.

The Committee recommended acceptance of the exemption under the condition that the organization provide either the 501(C)3 or the Certificate of Incorporation before the Council meeting scheduled for June 22, 2009. *(City Clerk's Office Note: The City Assessor has confirmed that the necessary documentation was provided by the applicant)*

By consent agenda, Mr. McGlumphy moved for approval of the Committee's recommendation. The motion was seconded by Mr. McGiffin and carried by a unanimous roll call vote (Mr. Ruane absent).

Exemption - Bayhealth Medical Center
Location: 547 South Governor's Avenue (ED05-056.20-01-47.00)

Assessor's Comments: Staff recommended consideration of approval.

Background and Analysis:

This parcel falls under State Statue 9 Del. C. §8105 Property owned by Governmental religious educational or charitable agency.

Mr. Jerry White, Senior Vice President of Kent General Hospital, represented Bayhealth Medical Center.

Councilman Hogan asked Mr. White to explain where the property is located. He stated that the property is located right next to the old NAPA building. He explained that the hospital bought the property a long time ago and has been using it for parking until now, and that the building has been used as a central utility building up until now. Councilman McGiffin asked what exactly the building is to be used for. Mr. White explained that the building is to be used as support for the new emergency room, which is going to be twice the size of old emergency room, as well as a new cancer unit.

The Committee recommended acceptance of the application for exemption.

By consent agenda, Mr. McGlumphy moved for approval of the Committee's recommendation. The motion was seconded by Mr. McGiffin and carried by a unanimous roll call vote (Mr. Ruane absent).

Exemption - Kent Swimming Club
Location: 825 Kenton Road (ED05-067.18-02-01.00)

Assessor's Comments: Staff recommended consideration of approval.

Background and Analysis:

This parcel falls under State Statue 9 Del. C. §8105 Property Owned by Governmental religious educational or charitable agency.

Mr. Dave Casto was present to represent the swimming club.

Mr. Casto explained to the committee that the club has had financial difficulties for a number of years. The swim club pays a number of electric charges, which they have talked to the City of Dover about to see if they could get a reduced rate, due to the high utility demand the club has. Mr. Casto

went over the different recreational programs the club offers. He believes that because of the service the club provides for the community there should be some kind of tax break.

Councilman Hogan pointed out that the club did not have a copy of the 501(C)3 in their appeal paperwork. Councilman McGiffin explained that the Certificate of Corporation would also be acceptable. Councilman Hogan emphasized the importance of these papers and that at least one of them has to be brought to the Assessor's Office before the June 22, 2009 Council Meeting. Councilman Hogan asked if the club has thought about selling part of the land. Mr. Casto stated that they did try to sell 15 acres but where not able to for the money they asked. Councilwoman Russell asked if the club has a lot of minority members. Mr. Casto stated that there are a few but not as many he would like to see. Councilwoman Russell also wanted to know how the club advertises. Mr. Casto explained that the club has a big sign on its premises and that some of the members hand out flyers. Councilwoman Russell asked what the club would do for the City if it would become exempt from property tax, at which time Mr. Casto offered some of his lifeguard staff to guard the Silver Lake swim area or he also suggested that the club could offer free swim lessons.

The Committee recommended approval of the exemption on the condition the club provides the 501(C)3 or the Certificate of Incorporation before the June 22, 2009 Council Meeting. *(City Clerk's Office Note: The City Assessor has confirmed that the necessary documentation was provided by the applicant)*

By consent agenda, Mr. McGlumphy moved for approval of the Committee's recommendation. The motion was seconded by Mr. McGiffin and carried by a unanimous roll call vote (Mr. Ruane absent).

Exemption - Greater Dover Foundation

Locations: 156 South Bradford Street (ED05-077.09-02-28.00), 158 South Bradford Street (ED05-077.09-02-29.00), and 101 West Loockerman Street (ED 05-077.09-02-33.00)

Assessor's Comments: Staff recommended consideration of approval.

Background and Analysis:

This parcel falls under State Statue 9 Del. C. §8105 Property Owned by Governmental religious educational or charitable agency.

Ms. Rebecca Kidner represented the Greater Dover Foundation. She is the Vice President of the organization and also a volunteer for the organization.

Ms. Kidner explained that the organization just received their 501(C)3 exemption status in 2008. She stated that the organization saw the need for a community service building where Non- Profit Organizations, such as Read Aloud and United Way, could be housed for a low rental cost. Demolition and renovation have started and they hope to be done by the end of the summer. She explained that only 501(C)3 charitable organizations will be able to rent within the building. Councilman McGiffin pointed out that the City Charter request that the organization requesting an exemption, has to be at 501(C)3 status before July 14,1988. Ms. Kidner was aware of this legislation

but was under the understanding that the City Council would grant exemptions to organizations that are here to help the community.

The Committee recommended acceptance of the application for exemption.

By consent agenda, Mr. McGlumphy moved for approval of the Committee's recommendation. The motion was seconded by Mr. McGiffin and carried by a unanimous roll call vote (Mr. Ruane absent).

Farmland Exemption - Bay Village of Dover LLC
Location: White Oak Road and Long Point Road

Assessor's Comments: Staff recommended consideration of approval.

Background and Analysis:

LC05-068.00-01-03.01, LC05-069.00-01-04.0, LC05-069.00-01-05.00, LC05-068.00-01-06.00 and LC05-069.00-01-06.00

Per City Ordinance Chapter 102 Article II sec. 102.31, the first three parcels do not meet the requirement for the minimum land size. Mr. Shank has requested a consolidation of these lands with the parcel LC05-068.00-01-06.00.

Before Mr. Shank came to the meeting Ms. Russell informed the Committee about the Farmland Exemption. She also showed the Committee, by help of maps, where exactly the properties are located.

Ms. Russell also explained that two of the parcels would be too small for the exemptions and that Mr. Shank has already contacted the Planning Department to have these two parcels combined with a third parcel. Ms. Russell also explained that part of the property that the pole barn is located on, will be pulled out of the exemption and will be taxed, plus one acre of land.

Mr. Shank represented BayVillage of Dover, LLC.

Committee Members asked Mr. Shank to show on the map which parcels are to be consolidated and what parcel will be used for the proposed development. Mr. Shank is currently growing corn and soy beans but hopes to turn the farm into an organic farm.

The Committee recommended approval of the farmland exemption.

By consent agenda, Mr. McGlumphy moved for approval of the Committee's recommendation. The motion was seconded by Mr. McGiffin and carried by a unanimous roll call vote (Mr. Ruane absent).

By consent agenda, Mr. McGlumphy moved for acceptance of the Tax Appeals Committee Report of May 20, 2009, seconded by Mr. McGiffin and carried by a unanimous roll call vote (Mr. Ruane absent).

TAX APPEALS COMMITTEE REPORT OF MAY 21, 2009
The Tax Appeals Committee met on May 21, 2009 with Chairman Hogan presiding.

Withdrawal - Subramaniya, Venkataraman
Location: 228 Saxondale Lane

Ms. Russell explained to the Committee that Mr. Subramaniya wanted to have his assessment changed because he purchased the home for a much lesser price. When the Assessor's Office researched Mr. Subramaniya's purchase price, it came to their attention that the house was offered at a much lower price than it was listed for, at which time Mr. Subramaniyam withdrew his appeal.

The committee recommended acceptance of the withdrawal.

By consent agenda, Mr. McGlumphy moved for approval of the Committee's recommendation. The motion was seconded by Mr. McGiffin and carried by a unanimous roll call vote (Mr. Ruane absent).

Stipulation - Congregation Beth Sholom
Location: 621 Carol Street (ED05-067.16-01-52.00)

Original Value: $220,900
Stipulated Value: $141,500

Background and Analysis:

Mr. Stuart Handler, a representative for Congregation Beth Shalom, contacted the Assessor's Office early this year because of a new value placed on this property. The phone conversation was initially concerning the idea of this property being considered exempt due to being owned by the congregation. The Assessor's Office researched leases for this property and realized that the property was being leased. Mr. Handler did agree that if the Rabbi did not wish to reside at this property, then it would be rented out.

This property was originally valued for $88,300 in the last billing cycle. When we recalculated the value for this property, the value that calculated was $220,900. This is the value that was appealed.

After looking into the matter, the Assessor's office realized that the property classification was for an armory and a house. The system had valued additional information. This clerical error was corrected and the property owner was contacted with a new value, which was accepted by the appellant.

Ms. Russell explained to the Committee that there had been a clerical error in the system and that after the appeal had been filed, the Assessor was able to make the necessary corrections, which were accepted by the owner.

The Committee recommended acceptance of the stipulation.

By consent agenda, Mr. McGlumphy moved for approval of the Committee's recommendation. The motion was seconded by Mr. McGiffin and carried by a unanimous roll call vote (Mr. Ruane absent).

Stipulation - 44 AASHA Hospitality
Location: 1706 North DuPont Highway (ED05-057.01-02-07.01)

Original Value: $8,269,600
Stipulated Value: $6,069,000

Background and Analysis:

Dr. Patel had originally met with the Assessor's Office when the new value had been placed on his property for new construction. Dr. Patel had expressed concern for his land value at that time. He was informed that at that time for the supplemental billing, he could only appeal the added value. During the informal appeal, the value was looked at and an agreement based on the surrounding land values was accomplished.

The property owner was contacted with a new value, which was accepted by the appellant.

Ms. Russell explained to the Committee that the land value had been increased by too much by the former Assessor. After Ms. Russell looked into the matter, the necessary correction was made, which was excepted by the appellant.

The Committee recommended acceptance of the stipulation.

By consent agenda, Mr. McGlumphy moved for approval of the Committee's recommendation. The motion was seconded by Mr. McGiffin and carried by a unanimous roll call vote (Mr. Ruane absent).

Stipulation - 1251 Limited
Location: 179 North DuPont Highway (ED05-068.18-01-33.00)

Original Value: $1,053,500
Stipulated Value: $ 348,300

Background and Analysis:

Information was supplied by LD Shank. Income and Expense Statements from 2003, 2004, and 2008 were submitted. The 2008 Income and Expense was a more detailed report and the Gross Income was similar to the earlier years submitted.

We reconstructed the Income and Expense report by adding the taxes back into the report and a value of $340,900 was calculated by the Assessor. Not understanding why there was still such a huge difference in value, the Property Record Card was thoroughly reviewed. It was found that in 2005 during the last revaluation, the property was incorrectly labeled. Once the error was corrected a value of $348,300 was calculated using the CAMA software.

An informal hearing was requested with Mr. Shank and his Appraiser, Mr. Gerry Records. The Assessor's Office noted the year of the Income and Expense Report that was used was from 2008 and not from the period of the last revaluation, and because the value was so close, we were recommending the value that was generated from the CAMA system be used. The information that was used from CAMA was a model generated from Income and Expense statements that were submitted during the revaluation from 2005.

The new value was accepted by the appellant.

Ms. Russell explained to the Committee, that this had not been the first time Mr. Shank tried to appeal the value of this property but was denied by the previous Assessor.

By looking at the CAMA software Ms. Russell found that some of the information had been incorrectly labeled. Ms. Russell made the necessary correction. The new value was accepted by the appellant.

The Committee recommended acceptance of the stipulation.

By consent agenda, Mr. McGlumphy moved for approval of the Committee's recommendation. The motion was seconded by Mr. McGiffin and carried by a unanimous roll call vote (Mr. Ruane absent).

Stipulation - Fogarty Enterprises
Location: 77 Acres - Lafferty Lane

Original Value: $ 4,847,800
Stipulated Value: $ 1,829,100

Background and Analysis:

Mr. Fogarty had requested an appeal of this property with Mr. Capuano in the fall of 2006 when this property was purchased and taken out of the Farm Land Exemption. At that time, Mr. Capuano had denied his request for an appeal since it was after the 30 day appeal period. Mr. Fogarty neglected to appeal the value in April 2007 and April 2008.

The property owner came in for an informal appeal on May 6, 2009. Before this meeting, the Assessor's Office had researched area land sales and comparables and realized that the land was being valued as if it was not raw land. The property owner also submitted information that noted 34 acres of wetland.

Mr. Fogarty also submitted an appraisal from the bank when he purchased the property. This appraisal was reviewed, but could not be submitted as evidence since the City of Dover was not the intended user.

The property owner was going to request being put back into the Farm Land Program, but after much discussion, we determined that he was coming to the City for Site Plan Approval within the next 6 months and would have to be pulled back out of the program and taxed for the July taxes.

After looking into the matter, the Assessor's office realized that the land value was not correct and was recalculated. The property owner was contacted with a new value, which was accepted by the appellant.

Ms. Russell explained to the Committee that Mr. Fogarty did supply the Assessor's Office with information about the wetlands. After looking into the matter, the Assessor noticed a discrepancy with the land value and made the necessary changes. These changes were accepted by the appellant.

The Committee recommended acceptance of the stipulation.

By consent agenda, Mr. McGlumphy moved for approval of the Committee's recommendation. The motion was seconded by Mr. McGiffin and carried by a unanimous roll call vote (Mr. Ruane absent).

Discussion - Tudor Industrial Park

Ms. Russell explained that this appeal was similar to Mr. Fogarty's appeal, but that Mr. Tudor decided to have an appraisal done, which should be done by the end of May.

Discussion - Harman Brothers

Ms. Russell stated that this appellant decided to get an appraisal as well, which should be done by the end of May.

By consent agenda, Mr. McGlumphy moved for acceptance of the Tax Appeals Committee Report of May 21, 2009, seconded by Mr. McGiffin and carried by a unanimous roll call vote (Mr. Ruane absent).

SPECIAL UTILITY COMMITTEE REPORT - JUNE 1, 2009

A Special Utility Committee Meeting was held on June 1, 2009 with Chairman Ruane presiding.

Financial Forecast

Members were provided a Presentation of the 5-Year Financial Forecast for both the Electric Fund and Water/Wastewater Fund. Mrs. Mitchell, Controller/Treasurer, advised members that the forecast was developed based on certain assumptions and are subject to change.

Electric Fund

Mrs. Mitchell, Controller/Treasurer, reviewed the 5-Year Financial Forecast for the Electric Fund.

Responding to Mr. Ruane regarding the carbon tax (also referred to as a cap and trade), Mrs. Mitchell explained that a carbon tax has not been included in the forecast and that such an item would be reflected in the City's power supply cost. She concurred that this item is a variable that could change the forecast for the future. Mr. DePrima, City Manager, also noted that the carbon tax could be reflected in the value of emissions credit.

Referring to purchased power, Mr. Snaman questioned why the costs are declining each year. Responding, Mrs. Mitchell explained that the hedges the City has in place are at the lower market rates and it is a combination of what is in place and what they are forecasting in the open market position.

Mrs. Mitchell advised members that during the budget process, she suggested that the financial forecasts be conducted in January, before the budget process begins, which would allow for a better understanding of the City's position before preparing a draft budget. Mr. Ruane concurred and requested that there be an understanding that the Committee would be provided a revision of the Financial Forecasts in January.

The Committee recommended acceptance of the Electric Fund Financial Forecast with the understanding that the Committee would be provided a revision by January 2010.

By consent agenda, Mr. McGlumphy moved for approval of the Committee's recommendation. The motion was seconded by Mr. McGiffin and carried by a unanimous roll call vote (Mr. Ruane absent).

Water/Wastewater Fund

Mrs. Mitchell, Controller/Treasurer, reviewed the 5-Year Financial Forecast for the Water/Wastewater Fund.

In response to Mr. Snaman regarding the manner in which the rates are raised for those customers who are "out of city", Mr. DePrima, City Manager, advised members that the rates for "out of city" customers has traditionally been set to be 50% more than the "in city" rate. Mrs. Tieman, Senior City Administrator, indicated that the "out of city" rate is actually 1.5 times the "in city" rate.

Mr. Snaman suggested the possibility of increasing rates for "out of city" customers, explaining its benefits and incentive for annexation of property. Responding, Mr. DePrima stated that the "out of city" rates have not been proven to be an incentive for annexation and does not make up for the added tax that would be instituted. He recommended setting the rates based on a cost of service rather than as an incentive; however, he feared that a cost of service may not support the current "out of city" rate (50%). He also relayed concern with alerting the Public Service Commission, explaining that the City is not currently regulated by the Public Service Commission and he fears that if they began to receive complaints regarding the City's "out of city" rate, then they may become involved.

Mrs. Mitchell advised members that this information was reviewed by the City's financial advisor, Public Financial Management, and that they indicated that the forecast is an aggressive plan under a normal economic environment and relayed concern that approximately 30% of the City's revenue will be attributed to rate increases.

Mrs. Mitchell provided members with "Alternative Forecasts - Combined Revenues and CIP" developed by staff and briefly reviewed and explained the various alternatives.

Due to time constraints, Mr. Ruane requested that the alternatives be presented back to the Committee at a future meeting to allow for further discussion and consideration.

The Committee recommended acceptance of the Water/Wastewater Fund - Five Year Financial Forecast, dated June 1, 2009, along with a commendation to Mrs. Mitchell and her staff for the work conducted on this matter.

By consent agenda, Mr. McGlumphy moved for approval of the Committee's recommendation. The motion was seconded by Mr. McGiffin and carried by a unanimous roll call vote (Mr. Ruane absent).

By consent agenda, Mr. McGlumphy moved for acceptance of the Special Utility Committee Report, seconded by Mr. McGiffin and carried by a unanimous roll call vote (Mr. Ruane absent).

PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE REPORT - JUNE 8, 2009

The Parks, Recreation, and Community Enhancement Committee met on June 8, 2009, with Chairwoman Russell presiding.

Presentation - Skate Park Update by Dover Public Skate Park Committee

On behalf of the Skate Park Committee, Mr. Chris Asay provided the Committee with an update on plans for a skate park. He explained that the Skate Park Committee had intended to come before the City to request a substantial amount of money to construct a permanent park. However, Mr. Asay acknowledged that, due to the current economic crisis, there are not sufficient funds available for a large regional skate park at this time. Reiterating the need for a skateboarding facility in the area, he requested the City's support building a temporary skate park. Under this plan, the City would provide a paved area that members of the Skate Park Committee would develop into a temporary park until such time as the economy improves and a permanent park can be constructed.

Mr. Asay stated that the skate park would be constructed by volunteers, with the approval of Mr. Carter, Parks and Recreation Director, using donated materials. Construction would be a step-by-step process that would take place as materials become available. Mr. Asay presented a conceptual drawing to convey an idea of what such a park might look like. He explained that the Skate Park Committee and volunteers would be responsible for regular cleaning and management and that park hours would be from dawn to dusk. He requested that the City provide a port-a-potty at the site. It was his understanding that the City's insurance carrier would cover the park as long as the property was properly posted, and with the requirement that the park not be monitored.

Mr. Asay requested the Committee's endorsement of the temporary skate park so that the proposal could be forwarded to City Council.

In response to Mr. Lewis, Mr. Asay stated some of the locations being considered included a parking lot south of Court No. 7, near the Police Department, the eastern half of the Pitts Center parking lot, the former Capital Cleaners site owned by Mr. Outten on Governors Avenue, and a parking lot near the site proposed for the new City library. He emphasized that, at this point, the Committee's approval of the concept of a temporary skate park was being sought rather than an endorsement of a particular site.

In response to Mr. Hogan, Mr. Asay stated that at least 10,000 square feet (s.f.) would be required for a temporary park (as opposed to 16,000 square feet (s.f.) proposed for the permanent park) and that a park could conceivably be ready for use within two (2) months after approval, although several more months would be required for completion.

Mr. DePrima, City Manager, noted that using existing parking lots such as the Pitts Center and the area near the Police Department would present a violation of zoning ordinances, as zoning laws dictate a minimum number of parking spaces that must be available for these properties. In addition, Mrs. Townshend, Director of Planning and Community Development, explained that long-term, temporary use of a parking lot would also require site plan review, due to a change in use of the property. She also felt that the Pitts Center parking lot was heavily used during peak seasons and would not be a good option for this reason.

Mrs. Horsey expressed opposition to the Capital Cleaners location due to its proximity to the Historic District, the fact that it is unsafe due to traffic issues, and its location on a truck route. She noted that it is not a City-owned property. She feared that if it was approved as the location for a temporary skate park, it might then progress to a permanent site. She stated that this was not a preferred site for a permanent park in the Skate Park Committee's original report, and she did not feel that it should be considered for a temporary park.

Mr. Eugene Stone, Skate Park Committee, stated that he shared Mrs. Horsey's concerns regarding traffic but felt that provision of a sanctioned skate park would reduce this danger, as well as the threat to historic property.

Mr. DePrima suggested that the west side of Silver Lake Park near Washington Street might be a suitable location. He noted that the area is currently unpaved and that it already contains a port-a-potty. Mr. Carter, Parks and Recreation Director, concurred that this would be an acceptable area for a skate park.

In response to Mrs. Russell, Mr. Asay stated that the Skate Park Committee would consider using the Silver Lake location as a possible spot for the temporary skate park and would try to raise money for paving if the City cannot provide this service. He also noted that the Capital Cleaners site was eliminated from consideration for a permanent park due to the presence of hazardous materials that would complicate or prohibit excavation.

Mr. Dave Braun, Braun Engineering and Surveying, and owner of property adjacent to Capital Cleaners, stated his opposition to that location as a temporary skate park. He noted that over the past three (3) or four (4) years he has occasionally had to call the police to have skateboarders removed from the site due to language or safety issues. He stated that part of the lot is used as an alley, which is often obstructed by skateboarders and equipment and noted that there is a problem with trash. He urged the Committee to consider the welfare of the surrounding neighborhood. He agreed that skaters need a site; however, he did not feel that the Capital Cleaners location should be an option.

Mr. Stone responded that the area was unkept; however, he did not feel that skaters were necessarily responsible. He stated that one of the goals of the Skate Park Committee would be to clean and maintain the site.

Mr. Carter concurred with the concept of a temporary park. He felt that Silver Lake was the preferred location and that the Silver Lake Commission should be consulted.

Mr. Hogan moved to approve the concept of a temporary skate park with final site decision to be determined and brought back to the Committee. The motion failed for lack of a second.

Mr. DePrima stated that he had been negotiating with Mr. Outten to donate or lease his land at the Capital Cleaners site and requested the Committee's guidance as to whether this option should be pursued or if the site should be removed from consideration.

The Committee recommended approval of the concept of a temporary skate park with final site decision to be determined and brought back to the Committee, with the understanding that the Capital Cleaners location would be removed from consideration.

By consent agenda, Mr. McGlumphy moved for approval of the Committee's recommendation. The motion was seconded by Mr. McGiffin and carried by a unanimous roll call vote (Mr. Ruane absent).

Status Report on Americans With Disabilities Act (ADA) Compliance

During their meeting of December 8, 2008, the Committee recommended that the City Manager be instructed to provide an updated ADA compliance document to correspond with the showing of the effort to be made and what projects are remaining for total ADA compliance. Mr. DePrima provided the Committee with a status report on the City's ADA Compliance Plan implemented in 2004, which indicated that out of 121 recommended improvements made in 2004, all but 26 items have been completed. He noted that an additional six (6) items were completed (replacement of paper towel dispensers) since the report was prepared and that by July 1, 2009, four (4) ADA-compliant port-a-potties will be installed in City parks, leaving 16 items remaining. Widening the bathrooms at the Dover Park is the biggest project remaining, as well as making the floor of the Council Chamber handicapped accessible.

Mr. DePrima thanked the Committee for having provided funding for this project through the Community Development Block Grant Program.

Proposed Ordinance #2009-12 - Appendix B - Zoning, Article 3 - District Regulations, Section 1 - One-Family Residence Zones, Subsection 1.15 - Accessory Uses and Article 6 - Off-Street Parking, Driveways and Loading Facilities, Section 3 - Required Off-Street Parking Spaces

Members were provided Proposed Ordinance #2009-12. Mrs. Townshend, Director of Planning and Community Development, advised members that parking requirements for libraries had been revised to conform with current American Library Association (ALA) standards. Other changes include alterations in requirements for medical offices, dormitories, and restaurants. She noted that parking requirements for bowling alleys are determined by zoning district standards and, therefore, were removed. Mrs. Townshend explained that the "cash-in-lieu" provision was modified to allow a 75% parking reduction in the downtown area if a contribution is made to a common parking facility. She stated that this provision would assist in raising funds for public parking and noted that, since parking is difficult to add in some locations, allowing a generous waiver to pay into a generalized fund would aid in the provision of future public parking. Additional changes include granting the Planning Commission (rather than the Board of Adjustment) authority to reduce total parking spaces required for combined spaces and adding bicycle parking requirements to the proposed ordinance.

Responding to Mr. Hogan, Mrs. Townshend stated that funds collected through the cash-in-lieu provision would be placed in a reserve account which will accumulate to fund future parking projects.

The Committee recommended adoption of Proposed Ordinance #2009-12.

By consent agenda, Mr. McGlumphy moved for approval of the Committee's recommendation. The motion was seconded by Mr. McGiffin and carried by a unanimous roll call vote (Mr. Ruane absent). (The First Reading of the ordinance will take place during the latter part of the meeting).

Statistics Regarding Jobs and Businesses Gained and Lost in the City of Dover Since July 2008

Mrs. Townshend, Director of Planning and Community Development, reviewed economic statistics compiled by Mr. Neaton, Economic Development Director, from information he received from the Delaware Department of Labor. She stated that these statistics applied to Dover residents regardless of where they were employed. Mrs. Townshend also provided the Committee with additional information extracted from the City of Dover Budget, including benchmarks related to employment established for the Economic Development Office. She explained that specific information regarding jobs and businesses gained and lost in the City of Dover is not information that the Planning and Inspections Department currently tracks, nor has access to, and information for municipalities is difficult to attain. She stated that, currently, the Department of Labor and the Bureau of Labor Statistics through the State and Federal governments are the best sources for this information.

Mr. Neaton stated that the Finance Department compiles this information for the ten largest businesses in the City and it is included in the Comprehensive Annual Financial Review (CAFR). He offered to summarize this information for the past ten years.

Mrs. Townshend noted that the impact of small businesses should not be discounted, as 25% of the national economy consists of small business.

Mr. DePrima apologized for not including the information regarding benchmarks established for the Economic Development Office in the packet that Council received. He stated his desire to compile a report that includes meaningful economic statistics that can be monitored and that reflect factors that the Economic Development Office can influence. He felt it would be appropriate for this information to be submitted twice per year, or quarterly, and stated his intention to have such a report available to the Committee, hopefully in time for inclusion in the July packet.

Mrs. Townshend noted that it would be helpful to include information regarding city, state, and national measures for unemployment in this report for purposes of comparison.

Updates

Members were provided the following updates:

Planning and Funding for New Library

Ms. Margery Cyr, Library Director, stated that the library schematic plan will be presented for review to the Historic Commission on June 18, 2009. She noted that she met with the Director of the Longwood Foundation, Thayer DuPont, on June 4, 2009, and she felt it was a positive meeting. In response to a Request for Qualifications (RFQ), eleven (11) proposals were received, four (4) candidates were interviewed, and negotiations with one (1) applicant are proceeding. Ms. Cyr stated that the Kent County Levy Court will consider whether or not to support the library and whether to consolidate during their meeting of June 9, 2009, at 7:00 p.m. She noted that she is working with Holzman Moss Architecture, who will be holding a Green Energy Summit in Dover in the next couple of months, to talk about alternative energy use.

CDBG

Mrs. Harvey, Community Development Manager, stated that all 2008 CDBG projects are underway and are expending funds on schedule, with the exception of Dover Interfaith Ministry's project at 684 Forrest Street. Mrs. Townshend, Director of Planning and Community Development, explained that this property was purchased by the Downtown Dover Partnership (DDP) who worked with the Interfaith Ministry to develop a ten-year lease for the property for use as a shelter. However, the Interfaith Ministry's grant funding specifies that funds are to be used for rehabilitation rather than purchase or lease. Mrs. Harvey has requested approval from the legal department of the Department of Housing and Urban Development (HUD) to amend the Interfaith Ministry's action plan and is awaiting their response. She expects to hear within the week and will bring this information back to the Committee.

Mr. Neaton, Economic Development Director, stated that the property lease is for $6,000 per year.

In response to Mrs. Horsey, Mr. DePrima, City Manager, explained that the Interfaith Ministry considers this a good interim location; however, they would like a larger structure for their permanent location. If a permanent site is found within the ten-year lease period, the City would refund a prorated lease payment.

In response to Mrs. Russell, Mrs. Harvey indicated that CDBG funding should be available for drawdown sometime in August or September, 2009.

Housing and Recovery Act of 2008 Funds (Neighborhood Stabilization Fund

Mrs. Harvey, Community Development Manager, stated that Memorandums of Understanding (MOU's) would be sent tomorrow to Dover partners and they can begin looking for properties to purchase after the MOU's are executed.

Youth Advisory Committee

Mrs. Russell explained that a recent meeting of the Youth Advisory Committee was canceled due to a conflict with graduation; however, the members of the Committee are enthusiastic and are developing goals and project ideas.

By consent agenda, Mr. McGlumphy moved for acceptance of the Parks, Recreation, and Community Enhancement Committee Report, seconded by Mr. McGiffin and carried by a unanimous roll call vote (Mr. Ruane absent).

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE REPORT - JUNE 8, 2009

The Legislative, Finance, and Administration Committee met on June 8, 2009 with Chairman McGlumphy presiding.

Members held a moment of silence for the family of Councilman Leary, noting the death of their daughter, Mrs. Kelly Fritchman.

Review and Recommendation - Filling Critical Positions - Payroll Specialist

During their meeting of February 23, 2009, members recommended approval of the 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 are no positions to consider, the item could be removed.

Mr. McGlumphy noted that there were no critical positions to be considered; therefore, no action was required of the committee.

Audit Committee to Discuss the Fiscal Year 2009 Audit Program

Mrs. Donna Mitchell, Controller/Treasurer reviewed a presentation on the Auditors Responsibility for Communicating with the Audit Committee and reminded members that this update is provided annually as a kick-off to the annual audit.

The Committee recommended acceptance of the report of the Auditor's Responsibility for Communicating with the Audit Committee.

By consent agenda, Mr. McGlumphy moved for approval of the Committee's recommendation. The motion was seconded by Mr. McGiffin and carried by a unanimous roll call vote (Mr. Ruane absent).

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

PLANNING DIRECTOR'S MONTHLY REPORT - APRIL 2009

By motion of Mr. McGlumphy, seconded by Mr. McGiffin, the Planning Director's Monthly Report for April 2009 was accepted by consent agenda.

EVALUATION OF PROPOSALS - ENVIRONMENTAL AFFAIRS CONSULTING SERVICES

The Public Utilities Department maintains blanket contracts with potential contractors to ensure that the bidding rules are adhered to for contractors that are hired to perform work for the City Departments. These contracts are priced as a "time, equipment, and material" contract and may exceed $25,000 annually. The proposal is for environmental affairs consulting services, which include project management for environmental cleanups, creation of spill prevention plans, waste management, personnel training, compliance reports, and other issues related to environmental concerns. Additionally, other City Departments may utilize this contractor when required.

Request for Proposals were solicited and advertised according to City Policy by the City's Contract and Procurement Manager, Mr. Peter Gregg, under Bid #09-0055DPU and proposals were received from three (3) potential vendors. Each proposal was reviewed to determine if all qualifications were met. After determining that each vendor met the minimum qualifications set forth in the specifications, personnel and equipment pricing were reviewed to determine the most economical vendor. Compliance Environmental, Inc. had the best hourly rates and no compensation escalation for the contract period. They also will apply the same rates for two (2) hour response, weekends, and holidays, thereby eliminating overtime rates. Additionally, there will not be any billings for vehicle mileage. Cabe Associates, Inc. will use Downes Associates, Inc. as a subcontractor. Both rate schedules have variable rates which are higher, and rates that may be adjusted annually based on salary revisions. Hours beyond the standard 40 hour workweek, weekends, and holidays will be one and one half times the standard rates. Vehicle mileage will be based on current IRS per mile cost. Environmental Consultants International, LLC rates were also higher and included an annual increase beginning January 1, 2011 based on CPI plus 1.00%. Additionally, two (2) hour response will incur a 30% increase over the standard rate and holidays and weekends will incur a 70% increase over the standard rate. Mileage will be based on IRS per mile cost.

Staff recommended awarding the blanket Environmental Affairs Consulting Services contract to Compliance Environmental, Inc. for three (3) years with a City option to extend it an additional two (2) years (five (5) years total).

Mr. Hogan moved for approval of staff's recommendation, seconded by Mr. Salters and carried by a unanimous roll call vote (Mr. Ruane absent).

EVALUATION OF PROPOSALS - ENGINEERING SERVICES AGREEMENT - GARRISON OAK (PHASE IA - PRELIMINARY SITE ANALYSIS)

The City of Dover's Economic Development Office solicited Requests for Qualifications (RFQ) for engineering services related to the future development of the Garrison Farm. The City's Contract and Procurement Manager, Mr. Peter Gregg, advertised the RFQ in accordance with the City's purchasing policy. Fifteen (15) engineering teams submitted information. Staff reviewed the submissions and scheduled interviews for five (5) engineering teams. Formal interviews were conducted with the following engineering teams:

Becker Morgan Group, Inc. / Duffield Associates, Inc.
Landmark Engineering
Braun Engineering / T&M Associates
URS
Tetra Tech / EDAW

In an effort to move quickly during the preliminary phases of the proposed development of the Garrison Oak Technology Park, staff requested permission to use the open market provision of the purchasing policy under certain professional services in advance of the pending formal RFP process identified in the City's purchasing policy. Additional agreements will be forthcoming once the process has concluded.

Staff recommended authorizing the City Manager to execute an engineering services agreement with Becker Morgan Group, Inc. in the amount of $49,750 to provide surveying and preliminary site analysis and site investigation services.

Mr. Salters moved for approval of staff's recommendation, seconded by Mr. Hogan and carried by a unanimous roll call vote (Mr. Ruane absent).

EVALUATION OF PROPOSALS - ENGINEERING SERVICES AGREEMENT - GARRISON OAK (PHASE IB - WETLAND DELINEATION)

The City of Dover's Economic Development Office solicited Requests for Qualifications (RFQ) for engineering services related to the future development of the Garrison Farm. The City's Contract and Procurement Manager, Mr. Peter Gregg, advertised the RFQ in accordance with the City's purchasing policy. Fifteen (15) engineering teams submitted information. Staff reviewed the submissions and scheduled interviews for five (5) engineering teams. Formal interviews were conducted with the following engineering teams:

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Tetra Tech / EDAW

In an effort to move quickly during the preliminary phases of the proposed development of the Garrison Oak Technology Park, staff requested permission to use the open market provision of the purchasing policy under certain professional services in advance of the pending formal RFP process identified in the city's purchasing policy. Additional agreements will be forthcoming once the process has concluded.

Mr. DePrima advised members that approximately ten (10) years ago, the State of Delaware gave the City $404,000 to implement utility services. He noted that those funds will be used to pay for this contract.

Staff recommended authorizing the City Manager to execute an engineering services agreement with Duffield Associates, Inc. in the amount of $13,000 to provide wetland delineation and environmental report review.

Mr. Hogan moved for approval of staff's recommendation, seconded by Mr. Leary and carried by a unanimous roll call vote (Mr. Ruane absent).

APPOINTMENT RECOMMENDED BY MAYOR CAREY - SILVER LAKE COMMISSION - NANCY WAGNER (TO FILL THE EXPIRED TERM OF TRICIA ARNDT - TERM TO EXPIRE MAY 2010)

Mayor Carey recommended the appointment of Mrs. Nancy Wagner to the Silver Lake Commission to fill the expired term of Tricia Arndt to expire May 2010.

By consent agenda, Mr. McGlumphy moved for approval of the appointment of Mrs. Wagner, as recommended by Mayor Carey. The motion was seconded by Mr. McGiffin and carried by a unanimous roll call vote (Mr. Ruane absent).

REAPPOINTMENTS RECOMMENDED BY MAYOR CAREY - DOVER MPO PUBLIC ADVISORY COMMITTEE - TWO (2) YEAR TERMS TO EXPIRE JULY 2011

Mayor Carey requested the following reappointments to the Dover MPO Public Advisory Committee for two (2) year terms to expire July 2011:

Mrs. Prameela Kaza
Mr. James P. Webster

By consent agenda, Mr. McGlumphy moved for approval of the reappointments to the Dover MPO Public Advisory Committee, as recommended by Mayor Carey, seconded by Mr. McGiffin and carried by a unanimous roll call vote (Mr. Ruane absent).

REAPPOINTMENTS RECOMMENDED BY MAYOR CAREY - BOARD OF ADJUSTMENT - THREE (3) YEAR TERMS TO EXPIRE JULY 2012

Mayor Carey requested the following reappointments to the Board of Adjustment for three (3) year terms to expire July 2012:

Dr. Edward Goate'
Mr. Richard Senato

By consent agenda, Mr. McGlumphy moved for approval of the reappointments to the Board of Adjustment, as recommended by Mayor Carey, seconded by Mr. McGiffin and carried by a unanimous roll call vote (Mr. Ruane absent).

FIRST READING - PROPOSED ZONING ORDINANCE AMENDMENTS

Council President Williams reminded the public that copies of the proposed ordinances are available at the entrance of the Council Chambers or can be obtained from the City Clerk's Office. Since the ordinances are amendments to the Zoning Code, a public hearing is required. Staff recommended referral of the amendments to the Planning Commission on July 20, 2009, and that a Public Hearing be set for August 10, 2009 at 7:30 p.m., at which time, final action by Council will take place.

Mr. Salters moved to refer the amendments and set a public hearing before City Council for August 10, 2009 at 7:30 p.m. as recommended by staff. The motion was seconded by Mr. Hogan and unanimously carried.

In accordance with Section 1-9 of the Dover Code, Council acknowledged the First Reading of the Zoning Ordinance Amendments as read by the City Clerk, by title only, as follows:

> PROPOSED ORDINANCE #2009-12 - APPENDIX B - ZONING, ARTICLE 3 - DISTRICT REGULATIONS, SECTION 1 - ONE-FAMILY RESIDENCE ZONES, SUBSECTION 1.15 - ACCESSORY USES AND ARTICLE 6 - OFF-STREET PARKING, DRIVEWAYS AND LOADING FACILITIES, SECTION 3 - REQUIRED OFF-STREET PARKING SPACES

REZONING REQUEST/FIRST READING - 101 MONT BLANC BOULEVARD, OWNED BY BARIGLIO CORPORATION

A request was received to rezone property located at 101 Mont Blanc Boulevard, consisting of 2.61+/- acres owned by the Bariglio Corporation. The property is currently zoned C-PO (Commercial/Professional Office) and COZ-1 (Corridor Overlay) and the proposed zoning is C-2A (Limited Central Commercial) and COZ-1 (Corridor Overlay).

Responding to Mr. Hogan, Mrs. Melson-Williams stated that the requested C-2A (Limited Central Commercial) zone would allow for retail components, which the C-PO zone does not permit.

Prior to amending the zoning ordinance and zoning map of the City of Dover, a public hearing is required.

By motion of Mr. Salters, seconded by Mr. Hogan, Council unanimously referred the request to the Planning Commission on July 20, 2009 and set a public hearing for August 10, 2009 at 7:30 p.m.

In accordance with Section 1-9 of the Dover Code, Council acknowledged the First Reading of the Zoning Ordinance Amendment as read by the City Clerk, by title only, 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 101 MONT BLANC BOULEVARD

FINAL READING - PROPOSED ORDINANCES

The First Reading of the following proposed ordinances was accomplished during the Council Meeting of June 8, 2009.

Budget Ordinances - 2009/2010 City of Dover Budget and Downtown Dover Business Improvement District - Cash Receipts/Budget FY 2009-2010

Mr. McGlumphy moved that the Final Reading of the proposed ordinances be acknowledged by title only, seconded by Mr. Hogan and unanimously carried.

Mr. McGlumphy moved for adoption of the 2009/2010 City of Dover Budget Ordinances and Downtown Dover Business Improvement District - Cash Receipts/Budget FY 2009-2010. The motion was seconded by Mr. Leary.

Mr. Slavin reminded members that he voted against the budget during the Budget Hearing and he also intended to vote against its adoption. He stated that his "no" vote should not be interpreted as meaning that those voting "yes" are wrong or that he disagrees with them - he had no better budget to propose.

Mr. Slavin expressed concerns regarding the use of furloughs, which would reinflate the budget for FY 2010/11; depleting the Rate Stabilization Fund and locking in to a Water/Wastewater hike for next year; reducing ambulance and police service; deferring maintenance and replacement of equipment; and lack of a safety net in the case of a downturn in revenues from the State.

Mr. Slavin noted that there were possible electric, water, and wastewater rate hikes for 2011 and the possibility of a tax increase.

Mr. Slavin stated that, by utilizing furloughs, they were effectively asking for pay cuts for City employees and suggested that Council lead by example.

Mr. Slavin moved to amend the Budget Ordinance to include a five percent (5%) reduction in City Council salaries from the current Fiscal Year level. The motion was seconded by Mr. Hogan.

Mr. Salters moved to amend the motion by changing five percent (5%) to ten percent (10%). Mr. Hogan withdrew his second to the motion and Mr. Leary seconded the amendment to the motion.

The motion to amend the Budget Ordinances to include a ten percent (10%) reduction in City Council salaries was carried by a roll call vote of seven (7) yes, one (1) no (Mr. McGlumphy), and one (1) absent (Mr. Ruane).

Mr. Slavin moved to suspend the rules to allow the FOP representative to speak regarding the proposed budget. The motion was seconded by Mr. Salters and unanimously carried.

Mr. David Spicer, President of Fraternal Order of Police (FOP) Lodge 15, stated that the furlough was not a joke and that he represents 93 men and women of the Dover Police Department and their families. Mr. Spicer stated that they oppose the furloughs because they have worked so hard to get the Police Department and the city where it is today. He stated that people do not realize how dangerous the city can be.

Mr. Spicer requested Council to defer spending the $8.9M set aside for the library project and to defer building the library until better economic times.

The motion for adoption of the 2009/2010 City of Dover Budget Ordinances, as amended *(Exhibit #2)*, and Downtown Dover Business Improvement District - Cash Receipts/Budget FY 2009-2010, *(Exhibit #3)*, was carried by roll call vote of six (6) yes, two (2) no (Mrs. Russell and Mr. Slavin), and one (1) absent (Mr. Ruane).

COUNCIL MEMBERS ANNOUNCEMENTS

Mr. McGiffin reminded members to mark their calendars for June 27, 2009 for the next African American Festival.

Mr. Salters reminded everyone to wear their ethnic attire to the African American Festival.

Mrs. Russell announced that Councilman McGiffin's band, Celtic Harvest, would be performing at 3:30 p.m. at the African American Festival and the Coasters would perform at 6:00 p.m.

Mr. Leary moved for adjournment, seconded by Mr. Hogan and unanimously carried.

Meeting Adjourned at 8:05 P.M.

TRACI A. McDOWELL
CITY CLERK

All orders, ordinances, and resolutions adopted by City Council during their Regular Meeting of June 22, 2009, are hereby approved *(with the exception of the following motion: 1) adoption of the 2009/2010 City of Dover Budget Ordinances - General Fund - Cash Receipts and Budget; Water/Wastewater Fund - Revenue and Budget; and Electric Revenue Fund - Revenue and Budget).*

CARLETON E. CAREY, SR.
MAYOR

/TM
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Exhibits Attached to Original Minutes and File Copy
Exhibit #1 - Ordinance #2009-09 - Appendix F - Fees and Fines
Exhibit #2 - 2009/2010 City of Dover Budget Ordinances
Exhibit #3 - Downtown Dover Business Improvement District - Cash Receipts/Budget FY 2009-2010

CERTIFICATE OF APPRECIATION

WHEREAS, the City of Dover Fourth of July Celebration Committee was established by Council on December 8, 2003, after the Central Delaware Chamber of Commerce decided they could no longer lead this effort; and

WHEREAS, members of the Fourth of July Celebration Committee have worked tirelessly to ensure that the citizens of Dover and surrounding communities could take pride in patriotic commemorations in the Capital City; and

WHEREAS, as a result of their efforts and community support, which has enabled us to celebrate our independence on July 4th, with many festivities, culminating with a fireworks display on Legislative Mall, it is deemed an honor and a privilege to present this

Certificate of Appreciation to

Greg Patterson
Dave Bonar ***Elaine Brenchley***
Brad Holden ***Donna Mitchell***

CITY OF DOVER
FOURTH OF JULY CELEBRATION COMMITTEE

With Sincerest Gratitude from the City of Dover
July 2009

CARLETON E. CAREY, SR.
MAYOR

BEVERLY C. WILLIAMS
COUNCIL PRESIDENT

CERTIFICATE OF RECOGNITION

This certificate of recognition is being awarded to

JUANA FUENTES-BOWLES

The City of Dover proudly recognizes you for your outstanding contribution in aiding the Dover Human Relations Commission and congratulations on your retirement.

Respectfully signed and presented on July thirteenth two thousand and nine.

Carleton E. Carey Sr.

CARLETON E. CAREY, SR.

MAYOR

City of Dover

OFFICE OF THE MAYOR

June 23, 2009

Mrs. Traci A. McDowell
Office of the City Clerk
P.O. Box 475
Dover, DE 19903-0475

Dear Mrs. McDowell:

RE: Motion to Approve the City of Dover Fiscal Year 2009-2010 Budget Ordinances. Referring to Furloughs for All City of Dover Employees and Emergency Ambulance Services. Agenda Items 16.A.a-1 General Fund – Cash Receipts and Budget, 16.A a-6 Water/Wastewater Fund – Revenue and Budget, and 16.A a-10 Electric Revenue Fund – Revenue and Budget

Pursuant to the City of Dover Charter Section 10, I am hereby notifying the City Clerk in writing that I disapprove of the motions passed by Dover City Council at the meeting held on June 22, 2009 to adopt the above referenced ordinances.

I have decided to take this action due to being a public safety issue. It is very important that we have enough police officers on duty to handle the needs of our citizens. Furloughs would cause a serious problem providing adequate staffing to man the shifts to provide protection for our citizens as well as the protection of our police officers in the performance of their duties safely.

The emergency ambulance service that the city has contracted out responded to (5704) five thousand seven hundred and four calls last year. That is (1043) one thousand forty three more calls than the year before. This budget gives the citizens less emergency ambulance service coverage for the increase in emergency calls that they received the year before.

I know the budget is tight but we need to provide enough police and ambulance services to adequately protect our citizens. In my opinion this budget does not do that and I would like the city council to consider finding the money elsewhere in the budget to cover these two very important items.

With this in mind, I have exercised my power of veto and hereby ask you to notify members of council of this action for their consideration during the next regular council meeting.

Sincerely,

Carleton E. Carey Sr.

Carleton E. Carey, Sr.
Mayor

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

The Legislative, Finance, and Administration Committee meeting was held on June 22, 2009 at 6:00 p.m. with Chairman McGlumphy presiding. Members present were Mr. Leary, Mr. Salters, Dr. Jones, and Mr. Shevock. Members of Council present were Mr. McGiffin, Mrs. Williams, Mr. Hogan, and Mrs. Russell (arrived at 6:51 p.m.). Mayor Carey was also present.

AGENDA ADDITIONS/DELETIONS

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

Review and Recommendation - Filling of Critical Positions

During their meeting of February 23, 2009, members recommended approval of the 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 are no positions to consider, the item could be removed.

Mr. McGlumphy noted that there were no critical positions to be considered; therefore, no action was required of the committee.

Proposed Ordinance No. 2009-05 - Chapter 102 - Taxation

During the Committee meeting of April 27, 2009, Ms. Russell, City Assessor, reviewed proposed amendments to Chapter 102 -Taxation, based on an audit of the City of Dover Assessor's Office, as well as the recommendations of the Tax Appeals Committee and the City Assessor. The Committee tabled the proposed amendments until a legal opinion could be obtained from Mr. Nicholas Rodriguez, City Solicitor, regarding the propriety of penalizing owners of income-producing property with a "denial of appeal" if an Income and Expense Report is not filed. It was noted that the denial of appeal would occur one (1) year following failure to file the report. In addition, it was requested that the wording in Section 102-77 on the Committee Action Form be revised to state "amendment to update the language".

Mr. Leary moved to lift the matter from the table, seconded by Mr. Salters and unanimously carried.

Ms. Russell advised members that, at the suggestion of Mr. Rodriguez, the following revisions were made:

Section 102-5 (Income and Expense Reports)

This amendment is a new section to allow the Assessor to require that all owners of commercial/industrial income-producing property within the city limits of Dover complete and file annual reports of Income and Expenses on forms developed by the Assessor. Failure to provide the Assessor with an Income and Expense Report will result in a fine of $100.00 (rather than a denial of appeal as was originally proposed). Income and Expense Reports will be mailed to property owners and are due within thirty (30) days of receipt of request by the Assessor. This information is invaluable in developing the value for these income-producing properties. The Income Approach to Valuation is the most common methodology to value these types of property.

Section 102-77 (Duties of City Assessor)

This amendment updates the language used for affixing the stamp to the deeds when they are brought into the Assessor's Office. In addition, the ordinance clarifies a time period for audits of the Transfer Tax.

Section 102-185 (Appeals)

This amendment is a new section to explain due dates that were established for the Appeals Committee and approved by Council on November 13, 2007. This ordinance also explains that the right to appeal is lost if any designated appeal date is missed; however, the appellant may appeal the following April for the next billing cycle. It also states that appeals/refunds for errors or opinions of value from appellants will not be heard for prior years. This has been the common practice in the Assessor's Office.

Ms. Russell added that the proposed ordinance amendments have been reviewed by Mr. Nicholas Rodriguez, City Solicitor, who stated that the amendments are in good order and, in his opinion, will serve the purpose intended.

In response to Mr. Salters, Ms. Russell stated that other municipalities charge fines ranging from $50.00 to $500.00 for failure to file an Income and Expense Report.

Responding to Mr. Shevock, Ms. Russell indicated that this ordinance would regulate commercial and industrial income-producing properties and would include apartment buildings that house more than four (4) families.

Mr. Leary moved to recommend adoption of Proposed Ordinance No. 2009-05 amending Chapter 102 - Taxation, seconded by Dr. Jones and unanimously carried.

Phase II of the MAG Study

Mrs. Hawkins, Human Resources Director, reminded members that in 2008, Management Advisory Group (MAG) was hired to perform a review and evaluation of the Pay for Performance (PFP) Evaluation system that is currently utilized for all non-bargaining employees. In September 2008, MAG presented its findings for Phase I of the study, which focused on the classification and compensation of positions and employees. During their meeting of March 9, 2009, the Committee moved to recommend approval of staff's recommendation for implementation of Phase I of the MAG Report (which was subsequently approved by City Council at their meeting of March 23, 2009). During their meeting of February 23, 2009, the Phase II Report for the Review and Evaluation of the *PFP Evaluation System* to the City of Dover was presented to the Committee for informational purposes. Mr. DePrima, City Manager, explained at that time that staff would be bringing forward implementation recommendations regarding this phase of the study for the Committee's review and consideration at a later date.

Mr. DePrima and Mrs. Hawkins provided a handout containing an Organization of Recommendations related to Phase II of the MAG study with proposed changes grouped according to subject area ***(Attachment #1)***. Mr. McGlumphy reminded the Committee that there would be no action taken on the matter at this time and the study will continue to be returned to the table until all six (6) exhibits related to the report can be reviewed.

An overview of the Organization of Recommendations was presented by Mr. DePrima and Mrs. Hawkins as follows:

Training

In accordance with the MAG recommendations, Mr. DePrima noted that, under this proposal, annual training for supervisors would be required and salary increases would be withheld from supervisors if training is not attended. He noted that the City Manager will have the discretion to excuse a supervisor from training if there are extenuating circumstances.

In response to Mr. McGlumphy, Mrs. Hawkins estimated that approximately 45 employees would qualify as supervisors and that training would require approximately one hour of each supervisor's time.

Mr. DePrima stated that the second recommendation in the training category was an employee suggestion that training be provided to employees so that they could better understand the PFP evaluation process. Mr. DePrima stated that this recommendation has already been implemented and that an informational session has been conducted for employees.

Responding to Mr. Salters, Mr. DePrima stated that repeated annual training for supervisors would be beneficial as an ongoing reminder of how to complete fair and accurate evaluations. He believed that this training would provide an important opportunity for supervisors to receive fresh information and for experienced evaluators to share information they have learned about the process.

Evaluation - Process

Mr. DePrima indicated that MAG suggested that the Director of Human Resources be given a five (5) day time frame to review all evaluations.

Mr. DePrima explained that MAG also recommended that supervisors complete quarterly employee reviews and document these sessions by entering this information into the PFP software system. He noted that quarterly reports were implemented when PFP was first adopted; however, he stated that many supervisors have not complied with this requirement. He stated that quarterly evaluations are being required in response to employees who expressed a need for additional performance feedback.

In response to Dr. Jones, Mr. DePrima explained that the quarterly evaluations are informal in that there is no scoring or grading. He indicated that the focus would be on the employee's performance and goals and would provide employees and supervisors more opportunity to interact.

Mr. DePrima stated that the next item on the Organization of Recommendations handout sets forth a self-evaluation process for employees. He stated that this provision is being changed from an "encouraged practice" to a "required practice" and that MAG supports this idea.

Concerned that the evaluation process might be excessively cumbersome, Mr. McGlumphy requested Mrs. Hawkins to estimate the amount of work hours that would be required to implement all of the practices listed in the handout to help determine if the evaluations are serving a meaningful purpose.

Mr. DePrima mentioned that, at one time, the City did not conduct employee evaluations at all, and, at that time, Council requested that an evaluation process be instituted for all employees, as this was deemed a valuable practice. Mrs. Hawkins concurred, explaining the value of evaluations in dealing with employees who are not meeting expectations.

Mrs. Williams inquired whether there was any documentation that would suggest that additional evaluations positively impact employee performance, and was particularly concerned about how additional evaluations would be viewed by employees who are currently performing well. She suggested that it might be beneficial to perform a survey to obtain employee input. Mr. DePrima requested that Mrs. Williams advise him on the types of questions she would suggest for such a survey following the meeting.

Mrs. Hawkins added that one of the goals of the study was to examine ways of recognizing and rewarding outstanding performers and she felt that requiring more supervisor/employee interaction might assist in this regard.

Another recommendation by MAG, Mr. DePrima stated, was to provide for statistical normalization. This would be a mechanism that would be used to help compensate for supervisors who consistently score all of their employees lower or higher than other supervisors. He explained that this becomes more problematic if compensation is tied to performance and there are inequities between departments. He indicated that some jurisdictions have researched methods of scoring evaluations to create a statistically normalized score. MAG alerted the City to this potential problem but did not suggest how to manage it. For this reason, it was recommended that it be established as a goal for the Human Resources Director to determine how other jurisdictions are normalizing scores. Councilman Hogan offered to assist with this process.

To address the problem of supervisors who are currently not completing evaluations, Mrs. Hawkins stated that MAG recommended holding all employee salary adjustments until all evaluations are complete and that non-compliant supervisors be listed on the intranet. Mrs. Hawkins and Mr. DePrima did not recommend implementation of this suggestion due to their feeling that publicly listing supervisors was inappropriate and that it would be unfair to postpone salary adjustments due to the negligence of supervisors.

Mr. DePrima and Mrs. Hawkins concurred with MAG's suggestion to add a core competency to the Human Resources Director's goals to ensure that the Director monitors the evaluation process. They stated that effectively completing evaluations would be added to the core competencies of the supervisors as well.

Mr. DePrima stated that requiring periodic reviews will reduce the amount of work to be done by supervisors at the end of the year, when final evaluations are due.

Dr. Jones noted that if reviews are performed on a quarterly basis, notes are documented at that time, information is being entered into the PFP software, and the results impact the employee's final evaluation, it appears that quarterly reports constitute more of a formal than an informal review. She inquired whether there is written acknowledgment by the employee and the supervisor at the time of the quarterly review as to the status of the employee's performance.

Mrs. Hawkins explained that a formal evaluation constitutes an evaluation of all core competencies, entering all remarks and scores, and signing off on the evaluation. Informal evaluation is a periodic meeting where goals are examined and discussed and progress is entered. If performance problems are identified at that time, Human Resources will be consulted and the evaluation process will be escalated from informal to formal.

Dr. Jones reiterated her concern with employees receiving a clear indication of performance and felt that employees should have an opportunity to acknowledge even an "informal" assessment.

Concurring with Dr. Jones, Mr. Shevock suggested that employees acknowledge what is written during the quarterly reviews to validate the outcome of the evaluation. Without an employee signature, there is no proof of the events that transpired during a review session. Mr. DePrima stated that he understood this point and that it should be considered.

Mr. DePrima stated that in order to make the evaluation process less cumbersome, it was proposed to eliminate the need to include explanatory remarks if the employee is achieving a baseline score of three (3) (performing the job as outlined in the job description). Scores higher or lower than a three (3) would require explanation.

Mrs. Hawkins explained that the next recommendation established the need for probationary employees to adapt to the work environment before determining goals for evaluation.

Responding to Mrs. Russell, Mr. DePrima explained that bargaining unit employee evaluations are not tied to compensation and that the City's bargaining units were not interested in adopting the new format or Pay For Performance procedures. He stated that they use an older form that does not have goals outlined and includes only core competency. He mentioned that members of the IBEW Union have agreed to begin using a Pay For Performance form and will be incorporating goals into their evaluations next year.

Mr. DePrima explained that his own evaluation is completed by City Council using a form similar to that used by other City employees, although slightly different language regarding core competency is incorporated in the evaluation forms of all Council appointees.

Mr. McGlumphy reiterated his concern regarding making the evaluation process too cumbersome and requested that Mrs. Hawkins equate time frames with requirements to provide input.

Mr. Leary moved to table further consideration of the MAG study until the next Committee meeting scheduled for July 13, 2009, seconded by Dr. Jones and unanimously carried.

Mr. Leary moved for adjournment, seconded by Dr. Jones and unanimously carried.

Meeting Adjourned at 7:01 P.M.

Respectfully submitted,

William P. McGlumphy
Chairman

WPM/JS/ac/tm
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Attachment
Attachment #1 - MAG Phase II - Organization of Recommendations

Organization of Recommendations

Rec. #	Page # in Phase 2 Report & Related Exhibit	MAG or Employee's Recommended Action	City's Recommended Action	Estimated Completion Date
		Training		
MAG 1	2-4 Exhibit 5, page 5 Exhibit 5-Appendix A	Change the PFP policy to require training for supervisors once per year. If training is not attended, deny any salary increase for which the supervisor may be eligible.	Update language: Change the PFP policy to require training for supervisors once per year. If training is not attended, deny any salary increase for which the supervisor may be eligible. **The City Manager may excuse a supervisor from the training.**	Immediately
Employee 7	Exhibit 5, page 5	Provide educational training to employees on the PFP system and process	Training will begin being offered to employees.	Immediately
		Evaluation - Process		
MAG 2	2-5 Exhibit 4, page 1	Establish a more precise time frame within the set of Instructions so as to clearly define the time allotted for each step in the performance review cycle.	This recommendation is in reference to allowing sufficient time for the HR Director to review evaluations. The instructions have been updated to include a time frame of five days.	Immediately
MAG 3	2-5 Exhibit 4, page 2	Written quarterly reviews should be done by Department Heads, and documented in the evaluation by entering into the PFP software.	Required quarterly reviews will begin July 1, 2009 as this review cycle is ending.	Implement July 1, 2009
MAG 4	2-5 Exhibit 4 page 3	All evaluated employees should conduct self evaluation, with the purpose of then comparing them at the formal performance evaluation meeting.	The PFP instructions will be updated accordingly.	Effective with reviews to be completed by May 31, 2009.

Organization of Recommendations

Rec. #	Page # in Phase 2 Report & Related Exhibit	MAG or Employee's Recommended Action	City's Recommended Action	Estimated Completion Date
		Evaluation – Process (Continued)		
MAG 13	5-8	Automate the statistical normalization of rater comparisons.	This will become a goal for the HR Director for FY10.	Present to City Council by February 2010.
MAG 14	5-8 Exhibit 4, page 1	Hold up salary adjustments until all evaluations are complete; publish stragglers on the City's intranet.	Not recommended for implementation. We wish to continue our current practice of extending the specific tardy department head's salary increase. "Stragglers" will be handled by the supervisor.	Immediately
MAG 17	6-2 Exhibit 4, page 2	Require quarterly review of all employees being evaluated.	Additional monitoring of quarterly reviews will be maintained.	Implement July 1, 2009.
MAG 19	6-3	Add monitoring and reminder goals to the Core Competency of the HR Director – *Include monitoring goals for the HR Director to ensure consistency with the City's Strategic Plan, reminding departments of the need for quarterly reviews, setting up annual training on the program, and identifying unusual scoring patterns to the City Manager, the Department Head and the rater. This should be reflected in the Supervisory Core Competency.*	Rather than modify the PFP evaluation for this one recommendation, this suggestion will become a standing goal for the HR Director.	Effective July 1, 2009
Employee 3	Exhibit 4, page 2	All evaluations are due at the same time thus causing a heavy work load in a short amount of time	This issue is being addressed by requiring quarterly reviews. Thus as the fiscal year ends three fourths of the evaluation should be complete.	July 1, 2009

Organization of Recommendations

Rec. #	Page # in Phase 2 Report & Related	MAG or Employee's Recommended Action	City's Recommended Action	Estimated Completion Date
		Evaluation – Process (Continued)		
Employee 5	Exhibit 4, page 4	Do not require an explanation for a performance score of three and four	Explanation for a score of three will not be required.	Effective for evaluations being completed for FY09.
Employee 8	Exhibit 4, page 2	Do not assign goals during probationary period	It is realized that the probationary period is a time for learning. Only when necessary will goals be assigned.	Immediately
		Grading Definitions		
MAG 5	2-6 Exhibit 3 Exhibit 4, page 4	Change the current performance form label of "Good" to "Meets Expectations" on the evaluation form.	The PFP evaluation will be updated.	Effective with reviews to be completed by May 31, 2009.
MAG 6	2-6 Exhibit 3	Change the current performance form label of "Acceptable with Some Improvements Needed" to Improvement Needed" on the evaluation form.	The PFP evaluation will be updated.	Effective with reviews to be completed by May 31, 2009.
MAG 7	2-7 Exhibit 3 Exhibit 4, page 4	Change the current performance label of "Outstanding" to "Results Rarely Achieved by Others."	The PFP evaluation will be updated.	Effective with reviews to be completed by May 31, 2009.

Organization of Recommendations

Rec. #	Page # in Phase 2 Report & Related Exhibit	MAG or Employee's Recommended Action	City's Recommended Action	Estimated Completion Date
		Council Evaluations		
MAG 8	4-5	Create a committee structure to evaluate Council appointed positions that would make recommendation on compensation adjustments for the evaluated employee.	***If Council wants to pursue further, a separate Committee Action Form will be prepared and presented.***	FY10
		Evaluation Design Changes		
MAG 9	4-5	Apply the changes noted in Section 5.0 to the development of Core Competencies for the Council positions. See recommendation #15 - *Streamline and enhance Core Competency and Element statements.*	This will become a goal for the HR Director for FY10. A committee will be formed to formally discuss.	Present to City Council by February 2010.
MAG 15	5-12	Streamline and enhance Core Competency and Element statements. *See Rec. #9*	This will become a goal for the HR Director for FY10. A committee will be formed to formally discuss.	Present to City Council by February 2010.
MAG 18	6-3	Add responsible participation in the PFP as a Supervisory Core Competency	The core competency for Supervisory Skills will be updated accordingly.	Effective July 1, 2009
Employee 4		Implement weighting of goals	This option will be considered an evaluation committee that will be created.	If implemented, it will become effective in FY 10.
		Pay Increases		
MAG 10	5-3	Base the movement within the pay grade on the concept of a "normal progression" career plan for employees who "Meet Expectations" to reach midpoint in 10 years.	According to MAG, this will be achieved by implementing Recommendation #11.	
MAG 11	5-4 Exhibit 5 page 1 & 2 Ex. 5 Appexd. A	Use the arithmetic midpoint of the position's assigned pay grade as the basis for calculating potential performance adjustments.	Use the described method for calculating July 1, 2009 pay increases.	July 1, 2009

Organization of Recommendations

Rec. #	Page # in Phase 2 Report & Related Exhibit	MAG or Employee's Recommended Action	City's Recommended Action	Estimated Completion Date
		Pay Increases - Continued		
MAG 12	5-6 Exhibit 5 – Appendix A	Establish a simple and straightforward program for potential adjustments of zero (0) through an annually determined percentage amount, based on budget availability.	Create a matrix for awarding July 1 pay increases. Appendix will be created based upon budget and market conditions.	July 1, 2009
MAG 21	6-5 Exhibit 5, page 2 Exhibit 5 – Appendix A	Any pay out for performance over the maximum of the range is a lump-sum one-time payout that does not roll into the base salary.	In addition to the proposed language, add, "the city reserves the right not to award any pay increase for employee's whose salary is over the maximum of the range."	Effective with pay increases awarded on July 1, 2009.
		No Action		
MAG 16	6-1 Exhibit 4, page 2	Continue to complete performance evaluations annually as dictated by current policy.	No additional action needed.	
MAG 20	6-4 Exhibit 5, page 4	Continue the current process for appeals.	No action needed.	
		Setting of Goals		
Employee 1	Exhibit 4, page 5	Goals don't flow down in a timely manner	City Council/City Manager and Mayor to establish goals for Department Heads by March 31 of each year.	Department Heads are to establish goals for FY 10 immediately upon adoption of updated policy.

Organization of Recommendations

Rec. #	Page # in Phase 2 Report & Related Exhibit	MAG or Employee's Recommended Action	City's Recommended Action	Estimated Completion Date
		Setting of Goals		
Employee 2	Exhibit 4, page 5 & 6 Exhibit 5, page 2	Goals are not realistic under current work load	All supervisors are to be mindful of the number of goals being assigned. Employees can create their own goals for review by their supervisor. The HR Director will be more astute to the number being assigned.	Effective with evaluations for FY 10.
		Non-Monetary Incentives		
Employee 6		High performers are not awarded	The salary matrix provides for additional compensation for employees who receive a higher than average performance score. An improved effort will be provided by supervisors in rewarding high performers with non-monetary incentives and actions.	Immediately

SAFETY ADVISORY AND TRANSPORTATION COMMITTEE

The Safety Advisory and Transportation Committee Meeting was held on June 24, 2009, at 6:00 p.m. with Chairman Slavin presiding. Members present were Mrs. Russell, Mr. Hogan, and Mr. Davis. Mr. Harmon was absent.

AGENDA ADDITIONS/DELETIONS

Mr. Slavin requested that Item # 1 - Proposed Resolution No. 2009-05 - Delaware Alliance for Safe Roads - Truck Weight, be deleted from the agenda pending further conversation with Mr. George Wright of the Delaware League of Local Governments and that Item #4A - Wyoming Mill Road Project, be deleted due to the absence of Mr. Koenig.

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

Briefing on DelDOT Projects

Mr. Gary Laing, Community Relations Officer and Municipal Liaison for DelDOT, provided an update on the following DelDOT projects:

The West Dover Connector

Mr. Laing advised members that there has been no progress on this project for the last several months due to regulatory procedures.

South Governors Avenue Improvements

Mr. Laing advised members that the project is moving slower than anticipated due to weather conditions. He noted that, due to the bridge being higher than the road surface, fill is needed. The type of fill being used needs to compact prior to laying the next layer and that cannot take place in wet weather. Mr. Laing stated that the parapets have been poured and the crews have been working around the area where utility poles need to be moved. He noted that, originally, the project completion date was May or June; however, it is now projected for the end of July.

Responding to Mr. Hogan, Mr. Laing stated that once the bridge is opened, there will be no more full closures, only lane closures or restrictions.

Water Street Railroad Connector

Mr. Laing stated that he does not anticipate that this project will proceed in the near future. He advised members that the railroad company indicated that undertaking this project would necessitate the closure of another "at-grade" railroad crossing somewhere else in Delaware. Mr. Laing stated that, along with the railroad stipulations, there is also a lack of funding for this project. He indicated that some of the issues in this area will be resolved with the opening of the West Dover Connector.

North State Street Rebuild

Mr. Laing stated DelDOT's Pavement Management Division sent a survey to the residents of State Street, Queen Street, Division Street, Walker Road, and Loockerman Street last fall asking them if they would be agreeable to nighttime work (based upon Bond Bill Regulations). The public response was that they would not mind.

Responding to Mr. Slavin, Mr. Laing stated he would forward the results of the survey to the Safety Advisory and Transportation Committee. He advised members that, at this time, there is no funding for the North State Street Rebuild; however, funds may be available through the American Recovery Act or excess State funds. Mr. Laing noted that the original start date was the fall of 2009; however, he believed the date would be postponed.

Responding to Mr. Slavin, Mr. Laing stated that better crosswalk markings, signs, and street lights would be included in the North State Street Rebuild; however, traffic calming and bump outs near the cemetery would require a design change which would increase the cost.

Responding to Mr. Hogan, Mr. Laing stated that he would look into the timing of the left-turn light from North State Street onto Division Street.

Briefing on MPO Projects

Mr. James Galvin, Principal Planner with Dover/Kent County Metropolitan Planning Organization (MPO), stated that funds for Transportation Studies from DelDOT will be handled through the MPO.

Mr. Galvin advised members that the MPO has applied for an Environmental Protection Agency (EPA) grant for technical assistance to integrate air quality in land use. He also noted that they are working on services to provide technical assistance at a local level, although it probably will not include Kent County.

Mr. Galvin stated that the Transportation Improvement Plan through 2012 has been approved. He noted that some of the improvement projects include the intersection at Clarence and North Streets thru Lincoln and Forrest Streets, the intersection at Loockerman and Forrest Avenue, and the realignment of Wyoming Mill Road.

Mr. Galvin advised members that a Walkable Communities Workshop was held and it included a walking tour of State Street, Reed Street, Governors Avenue, and North Street to bring public attention to issues regarding pedestrians. He stated that no major issues were identified, with the exception of the brick sidewalks slanting towards the road on State Street, creating difficulties for wheelchairs. Mr. Galvin stated that the Regional Transportation Plan, especially in small cities like Dover, should consider making areas more pedestrian and bicycle friendly.

Mr. Galvin stated that Kent County has agreed to include the population household projections provided by MPO through the Transportation Improvement Study for their approval process for outside work.

Ms. Wieczoreck, Executive Director of the Dover/Kent County MPO, provided an update on the latest plan for the North Dover Study. She advised members that a request was made to provide a second alternative for a link between Crawford Carroll Avenue at Lowe's to College Road. Ms. Wieczoreck advised members that the MPO received comments from the Delaware State University College of Agriculture regarding environmentally sensitive areas on the southern side of the college. She noted that the proposed alignment included a section of woods that is used for environmental education, and there were also concerns regarding student and faculty access.

Ms. Wieczoreck stated that the proposed alternate route, which was adopted by the MPO Council, will be on the north side of the campus. She also noted that the connector at Crawford Carroll Avenue to the north entrance of the Dover Mall between the Furniture and More store and the former Circuit City building was changed. Ms. Wieczoreck advised members that the connector was shown going through the existing agricultural ponds which where going to be relocated; however, the cost exceeded $6 million dollars; therefore, an alternate route around the ponds was proposed.

Ms. Wieczoreck advised members that the Regional Transportation Plan has been approved and will be ready for publication shortly. She noted that an executive summary will be available to those who prefer a shorter version of the plan.

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

Meeting Adjourned at 6:34 P.M.

Respectfully submitted,

Timothy A. Slavin
Chairman

TAS/rmr/jas/alc/tam
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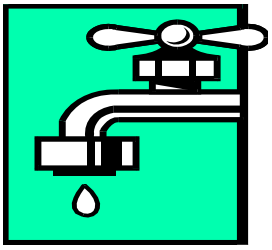
CITY OF DOVER

FINANCE DEPARTMENT

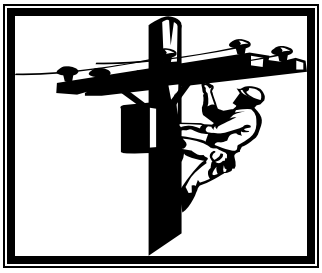
MONTHLY BUDGET REPORT

MAY 2009









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
May 2009

Strategic Objectives for Fiscal Year 2008 – 2009

1. Coordinate audit program with the Legislative, Finance & Administrative Committee. Meet all deadlines as established in the audit program.

2. Test of internal controls by the auditor. Not to exceed the tolerable rate established by the auditor's by more than five (5) percent.

3. Utilizing Fortis, scan 10% of files/documents into an electronic database.

ACTIVITY LEVELS

	FY08 – YTD	FY09 – YTD
Bank Trends		
Total Amount of All Deposits	$ 124,701,271	$ 122,790,238
Number of Bank Accounts	29	28
Payroll:		
Number of Pay Periods	24	24
Number of Payroll Checks	10,339	10,523
Number of Pension Checks	2,448	2,461
Total Gross Payroll	$ 18,055,365	$ 19,202,663
Total Pension Payments	$ 3,744,665	$ 3,815,518
Total Overtime	$ 674,855	$ 702,486
Accounts Payable:		
Number of Check Vouchers (1)	8,242	7,534
Check Voucher Dollar Amount Disbursed	$ 32,736,749	$ 27,619,802
Number of EFT Vouchers	339	1,574
EFT Voucher Dollar Amount Disbursed	$ 21,851,547	$ 72,987,134
Wire Transfers (2)	$ 79,981,767	$ 9,887,883

(1) FY09-YTD includes Retiree's Stipend
(2) Wire transfers are down compared to FY08 as the Finance Department is now using EFT (Electronic Fund Transfer) to pay vendors.

City of Dover
Finance Department
Monthly Report – May 2009

General Fund Summary

	Budget	Revised Budget	YTD	Balance	92% of Budget
Receipts					
Beginning Balance	$ 3,910,144	$ 4,227,059	$ 4,227,059	$ -	100.0%
Court of Chancery Fees	815,860	650,000	608,800	41,200	93.7%
Fines & Police Revenues	1,128,169	1,022,579	811,138	211,441	79.3%
Franchise Fees	426,220	426,220	372,877	53,343	87.5%
Grants	102,440	102,440	97,922	4,518	95.6%
Intrafund Services	4,761,722	4,683,433	3,886,801	796,632	83.0%
Library & Recreation Revenues	705,873	668,873	654,926	13,947	97.9%
Licenses & Permits	2,570,000	2,489,500	2,544,409	(54,909)	102.2%
Property Taxes	10,042,473	10,000,464	10,018,193	(17,729)	100.2%
BID Revenue	53,264	52,692	53,113	(421)	100.8%
Sanitation Revenues	1,416,411	1,418,796	1,296,076	122,720	91.4%
Other Miscellaneous Revenues	329,785	329,785	357,693	(27,908)	108.5%
Transfers-In from Other Accounts & Utilities					
Civil Traffic Penalties	500,000	500,000	541,532	(41,532)	108.3%
Municipal Street Aid Fund	710,346	790,264	791,306	(1,042)	100.1%
Transfer Taxes	2,650,222	1,400,000	1,037,386	362,614	74.1%
Workers Comp	100,000	-	-	-	0.0%
Water/Wastewater Fund	564,810	564,810	564,810	-	100.0%
Electric Fund	6,758,100	6,758,100	6,758,100	-	100.0%
Total	$ 37,545,839	$ 36,085,015	$ 34,622,141	$ 1,462,874	95.9%
Expenditures					
City Clerk & Council	$ 449,398	$ 437,860	$ 331,407	$ 106,453	75.7%
Mayor, City Manager & Human Resources	1,114,559	1,118,585	966,836	151,749	86.4%
Police & Police Extra Duty	12,934,263	12,765,597	11,178,351	1,587,246	87.6%
Public Services	4,572,479	4,434,605	3,822,723	611,882	86.2%
Central Services	2,591,102	2,541,698	2,201,014	340,684	86.6%
Planning & Inspections	2,056,196	1,909,680	1,526,572	383,108	79.9%
Finance, Info Tech & Customer Services	2,678,375	2,629,840	2,279,112	350,728	86.7%
Library & Recreation	2,038,715	1,977,958	1,662,892	315,066	84.1%
Fire Department	722,865	710,814	629,084	81,730	88.5%
Assessor	680,736	611,925	467,266	144,659	76.4%
Debt Service	442,319	442,319	442,319	-	100.0%
Insurance	500,000	515,000	474,847	40,153	92.2%
Retirees' Health Care	953,987	906,187	849,129	57,058	93.7%
Street Lights	985,000	985,000	872,861	112,139	88.6%
Transfer to CDBG	11,000	11,000	-	11,000	0.0%
Provision for Uncollectibles	10,000	10,000	10,000	-	100.0%
Transfers Out					
Capital Asset Reserve	200,000	200,000	200,000	-	100.0%
Capital Projects Fund	1,884,497	1,044,184	1,044,184	-	100.0%
Budget Bal-Working Capital	2,720,348	2,832,762	-	2,832,762	0.0%
Total	$ 37,545,839	$ 36,085,015	$ 28,958,597	$ 7,126,418	80.3%
Reserve Balances					
Contingency	$ 679,754	$ 717,211	$ 741,939		

City of Dover
Finance Department
Monthly Report – May 2009

Water/Wastewater Fund Summary

	Budget	Revised Budget	YTD	Balance	92% of Budget
Revenue					
Beginning Bal-Water	$ 449,977	$ 782,546	$ 782,546	$ -	100.0%
Beginning Bal-Wastewater	643,949	613,583	613,583	-	100.0%
Beginning Bal-Kent Co Sewer Adj.	(364,750)	(545,326)	(545,326)	-	100.0%
Water Fees	4,386,862	4,299,000	3,715,570	583,430	86.4%
Water Tank Leases	250,275	250,275	323,186	(72,911)	129.1%
Wastewater Fees	2,533,686	2,495,000	2,143,740	351,260	85.9%
Impact Fees - Water	196,000	125,000	99,400	25,600	79.5%
Impact Fees - Wastewater	712,500	630,000	572,924	57,076	90.9%
Transfer from Capital Asset Reserve Wastewater	200,000	-	-	-	0.0%
Kent County Treatment Fees	4,307,001	3,910,369	3,403,777	506,592	87.0%
Miscellaneous	165,000	146,000	124,863	21,137	85.5%
Total	$ 13,480,500	$ 12,706,447	$ 11,234,263	$ 1,472,184	88.4%
Expenses					
Engineering & Inspection	$ 705,585	$ 700,372	$ 617,278	$ 83,094	88.1%
Water	496,569	473,292	377,552	95,740	79.8%
Water Treatment Plant	1,377,268	1,347,238	1,324,189	23,049	98.3%
Wastewater	1,222,541	1,105,809	943,151	162,658	85.3%
Water Meter Reading	73,577	72,816	62,289	10,527	85.5%
Construction & Inspection	516,094	510,343	389,056	121,287	76.2%
Kent County Treatment Fees	3,644,430	3,435,430	3,203,546	231,884	93.3%
Retiree's Health Care	128,515	119,455	112,920	6,535	94.5%
Debt Service - Arbitrage Payment	-	71,436	71,436	-	100.0%
Debt Service	835,600	835,600	776,445	59,155	92.9%
Intrafund Services	1,320,565	1,302,782	1,026,830	275,952	78.8%
Transfers Out					
General Fund	564,810	564,810	564,810	-	100.0%
Water/Wastewater I & E Fund	700,000	700,000	700,000	-	100.0%
Impact Fee Reserve	378,260	264,260	-	264,260	0.0%
Budget Bal-Working Capital - Water	638,998	867,310	-	867,310	0.0%
Budget Bal-Working Capital - WW	579,867	405,881	-	405,881	0.0%
Budget Bal-Working Capital - KSA	297,821	(70,387)	-	(70,387)	0.0%
Total	$ 13,480,500	$ 12,706,447	$ 10,169,502	$ 2,536,945	80.0%
Reserve Balances					
Contingency-Water	$ 115,541	$ 118,545	$ 118,315		
Contingency-Wastewater	$ 130,291	$ 132,026	$ 132,297		
Impact Fee Reserve - Sewer	NO BUDGET	NO BUDGET	$ 3,224,827		
Bond Coverage Ratio (Covenant 1.20)	2.99	2.61	2.47		

City of Dover
Finance Department
Monthly Report – May 2009

Electric Revenue Fund Summary

	Budget	Revised Budget	YTD	Balance	92% of Budget
Revenue					
Beginning Balance	$ 6,816,609	$ 10,680,522	$ 10,680,522	$ -	100.0%
Sales to Customers	98,527,100	98,527,100	90,105,476	8,421,624	91.5%
Utility Tax	1,763,500	1,763,500	1,595,446	168,054	90.5%
Weyandt Hall Rents	186,816	186,816	239,803	(52,987)	128.4%
Miscellaneous Revenues	3,228,600	1,777,867	1,589,587	188,280	89.4%
Reimbursement of Bond Issuance Costs	-	222,690	222,690	-	100.0%
Intrafund Service Receipts Water/Wastewater	263,353	263,898	171,124	92,774	64.8%
Total	$ 110,785,978	$ 113,422,393	$ 104,604,648	$ 8,817,745	92.2%
Expenses					
Power Supply & Generation					
Power Supply	$ 63,410,077	$ 63,410,077	$ 51,756,716	$ 11,653,361	81.6%
Power Supply Management/Incentive	2,788,808	2,788,808	2,731,721	57,087	98.0%
Capacity Charges	10,692,738	10,692,738	9,661,614	1,031,124	90.4%
PJM Charges - Load	3,510,195	3,510,195	6,063,343	(2,553,148)	172.7%
Total Power Supply	80,401,818	80,401,818	70,213,394	10,188,424	87.3%
Plant Operations	5,921,646	5,921,646	4,715,161	1,206,485	79.6%
Generation Fuels	2,382,179	2,382,179	1,442,888	939,291	60.6%
Capacity Credits	(9,265,997)	(9,265,997)	(8,304,403)	(961,594)	89.6%
PJM Credits	(2,552,753)	(2,552,753)	(1,523,187)	(1,029,566)	59.7%
Total Generation	(3,514,925)	(3,514,925)	(3,669,541)	154,616	104.4%
Total Power Supply & Plant	76,886,893	76,886,893	66,543,853	10,343,040	86.5%
Electric Operating Divisions					
Transmission/Distribution	3,680,134	3,631,559	3,109,619	521,940	85.6%
Electrical Engineering	1,668,347	1,634,201	1,203,355	430,846	73.6%
Administration	662,515	649,062	541,145	107,917	83.4%
Meter Reading	293,494	290,176	251,846	38,330	86.8%
Systems Operations	553,954	575,443	506,281	69,162	88.0%
Contractual Services 2030 Committee	300,000	300,000	285,807	14,193	95.3%
Utility Tax	1,763,500	1,763,500	1,595,446	168,054	90.5%
Interest on Deposits	42,000	54,500	56,509	(2,009)	103.7%
Retirees Health Care	557,727	519,999	456,514	63,485	87.8%
Accounts Receivable Write-Offs	135,000	135,000	135,000	-	100.0%
Green Energy Payment to DEMEC	137,600	137,600	122,677	14,923	89.2%
Debt Service	3,431,323	4,055,023	3,664,389	390,634	90.4%
Bond Issuance Costs	-	222,690	222,690	-	100.0%
Intrafund Services	3,704,510	3,644,549	3,031,096	613,453	83.2%
Inventory write-offs	175,000	175,000	175,000	-	100.0%
Transfers Out					
Electric Improvement & Extension Fund	1,684,000	1,684,000	1,684,000	-	100.0%
General Fund	6,758,100	6,758,100	6,758,100	-	100.0%
Budget Bal. - Work. Capital	8,351,881	10,305,098	-	10,305,098	0.0%
Total	$ 110,785,978	$ 113,422,393	$ 90,343,327	$ 23,079,066	79.7%
Reserve Balances					
Contingency Reserve	$ 907,332	$ 924,869	$ 924,998		
Insurance Reserve	$ 376,255	$ 383,502	$ 383,587		
Rate Stabilization Reserve	$ 2,508,562	$ 2,556,265	$ 2,556,675		
Bond Coverage Ratio (Covenant 1.25)	1.51	1.63	2.05		
Megawatt Hours Sold & Purchased					
Sales to Customers MWh (excluding Street Lights)	747,193	744,932	662,732		
Sales per MWh	$ 134.223	$ 134.631	$ 138.368		
Purchased/Generated MWh	788,808	782,081	687,290		
All In MWh Supply & Generation	$ 97.472	$ 98.311	$ 96.821		

City of Dover
Finance Department
Monthly Report – May 2009

General Capital Project Fund Summary

	Budget	Revised Budget	YTD	Balance	92% of Budget
Revenue					
Beginning Balance - Projects	$ 185,000	$ 811,017	$ 811,017	$ -	100.0%
Transfer from General Fund for Projects	1,884,497	1,044,184	1,044,184	-	100.0%
Recreation Grant	440,000	468,500	67,262	401,238	14.4%
State Grant	-	600,000	241,084	358,916	40.2%
Gifts/Donations [1]	-	-	1,770	(1,770)	0.0%
Transfer from Library Reserve	1,200,000	600,000	238,693	361,307	39.8%
Transfer from Parkland Reserve	-	40,000	15,587	24,413	39.0%
Interest Earnings	65,000	65,000	7,630	57,370	11.7%
Income from Sale of Assets	-	-	50,668	(50,668)	0.0%
Total	$ 3,774,497	$ 3,628,701	$ 2,477,895	$ 1,150,806	68.3%
Expenditures					
Fire	$ 296,210	$ 312,533	$ 288,201	$ 24,332	92.2%
Grounds Maintenance	109,500	210,413	200,205	10,208	95.1%
Library	1,200,000	1,200,000	522,791	677,209	43.6%
Recreation	500,000	595,704	141,894	453,810	23.8%
Life Safety	4,200	4,200	4,042	158	96.2%
Police	346,126	127,628	88,100	39,528	69.0%
Streets	704,170	295,922	295,751	171	99.9%
Sanitation	315,000	315,000	324,978	(9,978)	103.2%
Information Technology	110,915	87,704	7,132	80,572	8.1%
Public Services - Administration	38,380	38,193	28,400	9,793	74.4%
Facilities Management	140,000	75,000	40,060	34,940	53.4%
Central Services	9,996	25,996	25,110	886	96.6%
Transfer to Library Reserve [1]	-	-	1,770	(1,770)	0.0%
Budget Balance - Projects	-	340,408	-	340,408	0.0%
Total	$ 3,774,497	$ 3,628,701	$ 1,968,434	$ 1,660,267	54.2%
Reserve Balances					
Capital Asset Replacement Reserve	NO BUDGET	NO BUDGET	$ 241,013		
Library Reserve	$ 2,691,250	$ 2,709,400	$ 3,669,982		
Parkland/Recreation	$ 113,162	$ 192,735	$ 219,035		

(1) Donations for the library.

City of Dover
Finance Department
Monthly Report – May 2009

Water/Wastewater Improvement & Extension Fund Summary

	Budget	Revised Budget	YTD	Balance	92% of Budget
Revenue					
Beginning Balance-Water	$ 912,621	$ 1,446,695	$ 1,446,695	$ -	100.0%
Beginning Balance-Wastewater	915,232	713,799	713,799	-	100.0%
Beginning Balance-Bond Proceeds-Wastewater	11,260,300	-	-	-	0.0%
State Grant (Homeland Security) & Other	-	140,000	-	140,000	0.0%
Income from Sale of Assets	-	-	17,090	(17,090)	0.0%
Interest Earned	36,000	36,000	96,171	(60,171)	267.1%
Transfer from Water Operating Fund for Water	500,000	500,000	500,000	-	100.0%
Transfer from Wastewater Operating Fund for Wastewater	200,000	200,000	200,000	-	100.0%
Transfer from Capital Asset Reserve Water	-	1,000,000	1,000,000	-	100.0%
Transfer from Capital Asset Reserve Wastewater	-	500,000	500,000	-	100.0%
Transfer from Impact Fee Reserve	-	644,217	197,214	447,003	30.6%
Total	$ 13,824,153	$ 5,180,711	$ 4,670,969	$ 509,742	90.2%
Expenses					
Engineering & Inspection	$ 15,445	$ 15,445	$ 16,247	$ (802)	105.2%
Water	3,058,450	2,636,572	1,094,759	1,541,813	41.5%
Wastewater	4,632,150	1,451,053	582,284	868,769	40.1%
Water Construction	29,000	29,000	26,666	2,334	92.0%
Budget Bal-Working Capital - Water	4,661,248	431,400	-	431,400	0.0%
Budget Bal-Working Capital - WasteWater	1,427,860	617,241	-	617,241	0.0%
Total	$ 13,824,153	$ 5,180,711	$ 1,719,956	$ 3,460,755	33.2%
Reserve Balances					
Capital Asset Replacement - Water	$ 1,043,553	$ 198,742	$ 204,802		
Capital Asset Replacement - Wastewater	$ 493,571	$ 64,113	$ 64,306		

City of Dover
Finance Department
Monthly Report – May 2009

Electric Improvement & Extension Fund Summary

	Budget	Revised Budget	YTD	Balance	92% of Budget
Revenue					
Beginning Balance	$ 10,923,712	$ 1,870,644	$ 1,870,644	$ -	100.0%
Beginning Balance Bond Proceeds	-	302,327	302,327	-	100.0%
Bond Proceeds	-	15,293,600	20,356,046	(5,062,446)	133.1%
Interest Earnings	113,037	113,037	36,173	76,864	32.0%
Transfer from Electric Revenue Fund	1,684,000	1,684,000	1,684,000	-	100.0%
Transfer from Depreciation Fund	2,000,000	2,000,000	2,000,000	-	100.0%
Transfer from Future Capacity Reserve	3,000,000	-	-	-	0.0%
State Reimbursement for Projects	805,558	805,738	-	805,738	0.0%
Income from Sale of Assets	-	-	107,754	(107,754)	0.0%
DEMA Grant for Security System	50,000	50,000	-	50,000	0.0%
Green Energy Grant for Photovoltaic System	-	65,820	-	65,820	0.0%
Total	$ 18,576,307	$ 22,185,166	$ 26,356,944	$ (4,171,778)	118.8%
Expenses					
Power Plant	$ 2,690,000	$ 3,370,555	$ 2,323,366	$ 1,047,189	68.9%
Transmission/Distribution	933,500	932,698	766,117	166,581	82.1%
Electrical Engineering	9,556,887	15,042,107	9,521,371	5,520,736	63.3%
Budget Bal. - Work. Capital	5,395,920	1,461,548	-	1,461,548	0.0%
Budget Bal. Bond - Work. Capital	-	1,378,258	-	1,378,258	0.0%
Total	$ 18,576,307	$ 22,185,166	$ 12,610,854	$ 9,574,312	56.8%
Reserve Balances					
Depreciation Reserve	$ 7,394,904	$ 7,701,763	$ 7,759,325		
Future Capacity Reserve	$ 5,420,692	$ 8,640,651	$ 8,729,365		

Dover Police Department

Monthly Report
To
Mayor & City Council

"To Protect and Serve"

May 2009

DEPARTMENT OF POLICE

Jeffrey Horvath
Chief of Police
F.B.I.N.A.

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

June 12, 2009

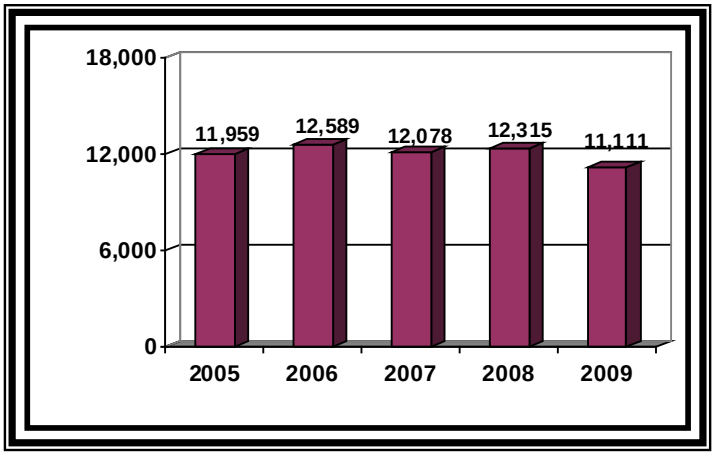
Honorable Carleton E. Carey, Sr., Mayor
Members of Dover City Council
City Hall
Dover, DE 19901

Mayor Carey and Council Members:

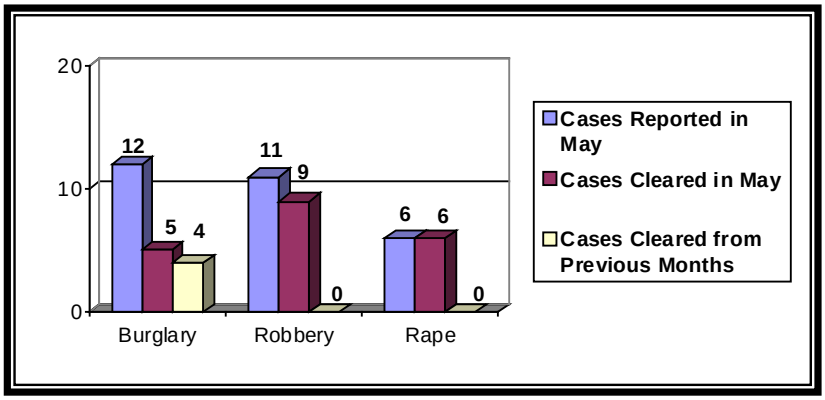
The following is the report on Police Department activities for the month of May 2009:

COMPLAINTS

Total complaints received through May 31st, numbered 11,111. This is a decrease of 1, 204 complaints over the same time period for last year.



CRIMINAL INVESTIGATIONS

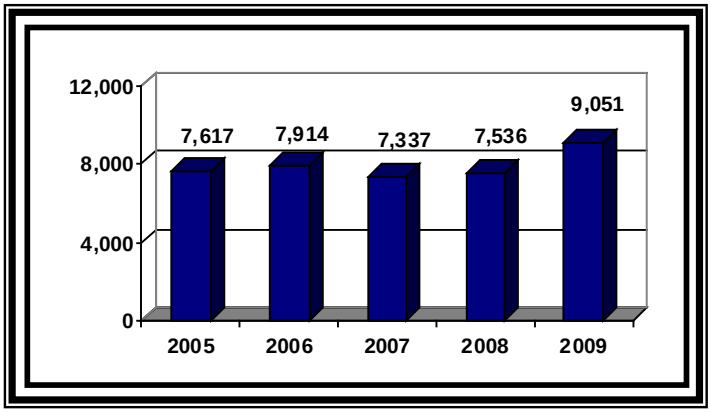


QUALITY OF LIFE TASK SECTION

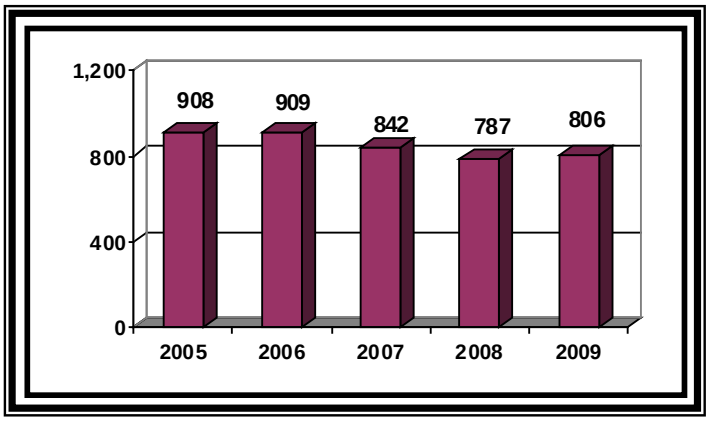
ENFORCEMENT ACTION	ARRESTS
ABANDONED VEHICLES	1
ALCOHOL VIOLATIONS	19
ASSIST OTHER	68
WARRANTS ON FILE	0
BIKE ON SIDEWALK	2
CITY PARK VIOLATIONS	0
CRIMINAL ARRESTS	40
DRUG RELATED ARRESTS	37
LOUD MUSIC	15
MISCELLANEOUS VIOLATIONS	3
PARKING VIOLATIONS	24
COLLECTION OF DELINQUENT DCO'S	0
PEDDLER	0
PROSTITUTION	0
WANTED CHECKS/CPC'S	16
WARNINGS/TRAFFIC ARRESTS	111
FUGITIVE	47
TOTAL ARRESTS	383

TRAFFIC ARRESTS

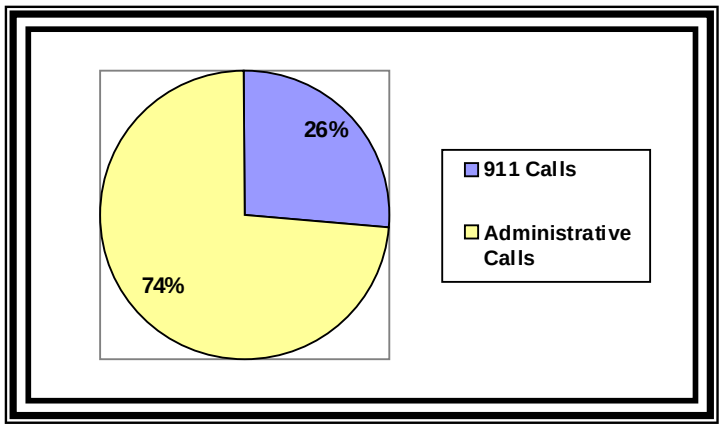
The department issued 9,051 traffic citations through this reporting period. This is an increase of 1,515 citations over the number issued during the same period last year.



TRAFFIC CRASHES



Through May 31st, Dover Police investigated 806 traffic crashes. This is an increase of 19 traffic crashes investigated during the same period last year.

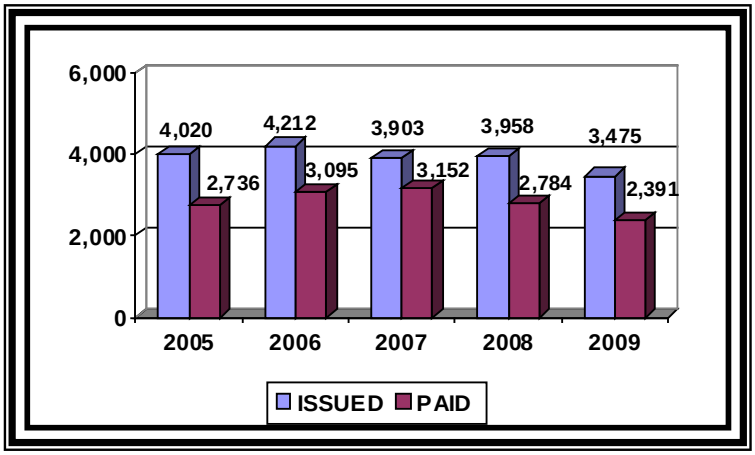


911 CENTER

During the month of May, our 911 Center handled a total of 11,579 calls averaging 374 calls per day. Dispatchers handled 3,057 calls on the 911 lines, an average of 99 calls per day.

CITY ORDINANCE SUMMONS

Through May 31st, we issued 3,475 city ordinance summons, a decrease of 483 summons over May of last year. *Note: of those summonses issued in May, 29 were issued for handicapped parking violations, 23 for fire lane parking violations, 38 for false alarms (35 for 3-5 alarms, 3 for 6-9 alarms, 0 for 10-15 alarms, and 0 for 16 or more alarms) and 29 for noise violations (24 for vehicle violations and 5 for residence violations).



Listed below are the major crimes and activities that occurred during the month of May:

- Regretfully the Dover Police Department has implemented plans to temporarily disband the Quality of Life Neighborhood Enforcement Team. The officers assigned to this team have been responsible for 7,786 arrests since the inception of the program in 2007. This course of action is necessary to offset unfilled vacancies due to the hiring freeze and pending furloughs beginning in July. The officers assigned to this team will return to the Patrol Unit to support basic police services by augmenting the platoons within the patrol unit.

- During race weekend at Dover Downs International Speedway, officers made 10 arrests relating to either traffic or criminal charges and all were alcohol related.

- The Drugs, Vice & Organized Crime Section working in conjunction with Department of Corrections Internal Affairs Investigators arrested a Correctional Officer after he was found to be in possession of 27 grams of marijuana. The officer possessed the marijuana with the intent to smuggle it into the James T. Vaughn Correctional Center.

- The Criminal Investigations Unit investigated a burglary at Green Blade Irrigation, which is located on Barl Court in Dover. During the burglary the suspect pushed in an air conditioning unit and gained access to the business. Once inside the subject removed a laptop computer and fled the business in one of their work vehicles. As the investigation continued a suspect was developed and that information was passed onto patrol officers. The stolen vehicle was located a short time later, which led to the arrest of a suspect. Further investigation revealed that the suspect was responsible for 11 other burglaries in the Dover Area over the course of the last two months.

Major crimes and activities that occurred during the month of May continued:

- Patrol Officers responded to a report of a robbery at the East Side Package Store and upon arrival they received a description of the suspect. Officers searched the area and located a sixteen year male subject who matched the description. He was taken into custody and later identified by store employees as being the subject who produced a knife and demanded money from them.

- The Criminal Investigations Unit was called to the Buggy Bath Car Wash to investigate the robbery of a man while he was washing his car. A description of the suspect was obtained and broadcast via police radio. After hearing the general broadcast, officers assigned to the Community Policing Unit observed a male subject and vehicle matching the description from the robbery. They contacted the subject and after some brief questioning determined that he was involved in the robbery. The arrest took place at a gas station south of the city limits where the suspect was using one of the victim's credit cards to fuel his vehicle. The gun used in furtherance of the robbery was located in the back seat of the suspect's vehicle.

- Officers assigned to the Quality of Life Task Force arrested a subject in the area of Division Street and Pennsylvania Avenue. The man was wanted for outstanding warrants and he was also found to be in possession of 9 grams of marijuana, which he had packaged for sale.

- The Criminal Investigations Unit continues to investigate the stabbing of a man outside the Loockerman Exchange. Both the victim and suspect were inside the business when they became involved in an altercation that eventually ended with both of them being removed from the bar. Once on the sidewalk the victim tried to walk away, but was attacked from behind by the suspect with a knife. The victim suffered multiple stab wounds to his face and body. Arrests are expected in this case.

- Dover Police Officers were sent to a report of shots being fired in the Manchester Square Development. A short time later it was reported that three victims of gunshot wounds were at Kent General Hospital. Further investigation revealed that two of the subjects were shot by the third person at the hospital. The third person at the hospital was later identified as the suspect when it was determined that he apparently shot himself in the lower abdomen when he tried to hide the gun in his waistband after shooting the two victims.

- As of the end of May 2009, the Dover Police Department has seen an eleven percent decrease in the number of burglaries reported and a nine percent increase in the number of robberies reported as compared to this time last year.

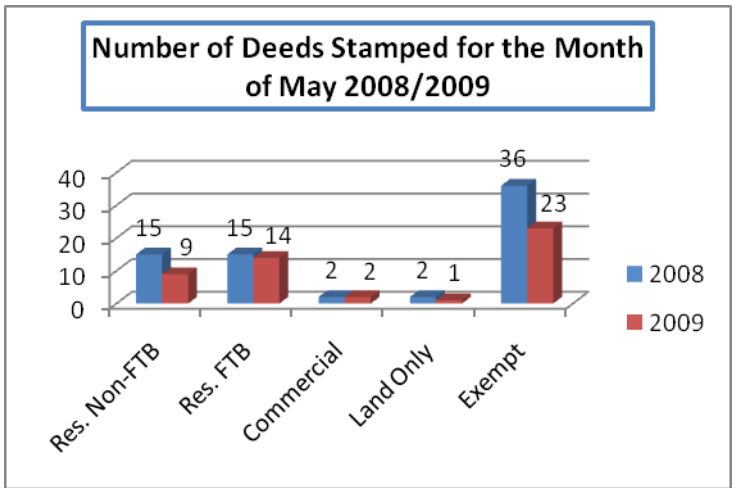
Respectfully Submitted,

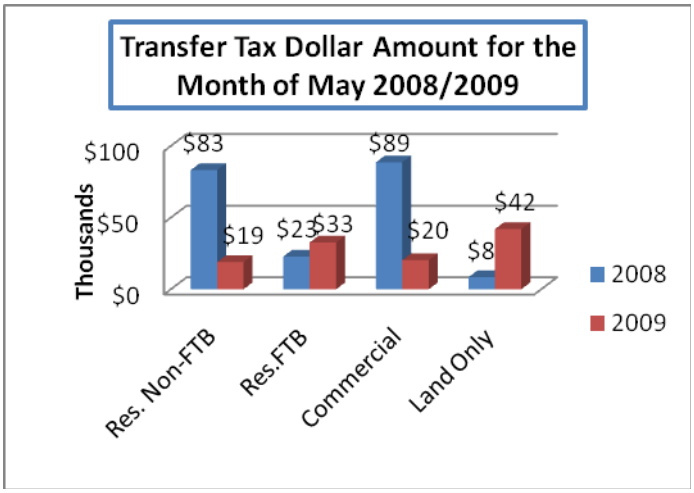


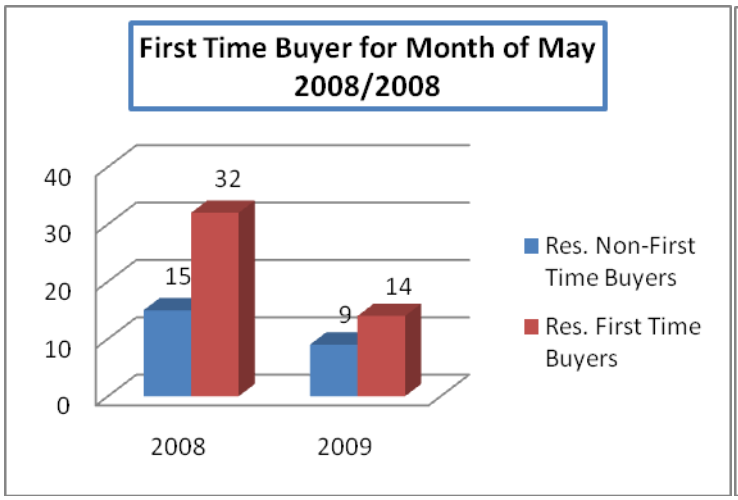
Jeffrey Horvath
Chief of Police

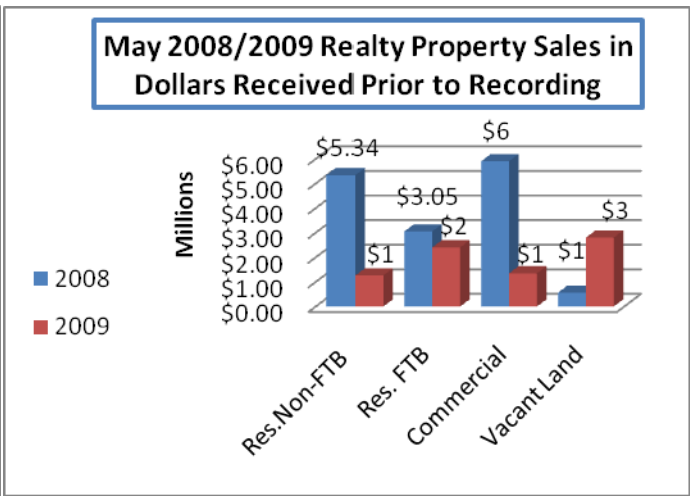
Monthly Report
May 2009

Office of City Assessor









Major Updates

	Mar-09	Apr-09	May-09
Assessment Change	$7,852,280	$0	$7,006,800

Residential Sales Ratio Report

Sales in Study	Total Assessed Value	Total Sale Price	Ratio	PRD
14	$2,021,400	$2,489,663	81.19	.98

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.

- All deeds from 2006 through current day are scanned and attached to our software.

- Hard Copies of original property record cards are being scanned and attached to the CAMA software for easy retrieval of previous years history.

City Wide Revaluation

- Data collectors are visiting neighborhoods verifying existing information and acquiring new data.
  (Please see attached Project Status report form Tyler Technologies)

Appeals

-Appeal Hearings were scheduled for May 20 and May 21, 2009. Recommendations by the Appeals Committee will be heard by full City Council on June 22, 2009.

CITY OF DOVER
SALES RATIO REPORT

PARID	NBHD	LUC	ADDRESS	UNITS	STYLE	YRBLT	STORIES	SFLA	GRADE	CDU	TOTAL APPR	SALE DT	PRICE	ASR
ED05-057.17-02-01.00	16	R10	201 MILLCREEK DR	1		1995	2	1599	C+	VG	149,600	29-MAY-09	187,000	.8
ED05-067.05-01-08.00	20	R10	154 BRANDYWINE DR	1		1988	2	3054	A+	VG	301,900	28-MAY-09	276,863	1.090
ED05-067.15-02-51.00	7	R10	120 ALONZO DR	6		2009	2	1560	C+	VG	132,000	29-MAY-09	180,000	.733
ED05-067.15-04-10.00	10	R10	863 WOODCREST TRN	5		1967	2	2114	C	GD	158,300	15-MAY-09	200,000	.792
ED05-067.19-01-15.00	2	R10	4 HERITAGE DR	13		1977	2	1632	C+	GD	101,600	15-MAY-09	135,000	.753
ED05-075.08-01-13.00	16	R10	108 TUCKET CIR	1		1999	2	2046	B+	VG	200,600	29-MAY-09	219,900	.912
ED05-076.05-02-54.00	16	R10	153 STONEY DR	14		1987	1	1327	C+	VG	133,100	31-MAY-09	176,500	.754
ED05-076.06-02-38.00	2	R10	323 STONE BROOK PL	13		1984	2	1040	C	AV	96,600	22-MAY-09	138,000	.7
ED05-076.07-01-19.00	2	R10	1172 JEFFERSON TER	13		1976	2	1314	B-	VG	94,000	11-MAY-09	130,000	.723
ED05-076.13-05-46.00	16	R10	219 NORTHDOWN DR	13		1999	2	1188	C+	VG	127,700	29-MAY-09	155,000	.824
ED05-076.20-04-12.00	5	R10	950 SHANK RD	14		1996	1	1656	B+	VG	171,900	07-MAY-09	209,500	.821
ED05-077.17-05-11.00	34	R10	121 MORRIS DR	14		1952	1	1288	C-	VG	103,200	07-MAY-09	167,000	.618
ED05-085.12-02-32.00	12	R10	320 KESSELRING AVE	5		1967	2	1416	B	VG	146,900	22-MAY-09	205,000	.717
LC05-058.17-04-03.00	1	R10	5 CAROLYN CT	14		1989	1	1512	C	AV	104,000	14-MAY-09	109,900	.946

tyler TECHNOLOGIES | Tyler Technologies, Inc. | CLT Appraisal & Tax Solutions
12 Goose Lane Tolland, Connecticut 06084 (p) 800.273.8605 (f) 860.872.9526 www.tylertech.com

MEMO

PROJECT STATUS
DOVER, DE

To: Cheryl Russell, Assessor

From: Steve Beccio – Project Supervisor
Date: 5/8/2009
Staff currently assigned:
Project Supervisor: Steve Beccio
Crew Chief : David Stevens
Clerical Support: Lisa Jennie ; Nicole Colbert

Data Collectors: Residential: Andre Coleman; Diane Edwards; Clyde McIntyre; John Wilson.
Commercial: John Mereider; Tom Horn.

PROJECT START UP

. Refer to Status Rpts 1/16/09 and 1/30/09.

Office space
The Assessor has provided Tyler/CLT office space within the Assessor's office.
Address: Tyler Technologies/CLT
C/O City of Dover Assessor's Office
P.O. Box 457
Dover, DE 19903
Phone: 302-760-4927 Fax: 302-736-4450

Photography
Facet Technologies has delivered photos on a hard drive. They need to be associated with the parcels to which they belong.

Routing

All maps have been routed and routing numbers have been entered into an Excel spreadsheet for importing into IAS Total: **(11,753)**. Planned units to date: **(11,757).**

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Public Information

All pre list information mailers have been printed and mailed; **(9,820)** have been mailed as indicated in the chart below.

MAP	IN STATE	OUT STATE	197 198	MAP	IN STATE	OUT STATE	197 198	MAP	IN STATE	OUT STATE	197 198
58.18	0	2	0	56.20	44	0	3	67.07	9	0	0
66.00	5	0	0	57.00	19	10	3	67.17	256	3	2
67.11	72	2		57.01	9	3	0	67.18	172	6	0
67.12	32	2	1	57.17	127	2	3	76.05	170	13	1
67.15	297	15	5	58.17	85	5	1	76.05	214	6	0
67.16	168	5	2	67.00	40	5	4	76.06	540	37	8
67.19	176	7	9	67.13	112	0	1	76.11	86	7	4
67.20	219	8	2	67.14	224	12	2	76.20	208	7	1
68.09	263	12	7	68.00	21	2	0	77.07	64	5	2
68.10	283	6	4	68.05	6	0	3	77.09	190	10	12
68.11	2	0	0	68.19	166	4	3	77.11	197	8	0
68.13	103	13	4	68.20	34	0	0	77.13	102	8	2
68.14	319	29	10	76.03	150	6	19	77.14	36	1	0
68.15	89	1	0	76.07	95	10	4	77.17	171	8	2
68.17	169	7	6	76.08	207	20	18	85.12	268	9	1
68.18	297	22	8	76.09	91	5	8	67.01	54	0	5
69.00	6	0	0	76.10	172	7	6	67.05	95	0	1
75.00	3	0	0	76.12	144	9	9	67.09	141	6	0
77.05	200	11	3	76.13	263	6	7	68.08	12	0	0
77.06	161	11	3	77.10	59	13	5	76.04	0	0	2
85.11	14	0	0	77.18	116	3	3	76.04	25	2	0
86.00	16	1	0	85.08	237	3	0	76.15	11	1	0
86.00	3	2	0	99.99	1	1	0	77.00	12	5	12
86.05	30	0	2	66.12	52	0	0	77.12	8	1	1
86.06	2	0	0	66.16	36	0	1	77.16	21	0	0
75.08	44	3	0	76.00	10	5	4	78.00	18	1	0
78.13	11	1	2	85.00	5	3	0	85.06	64	2	2
87.00	7	0	2	87.06	24	0	0	LC58.14	108	1	0
LC58.17	85	5	1	LC58.18	183	11	0	LC68.00	21	2	0
LC68.10	42	2									
TOTAL	3118	167	71	TOTAL	2732	145	107	TOTAL	3273	149	58

The list above represents neither the count of pieces mailed which did not include properties owned by the City of Dover nor the count of additional parcels under the same ownership to be mailed to the same address. Multiple parcels under the same ownership were consolidated and mailed as one piece.

tyler works.

.esidential Data Collection: As of 5/8/09; **(8,209)** first calls had been made.
Planned units to date: **(5,250)**.

Total Refusals:	154	6%	of Contact
Interior Refusals (Interior Information & Exterior):	1306	50%	of Contact
Interior Refusals (No Interior Information & Exterior):	54	2%	of Contact
Interior Inspections:	1082	42%	of Contact
Estimated:	713	9%	of the time
Vacant Bldg.: (233 unoccupied;13 abandoned)	246	3%	of the time
No One at Home:	4654	56%	of the time.
Contact:	2596	32%	of the time.

Units remaining: ± 991

Commercial and Exempt Data Collection: As of 5/8/09: **105** unit to date.
Planned units to date: **(595).**

Residential Pre-Review: As of 5/8/09: **7,312** units completed. Planned units to date: **(3,900).**

Data Entry: As of 5/8/09: **7,156** properties had been entered into the IAS World 2009 file.
Planned units to date: **(5,075)**.

Action Items

- Continue Residential Data Collection.
- Continue Commercial data collection.
- Continue sales verification.
- Plan Data Mailer format.

Sincerely,
Steve Beccio, Project Supervisor

CC:
PMF
EHF
PM
TLP

CITY MANAGER'S MONTHLY REPORT



May 2009

Monthly Highlights

Customer Services

- 1,098 payments were processed online or by telephone as of May 31, 2009.

Budget and Program Development

- Met with Customer Services and City Manager's staff to discuss staffing issues related to draft budget.
- Attended Performance Review Training.
- Attended Planet Press and Fortis software demonstration.
- Worked with Public Utilities, Finance and Power Plant staff on account number conversion.

Human Resources

- Coordinated and distributed information for the annual open enrollment for health and dental insurance .

Information Technology

- New & improved intranet site on-line for employee use.

Parks, Recreation, & Library

- Annual Spring/Summer concert series, on the Green, began on May 7.
- The Library recorded 828 people attending 24 children's programs.
- Two Young Writer's Workshops recorded 32 teenage participants.

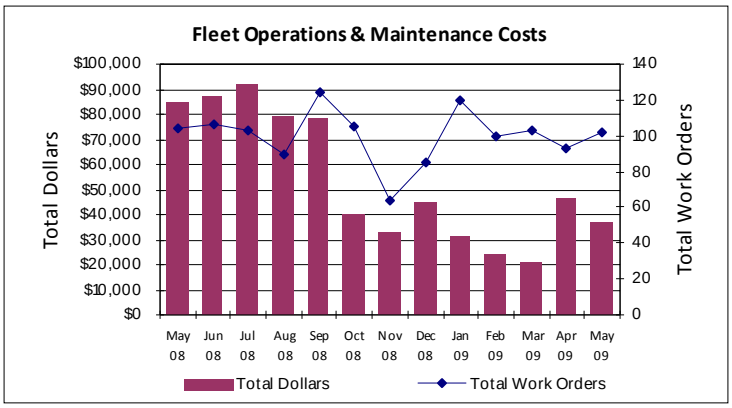
Public Services

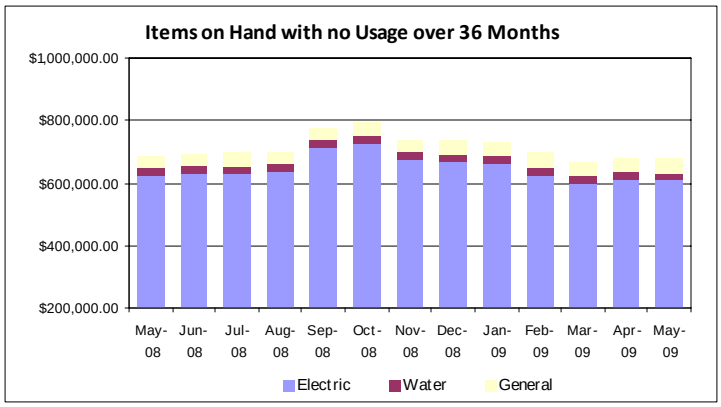
- "Soft" roll-out of curbside recycling program continues. There are 5,969 active accounts as of May 31, 2009.

Public Utilities

- Residential Utility Audits: 21 questionnaires have been received with 15 in home audits performed.
- Contact chamber pipe installation at Well #8 has been completed.

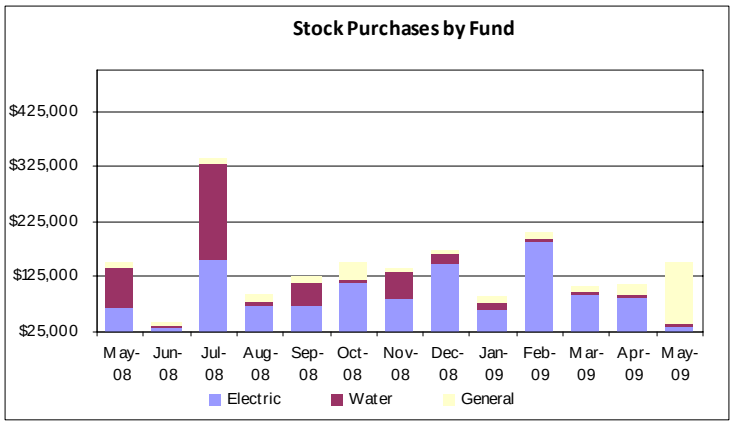
CENTRAL SERVICES

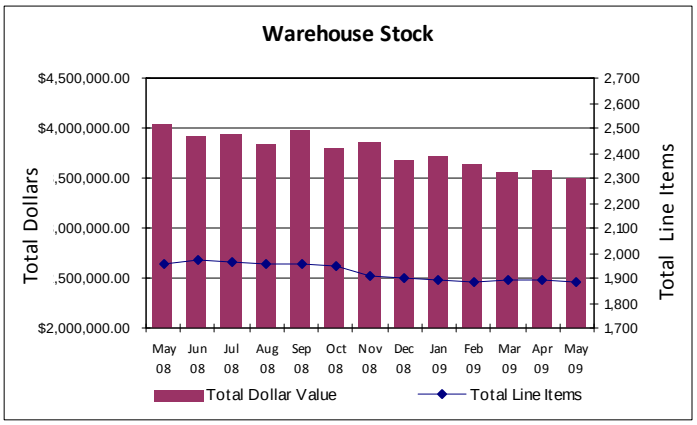




Work Orders: 102
Fleet Maintenance: $5,169.42 (excludes Melvin's Sunoco)
Fuel: $31,815.50

Electric: $609,066.25
Water: $ 21,829.70
General: $ 46,581.28





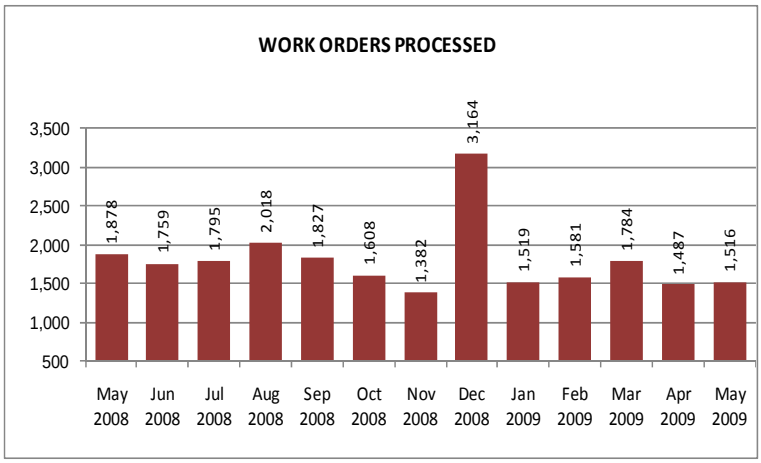
Electric: $ 26,935.39
Water: $ 3,613.92
General: $112,799.98

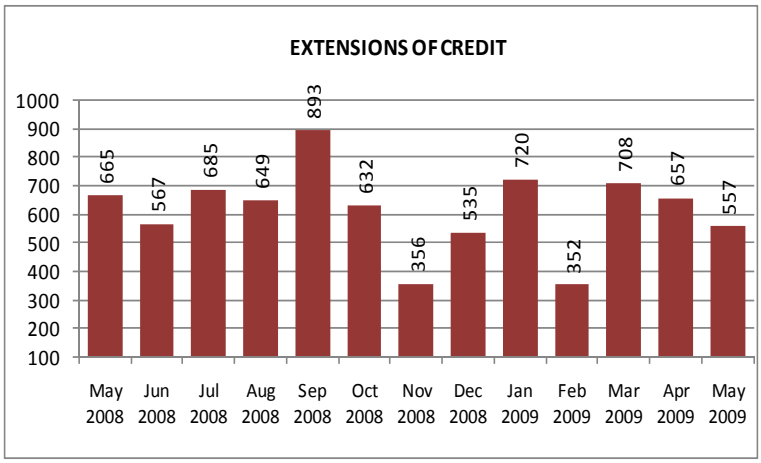
Total Dollar Value: $3,490,550.52
Total Line Items: 1,884

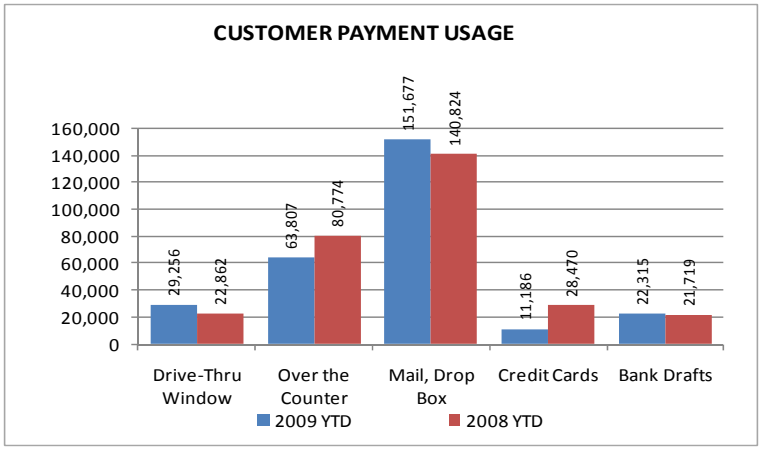
Major Program Updates

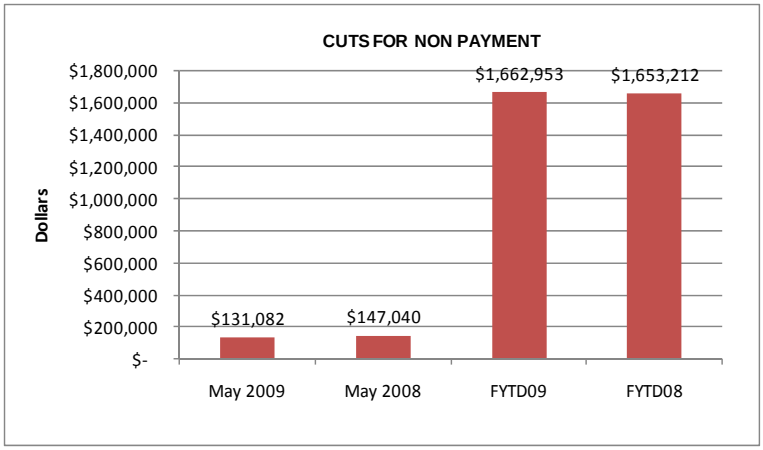
MEASURE	FYTD - MAY 2009	FYTD - MAY 2008	DIFFERENCE
Issue Effectiveness (>90%) *How often the warehouse has what customers need when it's needed.* *[issues / (issues + back orders)] * 100*	95.32%	99.55%	-4.23%
Turn Over Rate (4-5 per yr.) *Indicates that the material stocked is the material being used.*	1 every 14.69 years	1 every 9.78 years	+4.91 years
Bids for non-inventory items converted to purchase orders within timeframe *(Quantity and Percentage)*	27of 90 Bids 90%	37 Bids 94%	-4.0%
Sealed bids prepared, received & distributed within 7 working days of receipt *(Quantity and Percentage)*	43 of 45 Bids 95.5%	51 Bids 61%	34.5%
Scheduled Preventative Maintenance appointments being kept. *(Quantity and Percentage)*	31 of 39 79.5%	22 of 33 66.7%	12.8%
Mail receiving lowest discounted rate *(Quantity and Percentage)*	33,126 pieces 98%	28,343 pieces 96.5%	1.8%
Routine work orders completed within 5 days *(Quantity and Percentage)*	27 96.4%	30 85.7%	2.1%
Emergency work orders completed within 2 days *(Quantity and Percentage)*	1 work orders completed 100%	11 work order completed 100%	-

CUSTOMER SERVICES



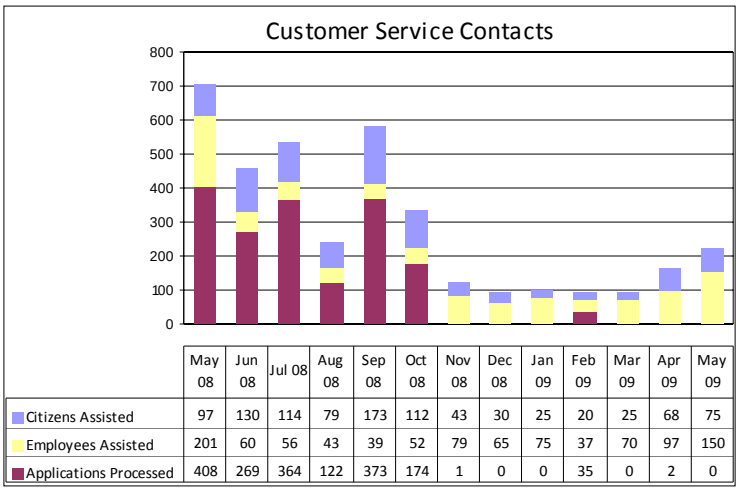




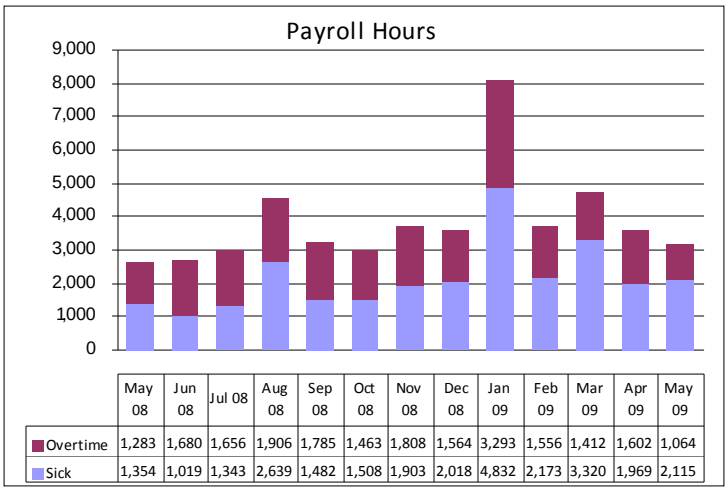


Major Program Updates	May 2009	May 2008	Difference	FY2009 Year-to-Date	FY2008 Year-to-Date
Number of Customers Served	24,418	23,521	897	280,781	49,164
Final Bills	586	586	-	7,667	7,300
Estimated Bills	131	158	(27)	1,695	1,644
Penalties Posted	$ 15,907	$ 12,159	3,749	$ 194,338	$ 167,889
Extensions of Credit - Amount Extended	$ 157,422	$ 148,107	9,315	$ 1,880,120	$ 1,578,864
Balance Transfers	$ 3,558	$ 4,362	(805)	$ 133,193	$ 77,334
Utility Collections	$ 22,613	$ 18,721	3,893	$ 487,914	$ 307,809
Special Assessments	$ 1,505	$ 225	1,280	$ 4,306	$ 1,872
Miscellaneous Billings	$ 36,248	$ 10,239	26,010	$ 729,804	$ 106,704
CNP through Disconnect Collars	25	39	(14)	286	315
Court Cases	-	-	-	-	-
Tamperings	13	-	13	51	4
Taxes Levied	$ -	N/A	-	$ 9,656,770	-
Billing Adjustments	$ -	N/A	-	$ (4,195)	-
Total Taxes Collected	$ 25,587	N/A	-	$ 9,121,439	-
Taxes Outstanding	$ 280,430	N/A	-	$ 6,771,157	-
Payments in Lieu	$ 1,500	N/A	-	$ 59,802	-
Billing Accuracy (on schedule billings)	99.8%	N/A	-	99.8%	99.0%
Bills Published on Schedule	99.9%	N/A	-	99.9%	99.7%
Meters Read on Schedule	99.9%	N/A	-	99.9%	99.9%
Customer Satisfaction Rating	99.8%	N/A	-	99.8%	99.8%
Deliquent Accounts Collected	99.7%	N/A	-	99.7%	99.7%

HUMAN RESOURCES



	May 08	Jun 08	Jul 08	Aug 08	Sep 08	Oct 08	Nov 08	Dec 08	Jan 09	Feb 09	Mar 09	Apr 09	May 09
Citizens Assisted	97	130	114	79	173	112	43	30	25	20	25	68	75
Employees Assisted	201	60	56	43	39	52	79	65	75	37	70	97	150
Applications Processed	408	269	364	122	373	174	1	0	0	35	0	2	0



	May 08	Jun 08	Jul 08	Aug 08	Sep 08	Oct 08	Nov 08	Dec 08	Jan 09	Feb 09	Mar 09	Apr 09	May 09
Overtime	1,283	1,680	1,656	1,906	1,785	1,463	1,808	1,564	3,293	1,556	1,412	1,602	1,064
Sick	1,354	1,019	1,343	2,639	1,482	1,508	1,903	2,018	4,832	2,173	3,320	1,969	2,115

Category	May 08	Jun 08	Jul 08	Aug 08	Sep 08	Oct 08	Nov 08	Dec 08	Jan 09	Feb 09	Mar 09	Apr 09	May 09	Total
Caucasian	331*	334	334	338	338	338	342	343	345	344	343	342	342	N/A
Minorities	61*	62	62	63	65	64	64	64	61	60	59	59	61	N/A
Hired	4	6	2	5	3	1	5	1	2	1	-	-	2	32
Terminated/Resigned /Retired	1	2	2	-	1	2	1	-	2	3	2	1	-	17
Promoted	2	2	5	2	-	-	-	-	-	-	-	-	-	11
Jobs Posted	2	4	5	3	2	1	1	-	-	1	-	1	-	20
Workers Comp. Injuries	4	3	2	2	1	6	13	4	2	3	6	3	2	51
Workers Comp. Hours	178	37	8	79	-	2	67	553	385	64	17	126	350	1,866
Insurance Claims	-	-	-	5	3	10	7	2	1	6	2	6	7	49

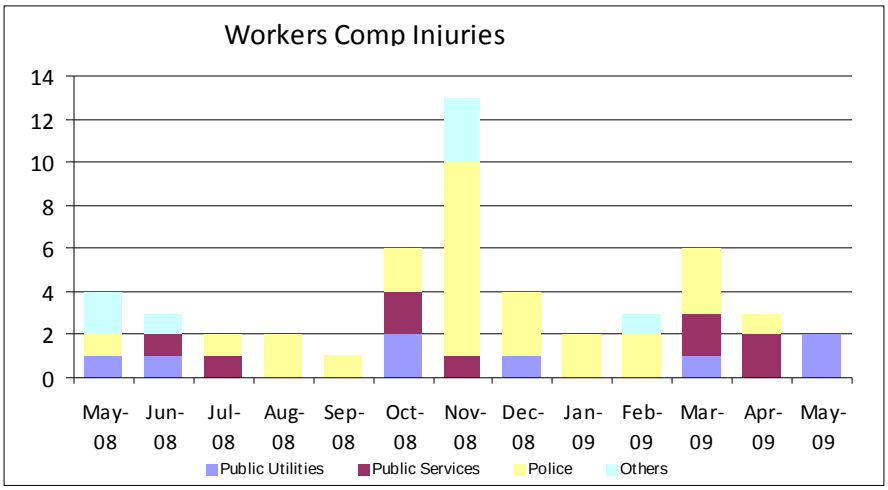
**A review has been completed to ensure the accuracy of the Caucasian and Minority employees. The figures for May 2008 reflect the revised and updated numbers. Workers' Comp. hours may not be the result of injuries that occurred during the current month.*

Full-time Employees: 384
Part-time Employees: 19
Numbers do not reflect, temporary, seasonal, relief fire dispatchers, committee or council members.

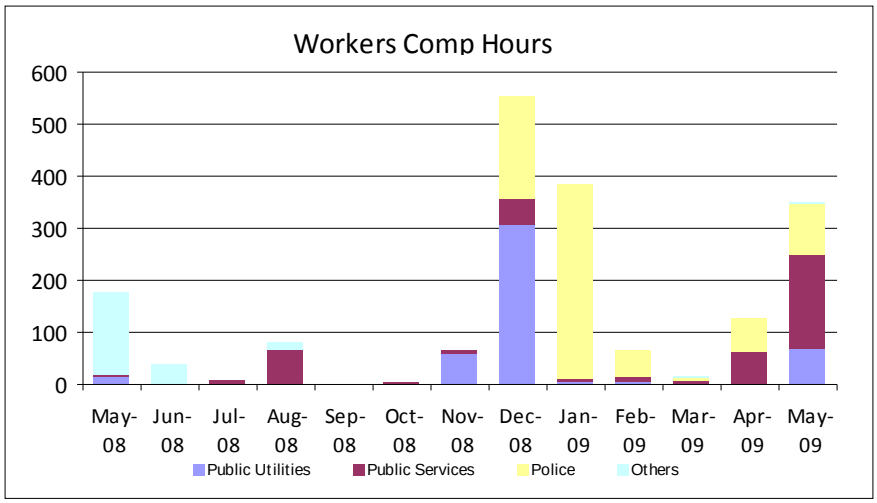
Jobs Posted: No Jobs Posted
Employee (s) Hired: Accountant II (Finance), Payroll Specialist

HUMAN RESOURCES
continued

Bonus Program Category	Feb 09	Mar 09	Apr 09	May 09	Total
Stop Program-*Sensibly Taking Off Pounds(weigh-ins)*	8	11	12	13	44
Pays-*Program Awarding Your Suggestions (submissions)*	-	-	-	-	-
On the Case-*Cost And Savings Excavation (submissions)*	-	-	-	-	-
Caught Doing it Right-*Promotes employees productivity & creativity (submissions)*	1	-	6	-	7
Breathe Program-*Rewards for ending tobacco use (submissions)*	-	-	-	-	-
Ducs in a Row-*Doing Useful Community Service (submissions)*	-	-	-	-	-

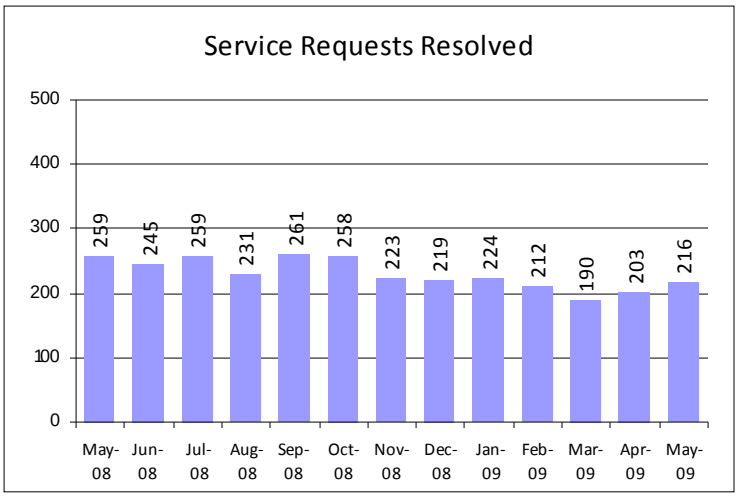


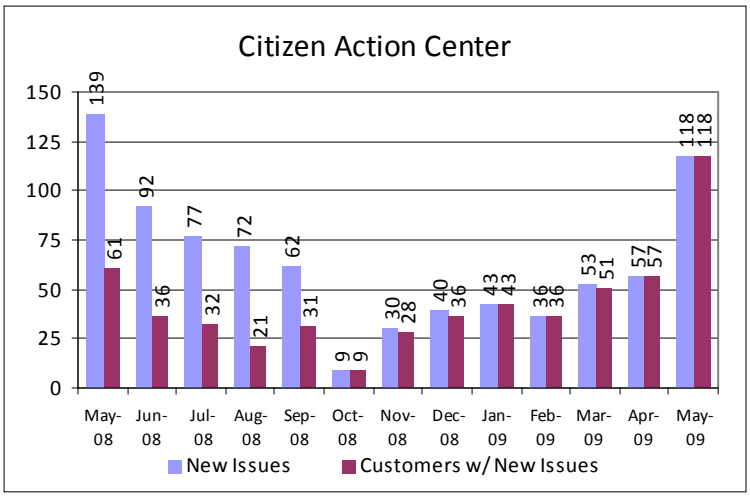
Public Utilities: 2 Public Services: 0 Police: 0 Others: 0

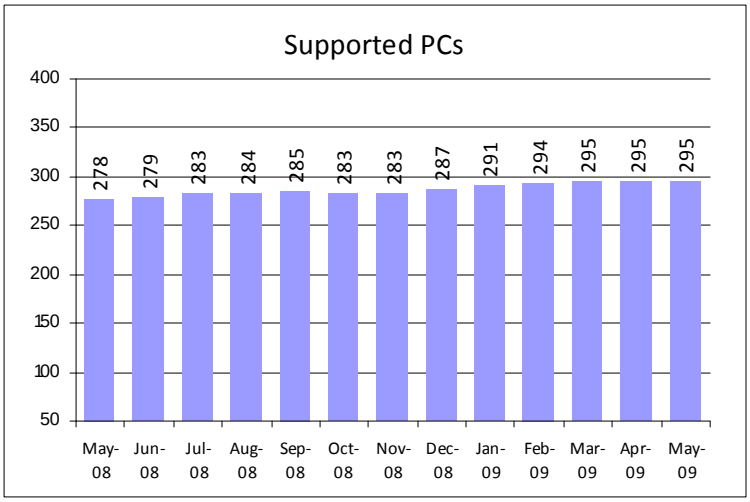


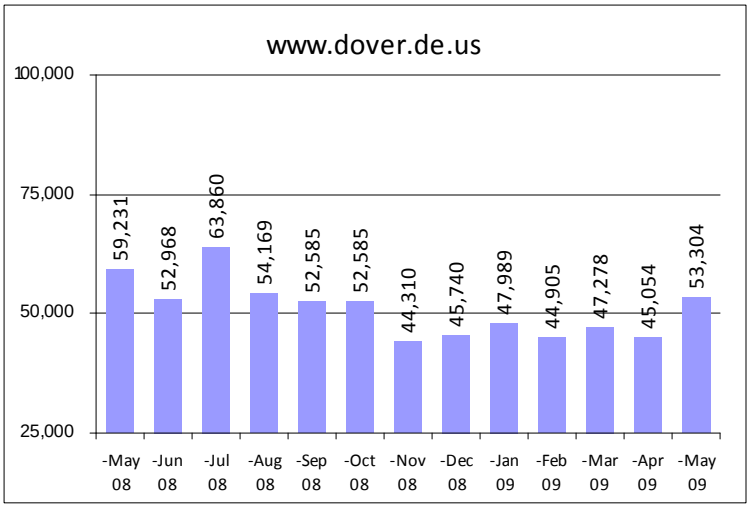
Public Utilities: 71 Public Services: 179 Police: 96 Others: 4

INFORMATION TECHNOLOGY



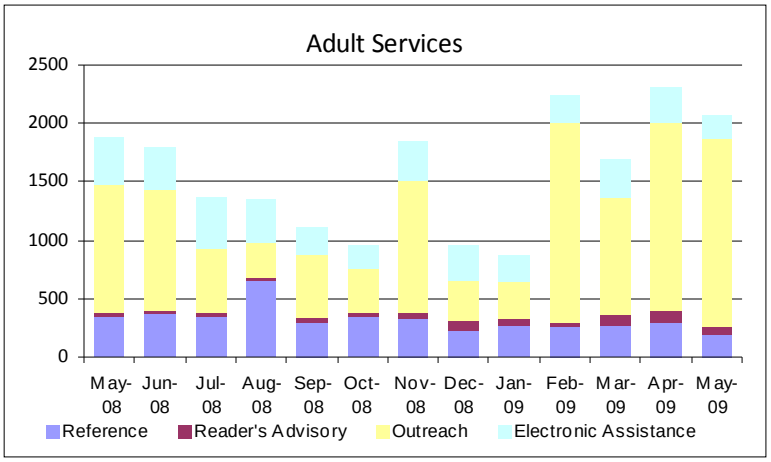


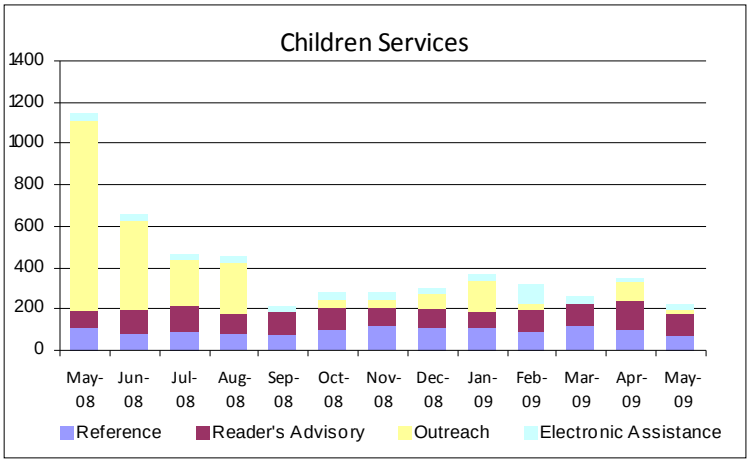




Performance Indicators	Current Month	Last Month	Same Month Last Year
iSeries Availability	100%	100%	100%
Server Availability	99.9%	100%	100%
Programming Rqsts Completed	11	18	1
AS/400 connections concurrent/authorized users	35%	35%	37%
PCs Supported	295	295	278
Scheduled PCs Replaced	-	-	N/A
Servers Supported	16	16	17
People Trained	27	12	5
(Availability statistics based on 7:00 a.m. to 5:00 p.m. M-F)			

Library





Reference: 187 Reader's Advisory: 68
Outreach: 1,619 Electronic Assistance: 203

Reference: 69 Reader's Advisory: 106
Outreach: 22 Electronic Assistance: 25

Circulation	MAY09	FYTD 09	MAY08	FYTD 08
Dover residents	15,786	189,080	15,180	175,058
Kent residents*	16,801	187,655	15,453	185,018
Non-county residents	1,176	14,249	1,162	13,996
Registrations				
Dover residents	160	2,829	160	2,347
Kent residents*	99	1,524	109	1,893
Non-county residents	13	158	21	174
Other				
Visiting patrons	29,330	357,383	31,126	362,276
Meeting room usage	160	1,840	220	1,960
Photocopier usage	1,342	13,805	1,385	14,698
Holds	5,291	57,700	4,781	52,076
Dial-a-Story	1,322	15,971	1,211	14,757
Computer (Internet) usage	5,221	53,761	4,755	55,600

***Breakout of Kent County Residential Statistics**

Circulation	Regulations
Harrington: 164	Harrington: 1
Smyrna: 1,015	Smyrna: 3
Milford: 325	Milford: 1
Outside City Limits: 15,297	Outside City Limits: 94

Total Registered Users: (Card Holders)

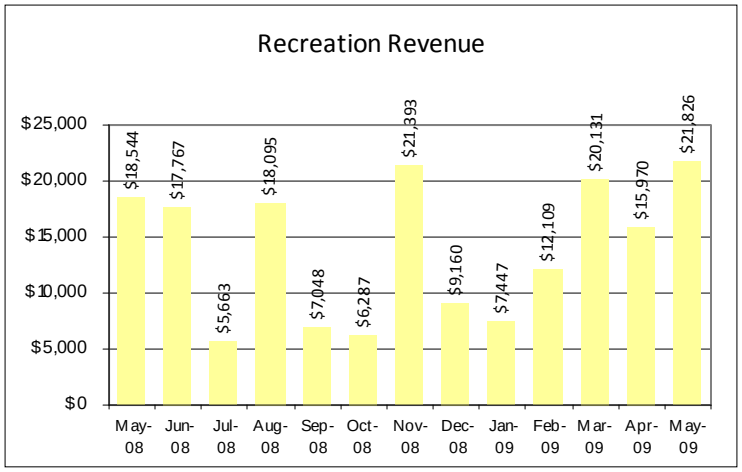
City: 18,920 County: 17,798 Non-County: 1,661

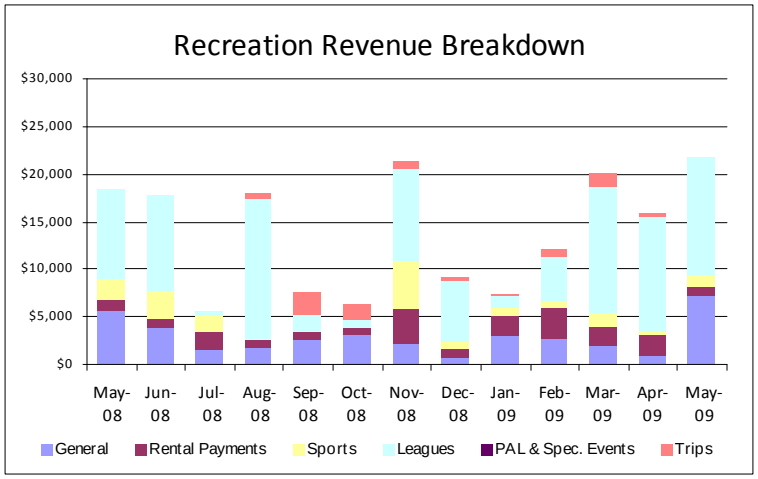
Other Points of Interest:

Interlibrary: 2,843 items loaned out Technical services: 1,750 items added
2,579 items borrowed 1,516 items deleted

Volunteers: 34.5 hours of service completed

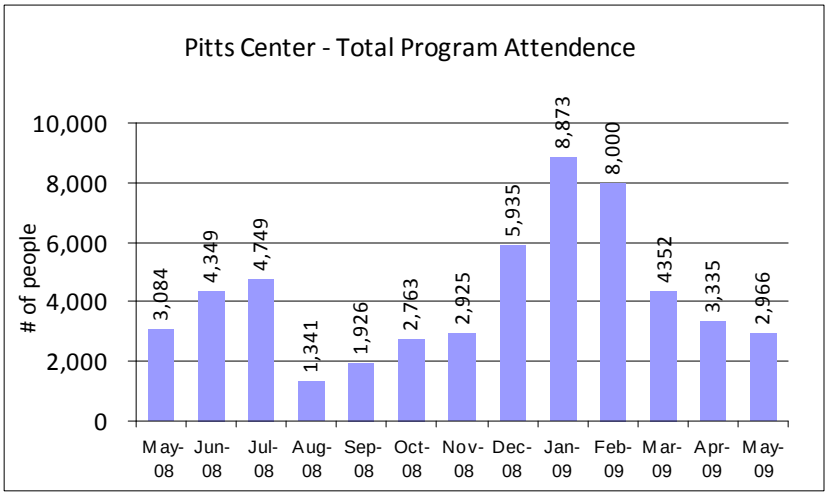
Parks and Recreation





General: $7,154 Rental Payments: $1,120 Sports: $1,163
Leagues: $12,389 Trips: $0

Rentals	MAY 09		FYTD 09		MAY 08		FYTD 08
Baseball/Softball Field Rentals*	48		235		57		293
Dover Park Pavilions (2)	-		24		-		25
Multipurpose/Field Hockey Field Rentals*	-		28		-		30
Recreation Center – Dover Park	13		138		15		204
Silver Lake Pavilions (2) / Schutte (1)	3		41		5		34
Soccer Field Rentals*	4		27		5		19
Stage	3		20		4		21
These numbers reflect groups that utilized our facilities during MAY.							
Program Attendance*	**MAY 09**		**FYTD 09**		**MAY 08**		**FYTD 08**
No programs for Dover Park this month	-		-		-		-
These numbers reflect activities that ended or took place in MAY (not included on the JWP report).							



FREE Open Gym Registration Cards* - through 3/31/2009
Total Cards Issued: **2,517**
City Residents: 1,213 - (48%)
Non-City Residents: 1,303 - (52%)
- Kent County: 1,008 - (40%)
- Sussex County: 84 - (3%)
- New Castle County: 70- (3%)
- Out of State: 141 - (6%)

**The cards permit entrance to the facility during scheduled Public Gym Periods at no charge.*

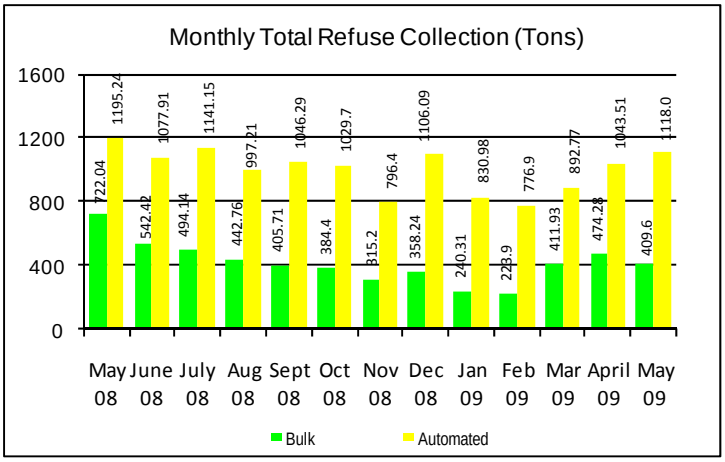
PUBLIC SERVICES

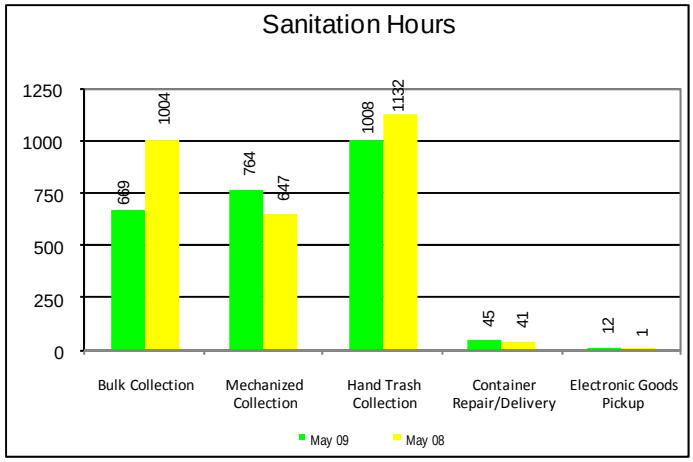
Administration

Administrative review and inspection services continued on all residential and commercial developments. The following residential subdivisions are in various phases of construction:

Oak Shadows	Emerald Pointe	Lexington Glenn
Village of Westover (Phase VI)	Seskinore	Nottingham Meadows
Stoney Creek (Phase II)	Clearview Meadows	Village of Cannon Mill
Somerset Park	Patriot Village	Eden Hill

Sanitation





	MAY 09	FYTD09	MAY 08	FYTD 08
Tons Dry Waste Collected	222.64	1,636.58	300.12	1,902.04
Tipping Fee Savings Realized	$4,341.46	$31,913.29	$5,852.33	$37,089.80
Trips to DSWA Sandtown Landfill	269	2,890.00	412.00	3,397.00
Total Tonnage to DSWA	1,527.56	14,939.47	1,917.28	16,606.86
90-Gallon Containers Delivered	25	388.00	42	426
300-Gallon Containers Delivered	2	76	7	37
Total Man Hours-containers Delivered	45	660	41	496

CURBSIDE RECYCLING STATS	TOTAL # OF HOUSEHOLDS	HOUSEHOLDS PICKED UP	WEIGHT/LBS.	% PICKED UP
April 2009*	10,373	6,491	189,040	63%

*Numbers are reported one month behind

STREETS	MAY 09	FYTD09	MAY 08	FYTD 08
Signed Installed	8	285	32	362
Signs Repaired	20	195	7	137
Curbs Painted Yellow (feet)	4,387	268,359	4,608	33,852
New Post Installed	5	51	11	96
Storm Catch Basins Cleaned	-	2,296	-	2,565
Storm Catch Basin Cleaning (Hrs.)	-	791	-	585
Hot Mix Patching (Tons)	-	283	-	167
Cold Mix Patching Hrs.)	88	439	46	331
Concrete Work (Hrs)	48	540	221	1,455
Concrete Patching (Cubic Yards)	2	41	18	144
Street and Alley Maintenance (Hrs)	151	1,687	184	1,651
Street Sweeping (Miles)	1,089	11,839	1,633	11,179
Street Sweeping (Cubic Yards)	180	2,064	420	2,319

GROUNDS		
Arborist Crew	**MAY 09**	**MAY 08**
Trees Trimmed	35	28
Trees Removed	11	22

- Assisted with digging of 63,000 tulip bulbs
- Assisted with application of 15 gallons of herbicide at the Facilities Management and Construction Division yards

Beautification Crew

- Dug 63,000 tulip and daffodil bulbs out of the 52 annual beds and containers
- Continued greenhouse maintenance including watering, fertilizing, dead-heading and pinching tall plants back
- Hung out all 78 hanging baskets on Loockerman Street between West Street and S. State Street
- Put up the Petunia tree frame on The Plaza with 25 10-inch pots

Landscape Repair/Special Projects Crew

- Applied 36 gallons or Round Up Pro herbicide in mulched areas, sidewalks, curbs and parking lots
- Assisted with digging of tulips and then with tilling and planting of annual beds
- Assisted mowing crew as needed.

Grounds Maintenance/Mowing Crews

- Mowing of all areas including 280 acres of parks, right-of-ways, ditches and around City facilities.
- Assisted with digging tulips

LIFE SAFETY

Inspections	MAY 09	FYTD09
Fire and Safety Inspections	18	313
Fire Code Inspections	58	374
Certificate of Occupancy	3	122
Office	85	1,302
Meetings	31	549
Plan Review	41	558
Training	8	209
Fire Education	-	83
Fire Investigations	23	423
Fire Losses		
Accidental	$50,000	$228,600
Incendiary	-	$171,000
Undetermined	-	$1,038,000

PERMITTING AND LICENSING

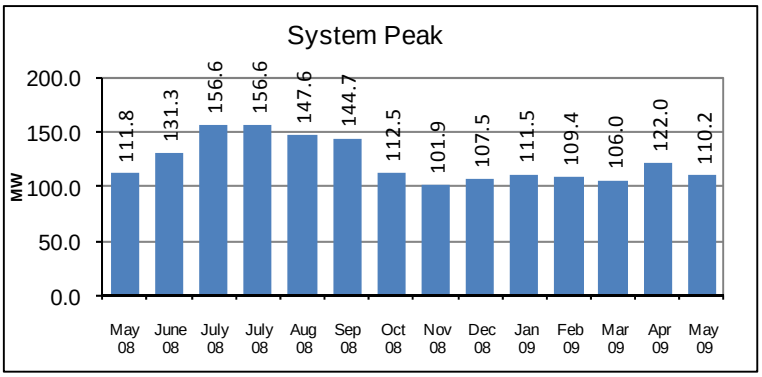
Permits Issued	MAY 09	FYTD09
Building Addition/Renovation Permits	98	537
Building Permits	11	391
Demolition Permits	-	34
Fence Permits	13	107
Mechanical Permits	68	488
Plumbing Permits	55	619
Sign Permits	29	221
Swimming Pool Permits	3	15
Business Licenses	185	1,891
Merchant Licenses	6	353
Contractor Licenses	27	954
Lodging House Licenses	1	49
Mobile Homes	14	397
Public Occupancy	6	313
Rental Dwelling	38	2,665
Vacant Buildings	-	77

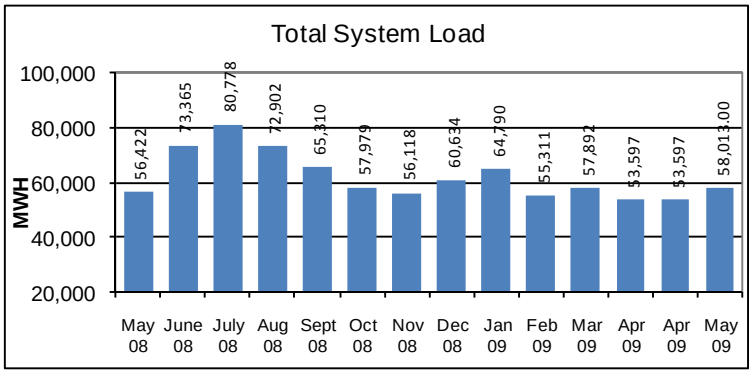
BUILDING INSPECTIONS

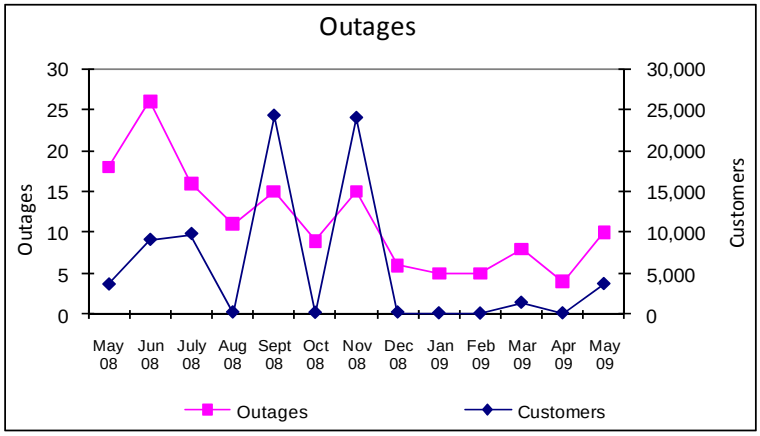
Permits Issued	MAY 09	FYTD09
Building	488	3,858
Plumbing/Mechanical	533	2,853
Certificate of Occupancy	9	266

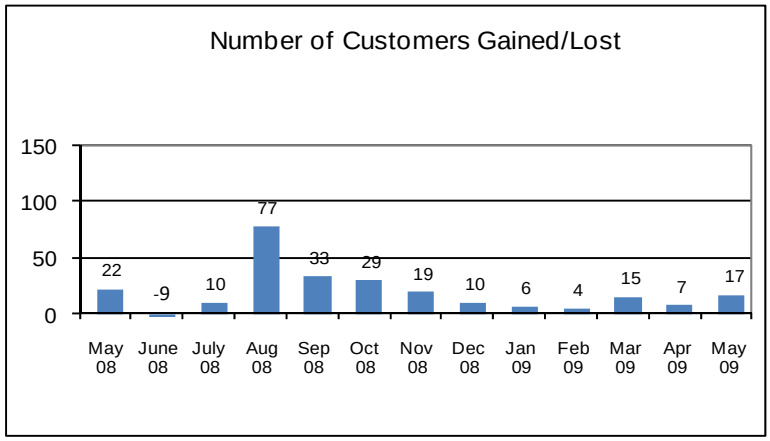
PUBLIC UTILITIES

ELECTRIC









Outages: 10 Customers: 3,659

ELECTRIC OUTAGE REPORT

OUTAGE #	DATE	TIME OUT	TIME IN	LOCATION	DEVICE	# OF CUST	ACTION
1	05/01	10:56 PM	12:55 AM	College Road	Blown Fuse	1	Replaced Fuse
2	05/08	11:12 AM	02:20 PM	267 N Governors Boulevard	Blown Fuse	2	Replaced Fuse
3	05/08	10:21 PM	11:58 PM	232 Kentwood Drive	Blown Fuse	70	Replaced Fuse
4	05/14	01:08 AM	02:32 AM	Lebanon Substation	Breaker Operation	2,733	Closed Breaker
5	05/14	02:42 AM	08:00 AM	61 Glenn Street	Blown Fuse	45	Replaced Fuse
6	05/15	06:45 AM	07:32 AM	102 Lotus Street	Blown Fuse	134	Replaced Fuse
7	05/24	11:48 PM	04:25 AM	3779 Pine Cabin Road	Accident/Transformer	7	Replaced Transf
8	05/24	11:54 PM	11:56 PM	Lebanon Substation	Breaker Operation	622	Closed Breaker
9	05/26	05:27 AM	10:10 AM	11 Gregory Court	Bad Transformer	30	Replaced Transf
10	05/31	10:08 AM	11:25 AM	539 Rising Sun Road	Blown Fuse	15	Replaced Fuse

ENGINEERING SERVICES

Completed Projects	Active Projects / % Completed	Projects in Design / % Completed
• South Dover Elementary	• Grandview Mobile Home Park - 80%	• Fiber Map - 50%
• Gateway West Parcel #2	• Lexington Glenn - 80%	• Wawa Bay Court Plaza Redesign - 90%
	• Clearview Phase 1, 2, 3 - 50%	• Cahne Medical Building - 0%
	• Tall Pines, Dover Kenton Road - 10%	• North Street Improvements - 50%
	• Nottingham Meadows - 50%	• Cannon Mill, Phase III - 100%
	• Cannon Mill, Phase II - 90%	• Dover Saturn - 100%
	• Kent Acres Rehab - 90%	• Wawa Court Street - 100%
	• SR1/SR9 Rebuild - 1%	• Kesselring Farm - 100%
	• Stover Professinal Center 508 - 90%	• Culligan Complex, Saulsbury Road - 40%
	• Dove View Development - 30%	• Dover Transit - 0%
	• Governors Avenue Phase I - 50%	• 1600 N. Little Creek Road - 0%
	• College Road Distribution - 95%	• Spence's Bazzar - 0%
	• Patriot Village - 20%	• Brentwood - 100%
	• State of Delaware I/T - 99%	• Kent General Hospital - 90%
	• O'Brien Building - 50%	• Kent 8 Building - 100%
	• DAFB Feeder - 45%	• Walgreens Dupont Highway - 0%
	• Schoolview Development - 50%	• Silver Lake Blvd Townhouses - 100%
	• Feeders 3 & 4, Phase II - 95%	• Motel 6 - 0%
	• Eden Hill Residential - 15%	• Governors Lighting Fulton-State St - 100%
	• St. Jones Distribution - 80%	• Dover Crossroads - 100%
	• CVS East Division Street - 90%	• CVS Forrest Street - 100%
	• Royal Farms - 75%	• Fairfield Farms Lighting - 100%
	• 12707-12206 Tie - 50%	• S. Shore Lighting - 100%
	• Mid Coast Community Bank - 75%	• Candlewicke Lighting - 100%
		• Dover Public Library - 0%
		• Vernon Woods - 40%
		• The Arbors Senior Center - 0%
		• Rodney Village Revamp - 0%
		• Cross Gates Development – 0%
		• Buchanon Acres - 0%
		• South Shore Drive - 0%

TRANSMISSION AND DISTRIBUTION

Underground Work	% Completed	Overhead Work	% Completed
• Clearview Meadows	Ongoing	• Overhead maintenance	Ongoing
• Lexington Glenn	Ongoing	• Maintenance of City lighting	Ongoing
• Nottingham Meadows	Ongoing		
• Capitol Park upgrade to underground	85%		
• Seskinore Development	95%		
• Ridgley Street Storage	60%		
• Stover Professional Center	90%		
• Kent Acres	95%		
• Bush Farm, College Road Feeder	90%		

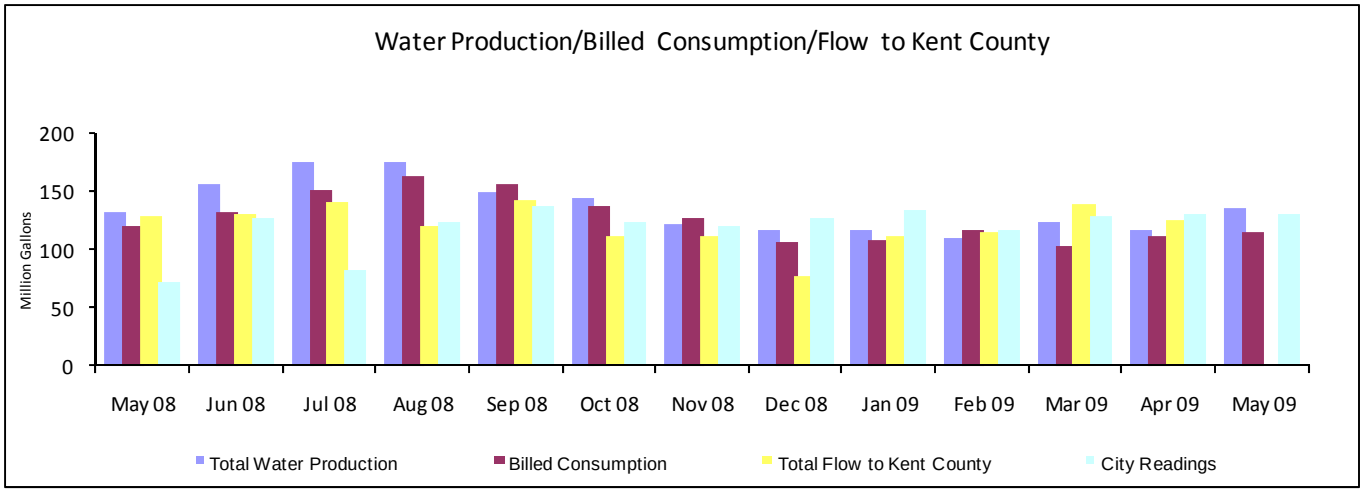
MAJOR PROGRAM UPDATES	MAY 09	MAY 08	DIFFERENCE	FY09 YTD	FY08 YTD
Tree Trimming	165	210	125	2,500	2,625
5-Yr Pole Testing & Repair Program	Program Not Active				
Annual Infra-Red Testing	Program Not Active				
Annual Substation Oil Testing	Program Not Active				
Track the amount of spills, clean-ups, equip. sales, & environmental disposals.	1 Disposal	3	-2	8	19
New Professional Work Practices & Procedures; Implemented	Weather Emergencies	-	-	-	-
Universal safety/security training, as mandated by federal, state, & local regulations, completed	-	-	-	-	-

METER STATS	May 08	June 08	July 08	Aug 08	Sept 08	Oct 08	Nov 08	Dec 08	Jan 09	Feb 09	Mar 09	Apr 09	May 09
Radio Read Meter Installations	605	341	103	115	74	79	63	36	20	43	42	38	53
Meters Tested	852	706	195	103	24	195	6	39	1	107	50	59	-
Meters Junked	347	200	98	15	-	67	-	-	-	59	-	-	-
Meters Removed	10	86	19	10	13	17	21	15	2	22	9	11	10
Meter Changes	568	256	66	14	17	28	21	10	2	24	13	20	24
New Services	27	70	16	87	44	30	21	11	11	8	15	10	16
Services Retired	3	4	6	14	10	2	-	1	-	-	2	-	1
Switching schedules	22	25	22	21	4	13	8	14	9	10	10	14	12
Work orders	335	389	345	320	324	301	230	289	289	263	263	277	279
Miss Utility tickets called back	3,039	2,682	3,498	2,247	2,607	2,478	1,533	1,884	1,788	1,713	1,713	2,283	1,947
Tickets located	6,273	2,883	3,498	2,247	2,607	2,260	1,708	285	1,774	1,701	1,911	2,256	2,145

SUBSTATION RELAY

Substation	Status
• All Stations	Annual Oil Testing
• St. Jones	New Construction
• Cartanza	Assisted in PT Change Out
• College Road	Repaired Switch Connections

WATER/WASTEWATER



,Water Production: 135,808,000
Billed Consumption: 115,787,000
Total Flow to Kent County: 125,047,000 *
City Readings: 131,443,440
Billing behind one month

	MAY 09	MAY 08
Water Production – Daily Average	4,380,903	4,289,387
Fire Hydrants – Flushed	-	-
Fire Hydrants – Tested	-	-
Final Readings	264	987
Cutoffs	20	14
Turn-ons	22	18
New Inspections	6	22
Curb Boxes Located	99	40
Curb Boxes Adjusted	6	6
Water Service Lines Repaired	3	3
Water Meters Repaired	26	28
Radio Technology Installations	103	468
New Meters Added	10	10
Total Water Meters in City Distribution System	13,651	13,456

	MAY 09	MAY 08
L.F. Sewer Lines Flushed	108,182	113,714
Sewer Lines Inspected	-	-
Feet Sewer Mains Videotaped	400	5,629
Manholes Inspected	596	588
Manholes Cleaned	564	556

Major Program Updates	MAY 09	MAY 08	DIFF	FY09 YTD	FY08 YTD
State and Federal Violations	0 violations	0 violations	-	-	-
Water Quality Complaints	14	10	4	204	197
Infrastructure Repairs (Water Distribution)	4 repairs reported	1 repairs reported	-	66 repairs reported	22 repairs reported
Infrastructure Repairs (Wastewater Transmission)	0 repairs reported	0 repair reported	-	34 repairs reported	17 repairs reported
Water System Flushing Completed (on schedule)	-	-	-	100%	100%
Percentage of Flow Sent to Kent County vs. Gallons Billed (inflow/Infiltration monitoring)	113%	106%	7%	99%	99%
Plan Review Completed within 30 days of Submission	12 plans 100%	24 plans 100%	-12 plans	95%	79%
Inspection Response within 48 hours of Request	100%	-	-	100%	-

CITY PLANNER'S MONTHLY REPORT

Public Services Group
P.O. Box 475
Dover, DE 19903
Phone: (302) 736-7010 Fax (302) 736-4217

May 2009

PERSONEL

During the May 2009 NASCAR Race staff activities involved manning the Command Post, data gathering with GIS technology, intake of business licenses, license and code compliance checks, and incident response by Fire Marshals in addition to the regular daily operations of the Department of Planning. The Staff activities specifically related to the NASCAR event covered the period of Wednesday, May 27th through Sunday, May 31st and involved 20 City Staff, 2 State Fire Marshal's and 4 Kent County Dispatchers.

Planning Staff attended a "Delaware by Design" mobile workshop series held on May 21st - Historical & Infill Development; May 28th - Attainable Housing; and on June 4th - Mixed-Use and Compact Development. Participants traveled on charter buses visiting Delaware communities throughout the day.

EDEN HILL FARM TND

In late May, Building Permits were issued for the next six townhouse units with attached garages in the Residential District of Eden Hill Farm Traditional Neighborhood Design. Another set of six two story townhouses with detached garages are under Building Permit review and anticipated to be issued in early June. In May, there was no specific activity associated with the Professional Office, Medical & Financial District. An amendment to the Infrastructure Agreement for the Eden Hill project remains under review and consideration. A Check Print for the Revised Implementation Plan for the Commercial District is under review by the Planning Staff. The applicant continues to refine the proposal for signage within the Commercial District and did meet with staff in May; the revised signage proposal will be resubmitted to the Planning Commission for review in the future.

COMPREHENSIVE PLAN 2008

Following State certification, the *2008 Comprehensive Plan* was published and distributed to City Council, Planning Commission, Historic District Commission, City Departments, and other adjacent jurisdictions during the month of May. The certified plan is available on the City's website for review along with copies at the Dover Public Library. Planning Staff is focusing on the implementation of *2008 Comprehensive Plan.* Staff is developing the work plan and has begun the research for the Comprehensive Rezoning Project. Some of the initial research or planning steps have been taken for the Short Term Implementation (2009-2010) projects and studies including the following: discussion with the Historic District Commission regarding the Historic District Design Standards and Guidelines project, work on preparing the Certified Local Government application, selection process for engineering services for Garrison Oak Master Plan, research and preliminary draft of updates to the Sign Regulations, and the proposed amendment to the parking regulations to require bicycle parking.

CODE ENFORCEMENT

Case Type	# cases current month	# cases YTD	% staff initiated current month	% staff initiated YTD
No valid rental permit	1	77	100%	97%
No valid building permit	8	31	88%	94%
Tall grass and weeds	133	285	83%	88%
Unregistered vehicle	2	32	100%	97%
Abandoned vehicle	3	41	33%	80%
Annual Housing Inspection	41	536	100%	99%
CO Inspection – Planning	2	37	100%	100%
Property Maintenance – Exterior	17	359	59%	89%
Electric Termination	7	79	0%	4%
Dover Code of Ordinances	22	453	68%	81%
Zoning	9	118	44%	83%
Basketball goal	3	9	100%	67%
Total Cases	**248**	**2057**		
Total # of Inspections	**527**			

****Note – Property Maintenance Inspections count is down because of two Code Enforcement employees on Military Leave and alternative duty assignments for the NASCAR Race event.**

DEMOLITIONS

The following is an update on activity for Dangerous Buildings:

- The structure at 533 Carol Street was declared a dangerous building on November 28, 2007 with all interested parties notified. This structure went to Council on February 11, 2008 and Council declared the structure dangerous. Notice was sent to the owner to repair or demolish the building by March 11, 2008. Staff initially determined that exterior repairs would be more appropriate for this structure, rather than complete demolition, since the residence is in an established neighborhood. Staff was working with the contractor performing housing rehabilitation under the CDBG program to repair the exterior of the home. Once the contractor had gained entry into the home to make window repairs, this department conducted another inspection of the interior. During this inspection it was observed that the interior of the home is in worse condition than previous inspections have shown. Exterior work has stopped and staff has started the process for full demolition of the structure. Compliance Environmental has completed asbestos abatement of the structure and the demolition bid process has been started. A sales agreement has been reached with the owner and the new owner has advised that he intends to remodel the home and re-sale. Demolition has been placed on hold until settlement.
- The owners of 749 W. North Street have held meetings with staff to discuss the demolition of the building and what may be done with the property. This building will not be going before the City Council at this time.
- The structure at 230 W. Division Street was declared a dangerous building on January 4, 2008 with all interested parties notified. A notice was sent for all interested parties with regards to a City Council

Public Hearing which was scheduled for April 14, 2008. The Hearing was postponed. A new public hearing was re-scheduled for July 28, 2008 with all interested parties notified. City Council approved demolition if the structure is not repaired or demolished by September 28, 2008. The owner of the property has hired H Construction to do the renovations to the property. H Construction has met with staff and will be moving forward to try and renovate the structure.

- The structure located 16 S. Queen Street was declared a dangerous building on February 6, 2008 with all interested parties notified. The property was boarded up by City crews on February 7, 2008. A notice was sent for all interested parties with regards to a City Council Public Hearing which was scheduled for April 14, 2008. The Hearing was postponed and ultimately held on July 28, 2008, with all interested parties notified. City Council approved demolition if the structure is not repaired or demolished by September 28, 2008. Property has possibly been sold. The new owner met with staff and was giving copies of all code violations. Owner will keep the property secured and obtain all permits when renovations are started. He has advised that he wishes to live in the home. Permits have been obtained for renovations; owner has been keeping the exterior of the property clean and the grass cut.

- The structure located at 43 E. Division Street is still in litigation. The attorney for the home owner called and advised that the defendant is appealing the ruling from August and that the case is going to Superior Court, no date has been set.

- The structure located at 312 W. Division Street has active building permits. The owner called and advised that he will schedule an interior inspection of the structure near the end of October. Owner has since stopped work and placed the property on the market for sale. Property is still empty and secured.

COMMUNITY DEVELOPMENT

Dover Interfaith Ministry to the Homeless

Dover Interfaith is expecting to purchase the Forest Avenue site in early June to provide shelter for the homeless. Presently, they are in contract negotiations.

Connections Community Support Program

Connections has expended all CDBG funding year to date.

Dover Police Department Community Policing

No patrols were scheduled for the month of May. This was done so the department could catch up with the billing cycles and verify how much funding is still available.

Homeowner Rehabilitation Program

Five (5) rehabs have been completed and two (2) are underway.

Homeownership Assistance Program (Down Payment Assistance)

Four (4) families have received settlement assistance to purchase property in the City of Dover year to date.

Neighborhood Stabilization Program (NSP)

Memorandums of Understandings (MOU'S) are being prepared for the partners for Dover. Once appraisal fees are established through the procurement process and developer fees established contracts will be initiated.

A total of $11,000,000 has been allocated for the New Market Tax Credits which includes funding from all five jurisdictions. Novogradac (CPA Firm) is running the model again at this level of investment to see what the outcomes will be. They will go to potential investors to see what level of interest exist and obtain commitment letters if the interest is there.

MEETING REPORTS

Board of Adjustment:
The Board of Adjustment met on May 20, 2009 and took the following action. The next scheduled meeting for the Board of Adjustment will be held on June 17, 2009.

1. **Applicant #V-09-03 - 1020 Forrest Avenue, Gateway West Shopping Center Outparcel #2** – Moved to approve.

Downtown Dover Partnership:
First Lady Carla Markell was a special guest at the Partnership Board Meeting. She expressed her enthusiasm and commitment to revitalizing Downtown. A task force composed of Design and Marketing and Promotion Committee members is working with Mrs. Markell to develop new signage directing people to the Downtown and Historic District. The Partnership Office sponsored a Click & Mortar seminar which provided information to area merchants on how to expand their customer base by using the internet. The purchase of 680-684 Forest Street was completed in May as part of the overall Westside Redevelopment Plan. The Inter-Faith Housing Coalition will lease part of the site to operate a men's shelter while development plans are completed.

Economic Development:
Bill, Tony and the Mayor met with Governor Markell and Alan Levin, DEDO Director, to discuss the Garrison Oak Technical Park and the Solar Project. Statements of Qualifications from sixteen (16) engineering firms were reviewed and five (5) firms were selected for interviews to develop the Engineering Study and Site Plan for the Garrison Oak Technical Park. Bill was invited to serve on the Delaware Sports Commission Board of Directors. Bill gave a presentation to the Colonial Rotary Club.

Historic District Commission:
The Historic District Commission met on May 20, 2009; however, there were no new applications for review. This was an informational meeting only. The next regularly scheduled meeting for the Historic District Commission is June 17, 2009. (Moved to Wednesday due to Staff schedule conflict.)

Planning Commission
The Planning Commission met on May 18, 2009 and took the following actions: The next scheduled Planning Commission meeting is scheduled for June 15, 2009.

1. **Z-09-03 Lands of Noll at 171 North Edgehill Avenue & 705 Maple Parkway** - moved to forward to City Council a recommendation of approval from R-7 to RM-2 (Medium Density Residential) zoning with the consideration that any further application or development of the property be brought back to the Planning Commission for review as is standard procedure.
2. **S-09-09 Delaware State University Human Ecology Building at 1200 North DuPont Highway** - moved to approve with approval of the waiver for the elimination of a loading space.

Submitted by:

Ann Marie Townshend, AICP
Planning & Community Development Director

DOVER FIRE DEPARTMENT

Established 1882

June 29, 2009

Mayor and Council
City of Dover
P.O. Box 475
Dover DE 19903

Dear Mayor and Council,

The Dover Fire Department (DFD) responded to a total of 75 calls for service in May. Below you will find incidents of interest:

House Fire with Injuries/ 410 Nimitz Rd.

On May 2, the DFD responded to 410 Nimitz Rd. for a reported house fire with subjects trapped. Upon arrival, crews found a single story, single family dwelling, with smoke evident. Crews placed a 1 ¾" hand line in service for an interior attack. Crews found a fire in the kitchen area and extinguished the same. The subject that was reported trapped was out of the residence prior to the arrival of the DFD. BLS crews were treating the subject who had severe burns. BLS then transported the subject to KGH. The scene is being investigated by the City Fire Marshal Office.

Assist Camden Wyoming With a House Fire/837 Bison Rd.

On May 5, the DFD responded to assist the Camden Wyoming Fire Department with a house fire at 837 Bison Rd. Upon arrival, the crew from the DFD assisted the Camden Wyoming and Felton Fire Department crews with extinguishment. The scene was turned over to the State Fire Marshals Office.

Several Incidents/1131 N. Dupont Hwy. /Dover International Speedway

Starting on May 28 through May 31, crews staffed an engine and brush truck on the grounds of Dover International Speedway for fire protection purposes during race weekend. While most of the weekend was quiet, crews handled several minor incidents on the 31st.

103 South Governors Avenue ● Dover, Delaware 19904
Headquarters: (302)736-7168 ● Fire Chief's Office: (302)736-7167 ● FAX: (302)736-7166

In other business:

Chief Strochine would like to thank Councilman McGlumphy for setting aside some time to meet with him. During this time, the Chief reviewed some of the operations of the DFD. They also discussed any concerns councilman McGlumphy may have had at that time.

Chief Strochine would like to thank Mark Nowak for his ongoing support. During the DIS weekend, the DFD utilized a mapping program designed by Mr. Nowak which inspections currently use during race weekend. We are looking at introducing Mr. Nowak to the DIS staff as a possible additional resource in the Joint Operations Center during DIS weekends.

Chief Strochine would like to thank the City IT department for their continued support. There have been several meetings in regards to maintaining the DFD's current computers and systems.

If you should have any questions or concerns please feel free to contact me at any time.

Yours In Service,

Jason Osika
Assistant Chief of the Department

City of Dover
General Fund - Major CIP Projects
May, 2009

		TOTAL PROJECT - PAST, CURRENT & FUTURE BUDGETS					CURRENT FISCAL YEAR (Including Encumbrances)					
Type	**Description**	**Original Project Budget**	**Revised 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**
	FY 2008											
	Red Alert Dispatching System Upgrade	$ 30,000	$ 29,125	$ 16,326	$ 12,800	56.1%	$ -	$ 16,323	$ 3,520	21.6%	Completed	In use.
	Millcreek Playground Equipment	40,000	40,000	37,525	2,475	93.8%	-	40,000	37,525	93.8%	Completed	Installed, kids using it.
	JWP Center office equipment & furniture	70,000	70,000	49,104	20,896	70.1%	-	37,204	16,307	43.8%	Completed	Completed.
M	Upgrade/replacement of inner city fiber optic loop	122,000	169,868	119,672	50,196	70.5%	86,000	76,037	25,841	34.0%	Completed	In service.
	Totals	$ 262,000	$ 308,993	$ 222,626	$ 86,367	72.0%	$ 86,000	$ 169,564	$ 83,193	49.1%		
	FY2009											
	New Library Project	$ 1,200,000	$ 1,200,000	$ 541,409	$ 658,591	45.1%	$ 1,200,000	$ 1,200,000	$ 541,409	45.1%	Started	Architect in Design Development Phase.
	Mirror Lake Dredging	400,000	400,000	-	400,000	0.0%	400,000	400,000	-	0.0%	Deleted	Advised by State that will not fund grant.
	Playground Equip. Purchase Prog.	80,000	80,000	80,000	-	100.0%	80,000	80,000	80,000	100.0%	Completed	Installed, kids using it.
	Skate Park	10,000	-	-	-	0.0%	10,000	-	-	0.0%	Started	Committee working on location\design, funds removed but work continues.
	Splash Pad @ Schutte Park	10,000	-	-	-	0.0%	10,000	-	-	0.0%	Completed	Rec Director obtain designs at no cost, funds deleted due to budget cuts.
	FY2009 Concrete Program	65,000	65,000	64,830	170	99.7%	65,000	65,000	64,830	99.7%	Completed	Done.
	Silver Lake Parking Lot Reconstruction/Design	50,000	-	-	-	0.0%	50,000	-	-	0.0%	Deleted	Due to budget cuts.
	GIS Infrastructure - Mobile Solutions	38,380	38,193	27,832	10,361	72.9%	38,380	38,193	27,832	72.9%	Started	Project 90% done and in use.
	Space Needs - Council Chambers/Parks & Rec	115,000	50,000	40,060	9,940	80.1%	115,000	50,000	40,060	80.1%	Completed	Meeting Room function, funds deleted for the rest of the program due to budget cuts.
	Handicapped Access	25,000	25,000	-	25,000	0.0%	25,000	25,000	-	0.0%	Completed	Alternate funds found, work completed on City Hall bathroom and Pitts Center Door, GF funds cut due to budget.
	Totals	$ 1,993,380	$ 1,858,193	$ 754,131	$ 1,104,062	40.6%	$ 1,993,380	$ 1,858,193	$ 754,131	40.6%		
	Grand Totals	$ 2,255,380	$ 2,167,186	$ 976,757	$ 1,190,429	45.1%	$ 2,079,380	$ 2,027,757	$ 837,324	41.3%		

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.

City of Dover
Streets Funds - Major CIP Projects
May, 2009

		TOTAL PROJECT - PAST, CURRENT & FUTURE BUDGETS					CURRENT FISCAL YEAR (Including Encumbrances)					
Type	Description	Original Project Budget	Revised 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
	FY 2002											
	North Street Sidewalk	$ 80,416	$ 80,416	$ -	$ 80,416	0.0%	$ 80,416	$ 80,416	$ -	0.0%	Not started	Work on hold pending Collegiate decision.
	Clara Street Turn Lane	4,121	4,121	-	4,121	0.0%	4,121	4,121	-	0.0%	Done	(1) See below.
	Totals	$ 84,537	$ 84,537	$ -	$ 84,537	0.0%	$ 84,537	$ 84,537	$ -	0.0%		
	FY 2005											
	Dover Little League Parking Lot Phase II	$ 14,906	$ 14,906	$ 3,332	$ 11,574	22.4%	$ 14,906	$ 14,906	$ 3,332	22.4%	Done	Awaiting staff decision on re-appropriation of available funds.
	Totals	$ 14,906	$ 14,906	$ 3,332	$ 11,574	22.4%	$ 14,906	$ 14,906	$ 3,332	22.4%	-	
	FY 2006											
M	Lincoln Park Center (317)	$ 400,000	$ 400,000	$ 244,182	$ 155,818	61.0%	$ 155,818	$ 155,818	$ -	0.0%	Started	Ongoing.
	Totals	$ 400,000	$ 400,000	$ 244,182	$ 155,818	61.0%	$ 155,818	$ 155,818	$ -	0.0%	-	-
	FY 2007											
	E. Water Street Brick Sidewalk	$ 65,000	$ 65,000	$ -	$ 65,000	0.0%	$ 65,000	$ 65,000	$ -	0.0%	Not started	10% received from State not part of street program; separate contract due to nature of work.
	Stoney Drive	90,998	270,497	270,497	-	100.0%	270,497	270,497	270,497	100.0%	Started	Agreement has been amended. Stoney Drive is on FY09 Program.
	Penn. Avenue/West Street Alleys	36,900	36,900	11,776	25,124	31.9%	25,124	25,124	-	0.0%	Not started	10% received from State; remainder of West St. East Alley is part of the FY09 Street Program.
		$ 192,898	$ 372,397	$ 282,273	$ 90,124	75.8%	$ 360,621	$ 360,621	$ 270,497	75.0%		
	FY 2008											
	Meadows Drive	$ 153,900	$ 153,900	$ 29,257	$ 124,643	19.0%	$ 153,900	$ 153,900	$ 29,257	19.0%	Not Started	Scheduled FY 2009.
	Persimmon Park Place	20,150	20,150	17,923	2,227	88.9%	20,150	20,150	17,923	88.9%	Done	Community Transportation Agreement complete.
	Oakridge Alley	35,000	35,000	-	35,000	0.0%	35,000	35,000	-	0.0%	Not Started	Scheduled FY 2009.
		$ 209,050	$ 209,050	$ 47,180	$ 161,870	22.6%	$ 209,050	$ 209,050	$ 47,180	22.6%		
	FY 2009											
R	Budgeted Approp FY09	$ 400,000	$ 554,598	$ 88,732	$ 465,867		$ 400,000	$ 554,598	$ 88,732	22.2%	Not Started	Scheduled FY 2009.
	Sub Total GF Approp	400,000	554,598	88,732	465,867	16.0%	400,000	554,598	$ 88,732	22.2%		
	Spruance Road - White Oak to Maple Parkway	$ 141,000	$ 141,000	$ -	$ 141,000	0.0%	$ 141,000	$ 141,000	$ -	0.0%	Not Started	Scheduled FY 2009.
	Spruance Road - Maple Parkway to East Division	125,400	125,400	-	125,400	0.0%	125,400	125,400	-	0.0%	Not Started	Scheduled FY 2009.
	Various FY09 Streets	225,000	225,000	95,000	130,000	42.2%	225,000	225,000	95,000	42.2%	Started	Independence & Greenway started.
	Lighting Projects	79,800	79,800	72,096	7,704	90.3%	79,800	79,800	72,096	90.3%	Started	Scheduled FY 2009.
	Schutte Park	21,950	21,950	-	21,950	0.0%	21,950	21,950	-	0.0%	Not Started	Scheduled FY 2009.
	Woodsedge Road	75,000	75,000	-	75,000	0.0%	75,000	75,000	-	0.0%	Not Started	Scheduled FY 2009.
	Totals	$ 1,068,150	$ 1,222,748	$ 255,828	$ 966,920	20.9%	$ 1,068,150	$ 1,222,748	$ 255,828	24.0%		
	Grand Totals	$ 1,969,541	$ 2,303,638	$ 832,795	$ 1,470,843	36.2%	$ 1,893,082	$ 2,047,680	$ 576,837	30.5%		

Legend
M = Multi-year project - a project with a specific schedule to occur over multiple years.
R = Recurring project - a project that begins and ends each fiscal year and is rebudgeted to start over each fiscal year.
CC = Construction complete.

(1) Administrative Amendment has been done 8/7/08 to revise all streets to actual which leaves $4,121.02.
The City has requested this amount to be transferred to the Dover Little League Parking Lot Monument Sign.

City of Dover
Water/Wastewater Improvement & Extension Fund - Major CIP Projects
May, 2009

		TOTAL PROJECT - PAST, CURRENT & FUTURE BUDGETS					CURRENT FISCAL YEAR (Including Encumbrances)					
Type	Description	Original Project Budget	Revised Project Budget	Project To Date Expenses	Project Budget Balance	% Budget Spent	Original Fiscal Yr. Budget	Revised Fiscal Yr. Budget	Fiscal YTD Expenses	% Budget Spent	Status	Comments
	FY 2006											
M	Scarborough Road Interconnection Phase II	$ 122,500	$ 123,659	$ 113,010	$ 10,649	91.4%	$ -	$ 50,446	$ 39,797	78.9%	Complete	Completed.
	Totals	$ 122,500	$ 123,659	$ 113,010	$ 10,649	91.4%	$ -	$ 50,446	$ 39,797	78.9%		
	FY 2007											
M	Cheswold Well (#8) Replacement	$ 175,000	$ 192,100	$ 200,110	$ (8,010)	104.2%	$ -	$ 64,689	$ 72,700	112.4%	Complete	Completed and In service.
	Totals	$ 175,000	$ 192,100	$ 200,110	$ (8,010)	104.2%	$ -	$ 64,689	$ 72,700	112.4%		
	FY 2008											
	Wellhead Redevelopment	$ 45,000	$ 45,000	$ 49,430	$ (4,430)	109.8%	$ -	$ 23,016	$ 27,446	119.2%	Complete	Complete.
	Remote Control & Monitor Wells	139,700	139,700	114,562	25,138	82.0%	-	88,565	63,427	71.6%	Complete	This years RTU installs are done.
	Wellhead VFD Upgrades	126,000	81,000	49,732	31,268	61.4%	-	73,485	42,217	57.4%	Complete	Complete.
	South Governors Ave. Water Main Upgrade	200,000	200,000	-	200,000	0.0%	200,000	200,000	-	0.0%	Started	Construction south of Wyoming Ave.
M	1.0 MG Elevated Water Storage Tower	3,340,000	3,340,000	3,745	3,336,255	0.1%	695,000	-	-	0.0%	Started	Waiting for site selection
M	Piney Point Well	398,800	205,845	90,910	114,935	44.2%	195,000	195,000	80,065	41.1%	Started	Test Drill site #1 was a bust.
	South Governors Ave. Sewer Main	300,000	291,000	9,087	281,913	3.1%	300,000	291,000	9,087	3.1%	Started	Construction south of Wyoming.
M	Lafferty Lane Package P/S Replacement	230,000	415,530	416,833	(1,303)	100.3%	-	370,569	371,872	100.4%	Complete	Station on line and functioning.
	White Oak Farms PS VFD's	66,000	66,000	58,904	7,096	89.2%	-	56,037	48,941	87.3%	Complete	Complete.
	US 13 East Sanitary Sewer Interceptor	85,000	3,509,260	592,255	2,917,005	16.9%	3,065,000	161,351	126,599	78.5%	Started	Waiting for financing, preparing bids.
	Totals	$ 4,930,500	$ 8,293,335	$ 1,385,458	$ 6,907,877	16.7%	$ 4,455,000	$ 1,459,023	$ 769,653	52.8%		
	FY2009											
	Meter Reading Tech Upgrade	$ 294,500	$ 250,000	$ 212,184	$ 37,816	84.9%	$ 294,500	$ 250,000	$ 212,184	84.9%	Started	Down to 900 installs left, doing about 75 each week.
	Wellhead VFD Upgrades	124,200	124,200	38,174	86,026	30.7%	124,200	124,200	38,174	30.7%	Complete	All Upgrades installed.
	Wellhead Redevelopment Program	50,000	50,000	50	49,950	0.1%	50,000	50,000	50	0.1%	Complete	All well completed.
	Water Quality Improvements	1,487,000	1,306,160	633,865	672,295	48.5%	1,487,000	1,306,160	633,865	48.5%	Started	Pear Street line being installed.
	Water Quality Improvements - Contact Chambers	100,000	113,761	92,259	21,502	81.1%	100,000	113,761	92,259	81.1%	Complete	All Chamber Installed.
	Misc. Distribution System Improvements	60,000	60,000	20,206	39,794	33.7%	60,000	60,000	20,206	33.7%	Started	On-going as needed.
	SCADA Equip Technology Upgrade	76,600	70,600	66,454	4,146	94.1%	76,600	70,600	66,454	94.1%	Complete	6 of 6 installed.
	DE State University Pumping Station Replace.	50,000	26,000	24,960	1,040	96.0%	50,000	26,000	24,960	96.0%	Complete	Design completed.
	Inflow/Infiltration Removal	275,000	-	1,351	(1,351)	0.0%	275,000	-	1,351	0.0%	Started	Contractor selected, work pending financing.
	Weaver St. Pack Pump Station Repl	400,900	65,000	65,140	(140)	100.2%	400,900	65,000	65,140	100.2%	Complete	Installed and Complete.
	Fox Hall/Retreat Force Main Rerouting	25,900	32,000	28,039	3,961	87.6%	25,900	32,000	28,039	87.6%	Complete	Design completed.
	Misc Sewer System Improvements	31,500	-	-	-	0.0%	31,500	-	-	0.0%	Started	On-going as needed.
	Acorn Lane Pump Station Replace.	50,000	27,000	24,750	2,250	91.7%	50,000	27,000	24,750	91.7%	Complete	Design completed.
	Totals	$ 3,025,600	$ 2,124,721	$ 1,207,430	$ 917,291	56.8%	$ 3,025,600	$ 2,124,721	$ 1,207,430	56.8%		
	Grand Totals	$ 8,253,600	$ 10,733,815	$ 2,906,009	$ 7,827,807	27.1%	$ 7,480,600	$ 3,698,879	$ 2,089,580	56.5%		

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

City of Dover
Electric Improvement & Extension Fund - Major CIP Projects
May, 2009

		TOTAL PROJECT - PAST, CURRENT & FUTURE BUDGETS					CURRENT FISCAL YEAR (Including Encumbrances)					
Type	**Description**	**Original Project Budget**	**Revised 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**
	FY 2006											
M	69 KV feeders 3 and 4	$ 11,060,000	$ 9,775,969	$ 8,304,456	$ 1,471,513	84.9%	$ 3,956,820	$ 5,116,182	$ 3,644,668	71.2%	Complete	All lines in service.
	Governor's Avenue Rebuild	1,268,450	2,068,260	237,220	1,831,040	11.5%	-	1,954,182	123,142	6.3%	Started	Overall Construction Started, But Not Electric Portion.
	Totals	$ 12,328,450	$ 11,844,229	$ 8,541,676	$ 3,302,553	72.1%	$ 3,956,820	$ 7,070,364	$ 3,767,810	53.3%		
	FY 2007											
M	College Road Substation	$ 2,960,000	$ 2,960,000	$ 2,928,867	$ 31,133	98.9%	$ -	$ 876,287	$ 845,154	96.4%	Completed	In use.
	Totals	$ 2,960,000	$ 2,960,000	$ 2,928,867	$ 31,133	98.9%	$ -	$ 876,287	$ 845,154	96.4%		
	FY 2008											
	Unit 3 Turb Bearing Fire Protect Deluge	$ 50,000	$ 100,000	$ -	$ 100,000	0.0%	$ -	$ 100,000	$ -	0.0%	Delayed	Re-evaluated\Reschedule to June 09.
	McKee Run Pollution Remed-Fuel Switching	-	3,390,000	2,402,930	987,070	70.9%	2,600,000	3,190,555	2,203,485	69.1%	Complete	Final testing in June.
M	Horsepond Transformer	1,020,000	1,099,000	1,034,680	64,320	94.1%	695,000	429,830	365,508	85.0%	Complete	DONE.
R	Distribution Capacitors OH/UG	225,000	343,925	341,175	2,750	99.2%	-	71,244	68,494	96.1%	Complete	DONE.
M	Transmission Relay Upgrade FY 08	520,000	867,265	835,241	32,024	96.3%	-	220,113	188,089	85.5%	Complete	DONE.
M	St Jones Substation Transformer	2,166,039	6,208,777	5,739,073	469,704	92.4%	4,028,122	5,401,104	4,931,400	91.3%	Complete	Station on line.
	SR1/SR9 Pole Relocation	43,000	95,420	106,437	(11,017)	111.5%	-	95,420	106,437	111.5%	Complete	Installed.
	Totals	$ 4,024,039	$ 12,104,387	$ 10,459,535	$ 1,644,852	86.4%	$ 7,323,122	$ 9,508,266	$ 7,863,412	82.7%		
	FY2009											
	McKee Run Unit 3 CEMS S/ware&Com	$ 30,000	$ 50,000	$ 48,970	$ 1,030	97.9%	$ 30,000	$ 50,000	$ 48,970	97.9%	Complete	DONE.
	Van Sant Unit 11 CEMS S/ware&Com	30,000	50,000	42,675	7,325	85.4%	30,000	50,000	42,675	85.4%	Complete	DONE.
	McKee Run Unit 3 COMS replace	30,000	30,000	28,236	1,764	94.1%	30,000	30,000	28,236	94.1%	Complete	DONE.
	McKee & VanSant Arc Flash Analysis	-	50,000	-	50,000	0.0%	-	50,000	-	0.0%	Started	Project Scoping.
	Lighting Project & Rehab	50,000	50,000	46,897	3,103	93.8%	50,000	50,000	46,897	93.8%	Complete	Done with EF fund portion, CTF funds -Sherwood, Edgehill.
	Danner Farm Transformer	45,000	45,000	24,968	20,032	55.5%	45,000	45,000	24,968	55.5%	Started	Equipment Order, will have to wait until Fall due to summer loads.
	New Developments	815,000	815,000	686,856	128,144	84.3%	815,000	815,000	686,856	84.3%	Started	On-going.
	Distribution Upgrades	500,000	500,000	373,086	126,914	74.6%	500,000	500,000	373,086	74.6%	Started	Kent acres near done, Schoolview started.
	Totals	$ 1,500,000	$ 1,590,000	$ 1,251,688	$ 338,312	78.7%	$ 1,500,000	$ 1,590,000	$ 1,251,688	78.7%		
	Grand Totals	$ 20,812,489	$ 28,498,616	$ 23,181,767	$ 5,316,849	81.3%	$ 12,779,942	$ 19,044,917	$ 13,728,065	72.1%		

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

FIRST READING

CITY OF DOVER PROPOSED ORDINANCE #2009-05

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

That Chapter 102 – Taxation, Article I - In General, be amended by adding a new Section 5 - Income and expense reports, to read as follows:

Section 102-5. Income and expense reports.

The Assessor shall require that all commercial/industrial income producing property, within the city limits of Dover, complete and file annual reports of Income and Expenses on forms developed by the Assessor. Failure to provide the Assessor with an Income and Expense Report will result in a $100.00 fine. Income and Expense reports will be mailed to property owners and will be due within thirty (30) days of receipt of request by the Assessor.

BE IT FURTHER ORDAINED

That Chapter 102 – Taxation, Article III - Realty Transfer Tax, Section 102-77 - Duties of city assessor, be amended to read as follows:

Section 102-77. Duties of city assessor.

In addition to the other duties of the city assessor:

(1) Stamps. The city assessor shall prepare and furnish adhesive stamps of such denominations and in such quantities as may be necessary for the payment of the tax imposed by this article and shall make provisions for the sale of such stamps in such places as may be deemed necessary and indicate on the document the amount of transfer tax that has been paid.

(2) Other evidence of payment. The city assessor may, by regulations, provide for the evidence of the payment of the tax to be shown on the document by means other than the affixing of documentary stamps.

(3) Regulations. The city assessor is charged with the enforcement of this article and is authorized and empowered to prescribe, adopt, promulgate, and enforce regulations relating to:

a. The method to be used in affixing or cancelling of stamps in substitution for or in addition to the method and means provided in this article.

b. The denomination and sale of stamps.

c. Any other matter or thing pertaining to the administration and enforcement of this article.

(4) Audit. The city assessor is charged with review of the payment and the "value" stated for the purpose of the tax.

a. The review and audit process should be conducted within ten (10) days of the "stamping" of the deed.

b. Notification to Attorney/Title Company shall be made within five (5) business days of the findings from the review and audit process.

Draft

BE IT FURTHER ORDAINED

That Chapter 102 - Taxation, Article VI - Exemptions; Tax Appeals Committee, be amended by adding a new Section 102-185 - Appeals to read as follows:

Sec. 102-185. Appeals.

(1) Appeal Date Deadlines (unless otherwise stated on official documentation):

Appeal Filing Deadline (Annual Appeals)	Apr	30
Appeal Filing Deadline (October 3/4 Supplemental Bills)	Oct	30
Appeal Filing Deadline (January 1/2 Supplemental Bills)	Jan	30
Appeal Filing Deadline (April 1/4 Supplemental Bills)	Apr	30

If a USPAP Summary Appraisal Report is deemed required, an additional thirty (30) day extension, from the original deadline date, will be granted, in accordance with the City of Dover Assessment Appeal Policy #3.

(2) Right to Appeal is lost if appellant has missed the designated appeal date. The appellant may appeal the following April for the next billing cycle.

(3) Appeals/refunds, for errors or opinions of value from appellants, will not be heard for prior years.

ADOPTED: *

SYNOPSIS

The proposed ordinance would include the recommendations of the IAAO by requiring that owners of commercial/industrial income producing properties complete and file annual reports of income and expenses; establish filing deadlines for appeals; provide language that an individuals right to appeal is lost if they miss any designated appeal date; however, the appellant may appeal the following April for the next billing cycle and that appeals/refunds, for errors or opinions of value from appellants, will not be heard for prior years.

(SPONSORS: HOGAN, *, *)

Actions History

July 13, 2009 - First Reading
June 22, 2009 - Considered at Legislative, Finance, and Administration Committee
April 27, 2009 - Tabled at Legislative, Finance, and Administration Committee

Draft

FIRST READING

CITY OF DOVER PROPOSED ORDINANCE #2009-05

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

That Chapter 102 – Taxation, Article I - In General, be amended by adding a new Section 5 - Income and expense reports, to read as follows:

Section 102-5. Income and expense reports.

The Assessor shall require that all commercial/industrial income producing property, within the city limits of Dover, complete and file annual reports of Income and Expenses on forms developed by the Assessor. Failure to provide the Assessor with an Income and Expense Report will result in a $100.00 fine. Income and Expense reports will be mailed to property owners and due within thirty (30) days of receipt of request by the Assessor.

Recommendation by the IAAO in June 2008 - Assessment Change #10

BE IT FURTHER ORDAINED

That Chapter 102 – Taxation, Article III - Realty Transfer Tax, Section 102-77 - Duties of city assessor, be amended by inserting the text indicated in bold, blue, italics, as follows:

Section 102-77. Duties of city assessor.

In addition to the other duties of the city assessor:

(1) Stamps. The city assessor shall prepare and furnish adhesive stamps of such denominations and in such quantities as may be necessary for the payment of the tax imposed by this article and shall make provisions for the sale of such stamps in such places as may be deemed necessary ***and indicate on the document the amount of transfer tax that has been paid.***

(2) Other evidence of payment. The city assessor may, by regulations, provide for the evidence of the payment of the tax to be shown on the document by means other than the affixing of documentary stamps.

(3) Regulations. The city assessor is charged with the enforcement of this article and is authorized and empowered to prescribe, adopt, promulgate, and enforce regulations relating to:

a. The method to be used in affixing or cancelling of stamps in substitution for or in addition to the method and means provided in this article.

b. The denomination and sale of stamps.

c. Any other matter or thing pertaining to the administration and enforcement of this article.

(4) Audit. The city assessor is charged with review of the payment and the "value" stated for the purpose of the tax.

Draft

a. The review and audit process should be conducted within ten (10) days of the "stamping" of the deed.

b. Notification to Attorney/Title Company shall be made within five (5) business days of the findings from the review and audit process.

Recommendation of IAAO in June 2008 - Assessment Change #11 and 12

BE IT FURTHER ORDAINED

That Chapter 102 - Taxation, Article VI - Exemptions; Tax Appeals Committee, be amended by adding a new Section 102-185 - Appeals to read as follows:

Sec. 102-185. Appeals.

(1) Appeal Date Deadlines (unless otherwise stated on official documentation):

Appeal Filing Deadline (Annual Appeals)	Apr	30
Appeal Filing Deadline (October 3/4 Supplemental Bills)	Oct	30
Appeal Filing Deadline (January 1/2 Supplemental Bills)	Jan	30
Appeal Filing Deadline (April 1/4 Supplemental Bills)	Apr	30

If a USPAP Summary Appraisal Report is deemed required, an additional thirty (30) day extension, from the original deadline date, will be granted, in accordance with the City of Dover Assessment Appeal Policy #3.

Recommendation of the Appeals Committee and Approved by Council November 13, 2007

(2) Right to Appeal is lost if appellant has missed the designated appeal date. The appellant may appeal the following April for the next billing cycle.

(3) Appeals/refunds, for errors or opinions of value from appellants, will not be heard for prior years.

Recommendation of City Assessor

ADOPTED: *

SYNOPSIS

The proposed ordinance would include the recommendations of the IAAO by requiring that owners of commercial/industrial income producing properties complete and file annual reports of income and expenses; establish filing deadlines for appeals; provide language that an individuals right to appeal is lost if they miss any designated appeal date; however, the appellant may appeal the following April for the next billing cycle and that appeals/refunds, for errors or opinions of value from appellants, will not be heard for prior years.

(SPONSORS: HOGAN, *, *)

Actions History

July 13, 2009 - First Reading
June 22, 2009 - Considered at Legislative, Finance, and Administration Committee
April 27, 2009 - Tabled at Legislative, Finance, and Administration Committee

Draft

EVALUATION OF THE PRACTICES AND PROCEDURESOF THE ASSESSOR'S OFFICE AND APPEAL PROCESS - JUNE 2008

RECOMMENDATIONS ONLY

Assessment Change #

- ***Recommendation – Changes to the City Charter and City Code***
  There are a number of recommendations that should be implemented to bring the assessment process in line with current industry standards.

- **Annual Assessment Date:** Institute and clarify the annual assessment date in the City Code. Currently the assessor uses January 1st of each year as the assessment date. This is probably the most common assessment date in the United States and a date that works very well for the Dover tax system. 1

- **Valuation of Property as of the Assessment Date:** Clarify that all property is valued as of its ownership and current market value as of the January 1st assessment date. Currently property under construction cannot be placed on the tax rolls until a Certificate of Occupancy is issued.[1] This is not common practice in the assessment profession in other states. The general practice is that all property is assessed as of its status on the assessment date. For example, if a building is under construction as of January and is 50% complete on that date, then the assessor values the property as its 50% complete status and places this partial value on the annual assessment roll. Then the Certificate of Occupancy is issued, the assessor then reassesses the building and adds the additional increased assessment as a supplemental assessment on the next quarterly supplemental assessment date. Property receiving a change in zoning or specific use would also be adjusted based upon the assessment date. 2

- **Proration of New Assessment:** In the assessment process outlined above, the additional increased assessment for the Supplemental Assessment is prorated from the date of the Certificate of Occupancy to the next January 1st annual assessment date. For example, if a building is 50% complete on January 1st and is valued at $100,000 for its incomplete building status and the Certificate of Occupancy is issued on following July 1st; the assessor adds the additional $100,000 to the value of the building for the Supplement Roll. The amount to be added to the July Supplemental Roll would be a prorated assessment in the amount of $50,000. ($100,000 X 6/12 = $50,000 or $100,000 X 0.5 = $50,000). The proration of this additional assessment can be done either on a monthly basis (January = 1.00 factor, February = 0.917, March = 0.833 etc.) or daily basis (January 10 = 346/356 or 0.972). Both monthly and daily proration's are the basis of adding new construction to the assessment roll and are commonly used throughout the United States. 3

- **Addition of Property to Supplemental Roll when Used or Occupied:** Clarify the time period that property can be added to the Supplemental Roll either by the date the Certificate of Occupancy is issued by the Building Inspection Department or in those cases when a Certificate of Occupancy is not issued but the new construction is being used or occupied for its intended purpose. This additional language of *"being used or occupied for its intended purpose"* will allow the assessor to add completed new construction to the supplemental roll whether or not a Certificate of Occupancy is issued. This case may occur for minor residential construction. 4

- **No Supplemental Addition if Increase is less the $25,000:** The City should also codify the current assessment practice of not adding to the supplemental role any new construction of less than $25,000 in assessed value. This will eliminate the generation and collection of small tax bills that may in fact cost the City more dollars to process than is actually collected. The new construction of less than $25,000 will be realized on the next annual assessment roll. 5

- **Date of Assessment Roll Filing:** The City should add to the City Code the date by which the Assessor is required to finalize and make the annual assessment role available for public inspection. Current practice is that the Assessment Register for the annual assessment roll is completed and available for public review on April 1st of each year. This is a reasonable amount of time for the Assessor to complete the roll after the January 1st assessment date and it is recommended that is current practice be codified. 6

- **Date of Notification of Assessment Increase:** The City should add to the City Code the date or a period of time after the filing of the assessment roll by which the Assessor's Office must mail notifications of assessment changes to the property owner. It is generally an industry standard that the assessor must notify the property owner of changes in their assessment in a set period of time. This ensures that all taxpayers receive a notice of assessment change and have sufficient time to file for an appeal if they chose to appeal their new assessment. 7

- **Elimination of Freehold Requirement:** Eliminate the requirement set forth in Section 47 of the City Charter that, "Assessor must be a freeholder within the corporate limits of the city." The requirement that the Assessor must be a freehold is an archaic requirement. No other City Official is required to be a freeholder. Also, the City Charter does not define the term "freeholder". Interestingly, when we inquired about the definition of the term we received different answers from different City Officials. A common definition is "One who possesses a freehold." A freehold is ..."An estate in land held in fee simple, in fee tail, or for term of life."[2] There are two schools of thought on this issue of an assessor being a resident of the jurisdiction. Those in favor of a residence requirement believe that the Assessor should be a taxpaying property owner of the jurisdiction that employs them. On the other hand, those not in favor of a residency requirement believe that the requirement restricts the potential pool of applicants for the position, and places the Assessor in the position assessing their own property and the property of their neighbors. If the City Council wishes to continue the requirement that the Assessor be a resident of the City then, at a minimum, the Charter should be changed. Replace the term "freeholder" with "a resident". 8

- **Elimination of Certified Independent outside Appraiser for Reassessment:** The City Code Section 102-1 should be changed to eliminate the requirement that the three year "...reassessment and valuation may be done by a certified independent outside appraiser chosen by the Council." Under current Delaware State statutes a certified appraiser must be an individual certified by the State Council on Real Estate Appraisers and hold such certification in accordance with Federal regulations set forth in the Financial Institutions Reform, Recovery and Enforcement Act of 1989, the act of August 9, 1989 (FIRREA). This certification is required for fee appraisers performing real estate appraisals for federally related transactions. Although Certified Real Estate Appraisers have demonstrated education and competency in appraisal and qualified as regulated professionals, this requirement is a very high standard for mass appraisal for assessment purposes. Jurisdictions similar to the City of Dover, utilize companies that specialize in mass appraisal for assessments. The City currently has contract with one such company. Although some of its employees may hold state certification it is very restrictive and expensive to require that all the properties be assessed using certified appraisers. Also, a different model of performing reassessments is discussed in the section "Adequacy of Staffing" below. 9

- **Income and Expense Reports:** The City Code should be amended to allow the Assessor to require that owners of rental properties complete and file annual reports of income and expenses on forms developed by the Assessor's Office. Income and expense information is invaluable in developing the valuation of income producing properties, both as to the individual properties income and expenses and to the general information related to similar properties to develop typical income and expenses for comparable properties. Income producing properties are bought and sold on the real estate market on the basis of their ability to generate net income for their owners and the possible of future appreciation in value. The Income Approach to Valuation is the most common used methodology, by both assessors and fee appraisers, to value these types of property. Critical to this approach to valuation is accurate income and 10

expense information concerning the property being valued. Also critical to this approach is information concerning other comparable properties or typical property's operating income and expenses. Although there are national services that publish this type of information, the information is at best regional information that needs to be verified and adjusted to the local City of Dover real estate market to ensure accurate individual valuations for the taxpayers of Dover.

- **Update Tax Stamps Affixing for the Transfer Tax:** City Charter in Article III, Section 102-74 and subsequent sections refer to the affixing of adhesive documentary stamps to the document as evidence of payment of the transfer tax. Section 102-77 requires the Assessor ....."shall make provisions for the sale of such stamps in such places as may be deemed necessary." This is outdated language. The Charter should be updated to reflect the current practice of marking the document with an indication that the transfer tax has been paid and the amount paid. 11

- **Auditing of Transfer Tax:** The City Code should be amended to state that the Assessor may review the payment and the "value" stated for purposes of this tax. The review or audit process should also state a period of time for the audit after the filing of the documents with the Assessor, such as ten (10) business days. 12

- **Update language in the Code to identify or clarify:** "true value in money" as "full market value". Delaware State Code § 8306. Standard of assessment; requires all property subject to assessment shall be assessed at its true value in money. The clarification of true value in money, as the full market value of the property as of the valuation date, (January 1st of each year) will go further in creating transparency in the assessment process. 13

- ***Recommendations – Adequacy of Staffing***

The City may wish to consider that the three year reassessment be completed by a combination of in-house valuations for one to three family residential properties and outside contractors for the apartments, commercial and industrial properties and valuation modeling. This model of conducting a revaluation is often a transitional model between using outside services completely for reassessment and complete in-house reassessment. If the City staffs the Assessor's Office with an additional Residential Assessment Technician, changes the position of part-clerk to a full time clerk, fills the current vacancy in either the Assessor's position or Assistant Assessor position (see Appendix A - 4) it is possible for the City to perform the reassessment with the more limited assistance of an outside contractor.

- ***Recommendation – Management Style***

- Annually the Assessor should continue to adopt and communicate a set of specific goals delineating the expectations for the Assessor's Office for the coming year. This should include a level of assessment, what equity measures will be used and what the expected equity level is, the number of parcels to be physically inspected, the expected number of permits to be worked, deeds to be processed, land splits, etc. and a quality measure of acceptable error rates. Formatted: Bullets and Numbering

- Annually, the Assessor should adopt and communicate an annual assessment calendar. The calendar should include all important legislative and city dates, IT deadlines for data entry closings, important processing dates and periodic benchmark dates reflecting the levels of tasks that must be done to achieve the goals. Formatted: Bullets and Numbering

- Institute a Quality Review Program to determine data quality and error rates, as well as uniformity of practices within the office. Formatted: Bullets and Numbering

- After setting the annual goals the Assessor should meet with pertinent staff to develop a strategic plan to achieve the goals. Formatted: Bullets and Numbering

- A search feature for recent sales of properties, at minimum for residential properties, should be added. This query function could consist of a "drop-down" list of neighborhoods or sub-sections of the city allowing the user to select a subdivision to view recent sales that have occurred within that subdivision. The Assessor's Office Annual Report should be directly available on the Web site.
- It would be helpful to the public for the Assessor's office to provide copies of the applications for such initiatives as tax relief for Senior and Disabled Citizens, the program for the Tax Abatement for Agricultural in the Assessor's Section of the web site. Also during the time for filing tax relief applications for seniors and disabled citizens a highlighted link should be on the home page of the City's site for public awareness of this program to assist the eligible taxpayers of the City.

- The information for appealing one's assessment to the Board of Tax Review should be located in the Assessor's Section of the web site. Although these documents are available on the web site if the visitor searches the site to find them, it is not intuitive to a taxpayer where to find these documents on the site. Information concerning the appeal process should listed both in the both the Assessor's section of the site and in a Board of Tax Review section of the web site. Also, currently the Board of Tax Review's Appeal forms and Policy Statements are on the web, it would be more meaningfully and user-friendly if these policy statement were incorporated into one document that the taxpayer can see and print rather than searching the site and hoping that they found all the information that is needed for submitting an appeal.

- The Web site needs to be updated regularly to ensure that the public has access to the most accurate information.

- ***Recommendations – Appraisal Methodology***
  Retrain and rededicate their efforts to become a mass appraisal office, maximizing the use of Ias World's capabilities in valuing, analyzing, and reporting.

- ***Recommendations – Appraisal Data***
  All the data fields in the CAMA system be defined in the new appraisal manual and the appraisers conduct an analysis of the valuation model to determine if they are collecting the appropriate data for the factors that affect value in the City of Dover.

- ***Recommendations: - Appeals and Board of Tax Review***
  - It is recommended that the City of Dover develop a similar impartial Board to review formal complaints from taxpayers. The Board can be elected by the voters of the City or appointed by the City Council. The terms of appointment should be for a period of at least four years, in order for members to gain experience in this area of valuation and should have terms that expire in staggering years, so that there is always some experienced members on the Board.

  - If such an independent Board is created it should be named Board of Assessment Appeals or Board of Assessment Review. The word "tax" should not be the name of the Board as it is not a "tax" review board but a board that reviews the valuation or assessment of properties. This name change may remove the misconception that the Board can reduce the tax burden on a property owner.

  - The City Code should include a section on property tax exemptions for governmental property. Certainly property owned by high levels of government should be exempt by right as these governmental bodies will not pay local property taxes and the current process of the Assessor appealing on behalf of these governments before the City Council does not seem to be a good use of time. The following property owners should be exempt by right and do not have to apply for the exemption:
    - Property owned by the United States
    - Property Owned by the State of Delaware
    - Property owned by the County
    - Property owned by the City

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- The City Code should include a section on property tax exemptions for religious, educational, and other not-for-profit organizations. The typical standard for these exemptions is that the property must be owned by the organization and be used for the intended purpose that serves a public benefit. Another characteristic standard for these property tax exemptions is that the organization hold an exemption from federal taxes in compliance with Section 500 (c) (3) of the Internal Revenue Code of 1954 as amended and/or a State tax exemption as issued by the State's Department of Revenue. The Code should set forth a process for applying for the exemption and periodic review of property that received the exemption to ensure that they are still in compliance.

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- The City Code should be amended to include a section on the exemption process. The exemption can be processed and granted by the Assessor or by the recommended Appeals Board. Either of these two alternates is common in the United States. Often there is a requirement that the exemption application is reviewed by the City's legal counsel to ensure that the organization and property comply with the legal requirements set forth for the exemption.

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It is also recommended that a review of the existing exempt properties be performed to determine the current status of those property owners receiving exemptions and to confirm their continued 501(c) (3) tax exempt status. A review period of once every five or six years should be codified in the City Code to ensure that the properties receiving an exemption continue to quality for the exemption from the City's property tax.

- The Assessor's Office and Board of Tax Review must apply their rules and procedures for the appeal process consistently and fairly to all taxpayers. Public trust and acceptance of a tax system is based on the tax being applied "fairly and equitably" to all taxpayers.

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- The requirement, that is stated in the Board's Tax Policy #3 "*Procedure For Commercial/Industrial/Income Producing Properties*", that these appeals must include a "self-contained written appraisal report" is too high a standard at this level of appeal. The general practice of documentation for an appeal is that this highest standard of a USPAP compliant appraisal is not required until the third level of the appeal process – the appeal to the state court.

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The general and more typical standard, at the second level of appeal before a formal board of review, is a recommendation that a summary appraisal is submitted to the local appeal board. A summary appraisal is required to meet all the USPAP standards but is not fully written in a report. An appeal should not be dismissed solely on the lack of submitting a USPAP appraisal. The taxpayer should be able to submit the documentation and evidence that they believe is relevant to their case and it is the function of the Board to make its decision based on the quantity, quality and credibility of the evidence submitted by the taxpayer. In many cases the issue(s) of the appeal and valuation of the property do not require an appraisal but may be issues of law or facts. Also, for many complex commercial properties even the time period for the owner to contract an appraiser that is qualified to appraise the type of property under appeal is greater than thirty days and the time to produce a USPAP compliant appraisal can be many months.

16

EXCERPT OF OCTOBER 22, 2007 COUNCIL MINUTES

The Regular Council Meeting was held on October 22, 2007 at 7:34 p.m. with Council President Williams presiding. Council members present were Mrs. Russell, Mr. McGlumphy, Mr. Slavin, Mr. McGiffin, Mr. Hogan, Mr. Salters, and Mr. Ruane.

TAX APPEALS COMMITTEE REPORT - OCTOBER 15, 2007

The Tax Appeals Committee met on October 15, 2007 with Chairman Ruane presiding.

Appeal Process

Members requested a better understanding of the Appeal Process and Procedures to aid in the upcoming/ongoing appeals, and requested that more focus be given to the Commercial/Industrial Properties. Members were provided Tax Policy #3, adopted by City Council on November 13, 2006, and the State of Illinois Administrative Code. Mr. Capuano explained that he has used the Administrative Code in the past, and although it was good for the size and scope of the State of Illinois, he did not feel it would work as well for the City of Dover. Mr. Capuano stated that the residential properties are generally not an issue during the appeal process, due to the nature of the complaints. They are usually due to a factual error and can usually be corrected or negotiated between the Assessor's Office and the property owner.

Responding to Mr. Ruane, Mr. Capuano explained the appeal process timeline, as follows:

> ***Annual Appeal:***
> *May 01 of each year, the Assessor's Office displays the final values for the new assessment/tax year. Property owners are given fourteen (14) days to appeal their value. This date is given to them at the time assessment registers are displayed.*
>
> ***Supplemental Appeals:***
> *On October 01, January 01, and April 01 of each year, the Assessor's Office sends out Supplemental Bills to the property owners for new construction, permits, annexations, etc. At the time a supplemental bill is sent out, the property owner is given a "new" value. They are, in letter form, given fourteen (14) days from the date of the letter to appeal their value, if they so desire.*
>
> *The fourteen (14) day appeal deadline is not in writing, but has been a precedent with the Assessor's Office on the annual appeals for at least the past fifteen (15) years.*

Mr. Capuano stated that any changes in the appeal process may affect the tax collection process. Members discussed alternatives for handling appeals.

The committee recommended for the Tax Appeal Process to be backed up to March 31st for initial annual change of assessment notices; the appellant has thirty (30) days (April 30th) to appeal any differences from the prior tax year; if the appellant requires an appraisal, an additional sixty (60) days for a commercial/industrial property will be given; and that this additional sixty (60) days will also be applied to Supplemental Billing for Commercial/Industrial properties, if the appellant requires an appraisal.

By consent agenda, Mr. McGlumphy moved for approval of the committee's recommendation, seconded by Mrs. Russell and carried by a unanimous roll call vote.

EXCERPT OF NOVEMBER 13, 2007 COUNCIL MINUTES

The Regular Council Meeting was held on November 13, 2007 at 7:30 p.m. with Council President Williams presiding. Council members present were Mr. McGlumphy, Mr. Slavin, Mr. McGiffin, and Mr. Salters. Mrs. Russell, Mr. Hogan, and Mr. Ruane were absent.

SUPPLEMENTARY PROPERTY ASSESSMENTS - TIME FOR APPEAL/APPRAISAL SUBMISSION

During their Regular Meeting of October 22, 2007, City Council adopted a recommendation of the Tax Appeals Committee to extend the time allowed for tax appeals and the submission of appraisals. The recommendation was to extend the time to allow for an appeal from 14 days to 30 days and an additional 60 days for a commercial/industrial property to submit an appraisal as part of the appeal process in cases requiring such appraisals. The Tax Appeals Committee's intent was to have these extended times to apply to tax billings resulting from the quarterly supplemental property reassessments, including the quarter that ended September 30, 2007; however, this was not made explicit in the motion that was approved. By making this explicit, Council will assure due process for any appeal of supplemental tax billings for the period ending September 30, 2007.

Staff recommended that the Tax Assessor be instructed to allow 30 days for a tax appeal of supplemental tax billings for the quarter ending September 30, 2007 and an additional 60 days for commercial/industrial property owners to provide an appraisal in those cases where such an appraisal is required.

Mr. Salters moved for approval of staff's recommendation, seconded by Mr. McGlumphy and carried by a unanimous roll call vote (Mrs. Russell, Mr. Hogan, and Mr. Ruane absent).

FIRST READING

CITY OF DOVER PROPOSED ORDINANCE #2009-16

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

That Chapter 2 - Administration, Article IV - Officers and Employees, Division 1 - Generally, Section 2-201 - Compensation and expenses for mayor, council, employees and other elected or appointed officials, Subsection (2) - Councilmembers generally, be amended by inserting the text indicated in bold, blue, italics and deleting the text indicated in red strikeout as follows:

Sec. 2-201. Compensation and expenses for mayor, council, employees and other elected or appointed officials.

In accordance with section 12 of the Charter, authorizing the council to establish compensation and expenses for the mayor and councilmembers, city employees and other elected or appointed officials, the following fees are hereby established:

(1) Mayor. The mayor shall receive an annual salary of $45,000.00. In addition, the mayor shall receive an expense allotment of up to $5,000.00, to be included in the city's annual budget, for miscellaneous expenses, to be reimbursed upon submission of receipts or proper documentation. Expenses in excess of this amount shall only be permitted by council approval. The mayor shall be entitled to all benefits customary to an employee of the city, except pension benefits, and sick and vacation leave.

(2) Councilmembers generally. Each councilmember shall receive an annual salary of ~~$7,416.00~~ ***$6,674.40***, to be paid monthly. The council president shall receive an annual salary of ~~$8,652.00~~ ***$7,786.80***, to be paid monthly. Councilmembers shall receive reimbursement for actual and necessary expenses incurred when on official business as prescribed by ordinance or policy.

(3) Councilmembers hearing appeals. Members of the council sitting to hear appeals from the municipal assessment shall receive $50.00 for per diem reimbursement for expenses for the preparation and attendance of each meeting of the assessment appeals committee.

(4) Nonemployee election officers. Each person not a city employee appointed to serve as an election judge for any municipal election shall receive $200.00 for per diem reimbursement for each election attended. Each person chosen to serve as a clerical assistant for any municipal election shall receive $150.00 for per diem reimbursement for each election attended.

(5) Employee election officers. Employees of the city appointed to serve as election judges or officials for any municipal election shall receive $150.00 for per diem reimbursement for expenses for each municipal election attended in addition to their regular salary.

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(6) Appointee to council committee. Each appointed member to any city council committee, not serving an elected term to any city office, shall receive $75.00 for preparation and attendance at each committee meeting to which the member is appointed.

(7) Employee on council committee. For any city employee appointed to a council committee shall receive $25.00 for reimbursement for expenses per diem for each meeting attended which is held after 5:00 p.m. on a scheduled workday or at any time on a weekend or city-approved holiday.

(8) Planning commission. Each appointed member of the planning commission shall receive $100.00 per diem reimbursement for expenses to be paid monthly for preparation and attendance at each meeting of the planning commission.

(9) Board of adjustment. Each appointed member of the board of adjustments shall receive $75.00 per diem reimbursement for expenses to be paid monthly for preparation and attendance at each meeting of the board of adjustment, to become effective July 1, 2007.

ADOPTED: *

SYNOPSIS

This ordinance reduces City Council's annual salary by 10% in accordance with their motion of June 22, 2009.

(SPONSORS: LEARY, MCGLUMPHY, RUSSELL, SALTERS, SLAVIN, WILLIAMS)

Actions History

July 13, 2009 - First Reading

Draft