Library Services for Dover and Kent County

OPTIONS FOR THE FUTURE



ATTACHMENT #1
PR&CE Committee Meeting of 04/13/2009

Range of Choices

- Exploratory Exercise by Executive Staff
- Options Defined by Major Distinctions
- Not Exhaustive - Other Permutations Possible
- Pros and Cons Debated

Options:

- City Built & Owned Anchor Library
- Equal Share Funding Option
- Consolidation Option
- Branched Consolidation Option
- Dover Single Library Option
- Do Nothing Option

The City Built & Owned Anchor Library

- Dover Responsible for 100% of Construction
- Dover Owns Anchor Library
- Kent County Continues Reciprocal Borrowing Library Tax

The City Built & Owned Anchor Library

- **PROS:**
  - **No Capital Expense to Kent County**
  - **Continuation of County Library**
  - **City Retains Control of City Library**

The City Built & Owned Anchor Library

- CONS:
  - Achieving Funding Goal Further Away
  - Potential of Anchor Library Not Materializing
  - Possible Fee for Non-City Residents
  - Continued Duplication of Services
  - Increased Cost to the City
  - Citizen Unrest

The Equal Share Funding Option

- Both Contribute $3.7 Million to Capital Cost for Anchor Library
- Continue to Operate Two (2) Separate Library Systems
- Kent County Continues Reciprocal Borrowing Library Tax
- No User Fees for Dover Anchor Library

The Equal Share Funding Option

- PROS:
  - Capital Funding Goal Attained
  - County Residents Access Free of Charge
  - County Maintains County Library Services
  - Anchor Library Is Built Sooner
  - Less Capital Cost to the City

The Equal Share Funding Option

- CONS:
  - Depletes Capital Funding for County
  - Eliminates Immediate Funding for Smyrna & Harrington Library Construction
  - Duplication of Services Continues

The Consolidation Option

- Consolidate Library Services in Anchor Facility
- Cease to Operate Separate Facilities
- Each Contribute $3.7 Million to Capital Cost
- Formation of Library System is Operated by Library District Commission
- City of Dover is included in Library Tax
- Library Tax used to Operate Library System

The Consolidation Option

- **PROS:**
  - **Capital Funding Goal Attained**
  - **Eliminates Duplication of Efforts**
  - **Reduces Overall Operational Expenses**
  - **Increased Reciprocal Borrowing Funds for Smyrna, Harrington & Milford**
  - **Increases Revenue for Capital & Operations Financing**

The Consolidation Option

- CONS:
  - Potential Library Tax Increase
  - City and County Give Up Direct Control
  - Citizen Opposition to Closure of Kent County Library
  - Will Require Amendment to State Law for Commission
  - Depletes Library Capital Reserve – No Immediate Funding for Smyrna & Harrington Library Construction
  - Existing Staff Anxiety Over Consolidation
  - Travel Distance to Library Increases for Some County Residents

The Branched Consolidation Option

- Same Governance Structure as in Consolidation Option
- Library Commission Operates Kent County Library as a Branch Library

The Branched Consolidation Option

- **PROS:**
  - Creates Single Governance Structure
  - Eliminates Duplication at Management Tier
  - Preserves Kent County Library
  - Satisfies Advocates for Both Libraries
  - Provides Variety of Facilities and Programs

- **CONS:**
  - Most Costly Option
  - Depletes Library Capital Reserve - No Immediate Funding for Smyrna & Harrington Library Construction

The Dover Single Library Option

- Dover Builds Anchor Library
- Kent Closes County Library
- County Contributes $3.7 Million to Dover
- County Continues Reciprocal Borrowing Tax
- No User Fee for County Residents
- City May Assume Bookmobile

The Dover Single Library Option

- **PROS:**
  - **Dover Continues to Own and Operate a Library**
  - **Eliminates Duplicate Services & Competing Interests**
  - **Eliminates County Budget for Library Services**
  - **Dover Citizens Do Not Pay Dedicated Library Tax**

The Dover Single Library Option

- CONS:
  - Kent County Library is Eliminated
  - Citizen Opposition – Negative Social/Political Implications
  - Only County Residents Pay Library Tax
  - Eliminates Immediate Funding for Smyrna & Harrington Library Construction
  - Operating Cost of Anchor Library Born Solely by Dover
  - Increased Operating Cost to City for Book Mobile Operation

The Do Nothing Option

- Dover Postpones Anchor Library Indefinitely
- Dover Continues to Operate Library at 45 South State Street
- County Continues to Operate County Library
- Reciprocal Borrowing Library Tax Remains in Effect

The Do Nothing Option

- **PROS:**
  - **Library Services Remain Status Quo**
  - **Capital Reserves for Library Facilities Remain Un-Spent**
  - **Avoids Potential Increase in Operational Costs**
  - **Avoids Anxiety and Disruption of City and County Work Force**

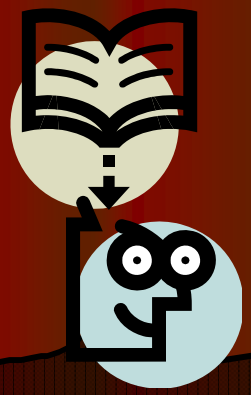
The Do Nothing Option

CONS:

- Delivery of High Quality Facility Delayed
- Opportunity Costs Will Increase Over Time
- Deterioration of Library Services Due to Increased Usage Over Time
- Library Services in Central Delaware Remain Below National Standards

Dover/Kent County Regional Library District

A Conceptual Framework for a Unified County Library System



ATTACHMENT #2
PR&CE Committee Meeting of 04/13/2009

A Regional Library System

- WHO: Kent County & Dover Initially
- Expandable to Include Other Municipalities

Why A Regional System?

- Library Services – A Common Goal
- Pooling Resources Will Go Farther
- Eliminates Duplication of Efforts
- Eliminates Unnecessary Competition
- High Quality Services & Facilities

How Would It Work?

- Inter-Governmental Agreement
- Establishment of Library District
- Formation of a Library Commission
- Supported by Library Tax

The Intergovernmental Agreement

- Executed by City Council & Levy Court
- Forms Dover/Kent County Library System Pursuant to Delaware Code Title 9, Chapter 8

Purpose

- Formation of Regional Library District
- Unified Governance Structure

Vision

- A Hierarchy of Library Facilities and Services Evolving Over Time to Meet Changing Needs of Central Delaware

The Library District

- Initial District:
  - City of Dover
  - Unincorporated Kent County Except Towns of Smyrna and Harrington, and Milford Library District
  - Expandable to Include Smyrna and Harrington at Their Decision
- To be Known as Library District #1

The Library District Commission

- Seven (7) Member Commission
  - Three (3) Levy Court Appointees
  - Three (3) City Council Appointees
  - One (1) State Librarian Appointee
- Expansion Members
  - Two (2) Smyrna Appointees
  - Two (2) Harrington Appointees

The Library District Commission

- Officers:
  - Chairman
  - Vice Chairman
  - One (1) Year Terms/No Limitations

The Library District Commission

- Meetings
  - At least One (1) per Month
  - All Meetings Open to Public
  - Minutes to be Prepared & Maintained by Staff

The Library District Commission

- Powers and Duties
  - Enactment of Management Policies
  - Appointment of Library Administrator
  - Adoption of Rules of Procedure
  - Legislative Affairs
  - Contracting Authority
  - Annual Budget & Library Tax Rate

The Library District Commission

- Powers and Duties (continued)
  - Debt Management
  - Asset Ownership
  - Annual Reporting
  - Annual Financial Audit
  - Management of Revenue & Expenses
  - Administration of Grants

The Library Administrator

- Powers & Duties:
  - Manage all Functions of Library System
  - Hiring of Employees
  - Enforcing Policies Adopted by Commission
  - Advisor to Commission on Policy & Management

Library Commission Employees

- Staffing Adequate to Operate System
- Transfer of All Existing City & County Library Employees on Voluntary Basis

Library Commission Employees

- Transferring Employees
  - Commission's Classification & Pay System
  - Re-Position Employees into Positions that Match Most Recent Job duties
    - Equivalent Salary & Wages to City/County Jobs prior to Transfer

Library Commission Employees

- Probation Period:
  - 6 Months for New Hires
  - Transferring Employees are Exempt

Library Commission Employees

- Benefits
  - New and Transferring Employees shall be offered the same benefits as are provided by the Commission

Library Commission Employees

- Leave
  - New and Transferring Employees shall receive leave benefits as determined by the Commission
  - Transferring Employees accrued leave shall be transferred with the employee to the Commission
  - The City or County shall pay to stated beneficiaries all unused transferred leave for any Transferred Employee that retires, leaves employment, or dies

Library Commission Employees

- City and County shall retain Personnel Files of Transferred Employees for a period and prescribed by State Law
- City and County shall allow Library Administrator access to Personnel Files for Transferred Employees

Library Commission Employees

- Retirement Plans
  - Transferring Employees vested in City or County retirement plans shall remain in the retirement plans that they are vested in
  - New Hires and Transferring Employees who are not vested in a retirement plan shall be afforded access to Retirement Plans as may be offered by the Commission
  - Transferring Employees who have at least 50% of time toward vesting in either the City or County retirement plan shall remain a participant in that plan

Library Commission Policies

- Policies to Guide Administration, Management and Governance
- Including but not limited to:
  - Employment Policies
  - Procurement Policies
  - Public Service Policies

What's In A Name?

- Dover/Kent Regional Library Commission
- Central Delaware Library Commission
- Kent County Regional Library Commission
- Dover Metropolitan Library Commission
- Others

It's Important Because:

- Provides Unified System
- More Cost Effective Approach
- Higher Quality of Facilities & Services
- Creates One Agenda & One Budget
- True Partnership

Analyzing the Costs of Consolidation

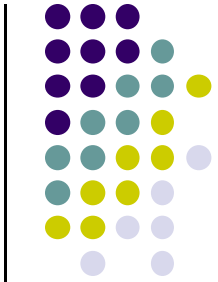
Consolidation:

- **What are the Costs?**
- **What are the Savings?**
- **Capital Financing through Savings – Is this possible?**

ATTACHMENT #3
PR&CE Committee Meeting of 04/13/2009

Source of Annual Revenues

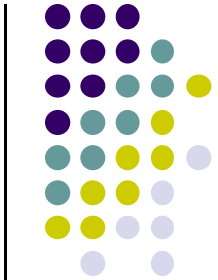
Two Existing Libraries, FY08-09 v.7



Government	Source	Dover Library	Kent County Library
Dover	General Fund	614,000	-
Kent County	General Fund	-	597,200*
Kent County	Recip. Borrowing Fund	458,000	-
State	Library Funds	247,000	187,000
Dover	Fines, Fees, Membership	55,600	-
		$1,374,600	$784,200
	TOTAL	**$2,158,800**	
		•Nets out $128,800 indirect costs	

Estimated Annual Operations Cost

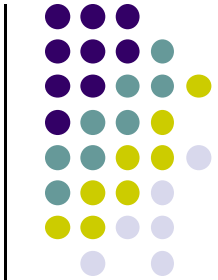
Dover/Kent Anchor Library



Salary	1,150,000
Material	210,000
Utilities	138,000
Other Direct	160,000
Courier	30,000
TOTAL	**$1,688,000**

- Assumes 46,000 square feet, 2 floors, sufficient self-checkout, Wi-Fi and other current library technology.
- Utility uses $3.00S.F. based on comparable at $3.27 less 10% for Green Design
- Open 71 hours – Monday thru Thursday, 9 AM to 9 PM; Friday and Saturday, 9 AM to 6 PM; Sunday, 1 PM to 6 PM.

Estimated Annual Savings



$2,158,800 (Cost of Two Libraries)

-$1,688,000 (Cost of One Anchor)

$ 470,800 (Estimated Savings)

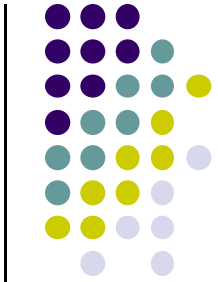
How Much Money Needed To Fund Dover/Kent Anchor Library?

$1,688,000	Annual Operating Budget
- 434,000[(1)]	State Library Funds
- 70,000	Estimate Fines, Fees, Memberships, etc.
$1,184,000	**Needed in Operating Funds Local Sources**

- [(1)]187,000 Kent County
  - 247,000 Dover
  - **$434,000**

Dover/Kent County Taxes

Current Sources of all Funds by Library



	Kent County Library	Dover Library	Smyrna/ Harrington/ Milford Libraries	Total
Kent County Library Tax	-	458,000	186,000	644,000
Kent County (General Fund)	597,200	-	-	597,200
Dover (General Fund)	-	614,000	-	614,000
TOTAL				**$1,855,200**

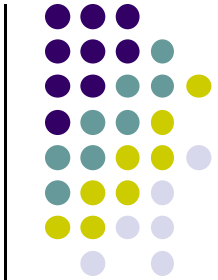
HOW DO WE FUND OPERATIONS LOCALLY?

Funding Option A
Using the Library Tax & General Funds

Assumptions: Library Tax stays at $.037; add Dover to Library Tax Base, Dover and Kent contribute General Fund Revenue to Anchor

	Kent County	Dover	Smyrna/ Harrington/ Milford	Anchor
Library Tax – current .$037	-	-	$186,000	$458,000
Dover added Library Tax	-	-	-	$297,000
Kent General Fund			$106,000	$261,060
Dover General Fund				$170, 703
			$292,000	$1,186,763
				$1,478,763

What does Option A do ?



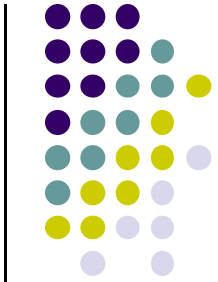
- Library Tax Applied to Dover Properties Yields $297,000
- Raises $1,184,000 locally needed for Anchor
- General Fund Contributions Based on Kent Assessment used for Library Tax and includes Smyrna, Harrington & Milford
- Net Savings to Kent Tax Payers: $230,140
  ($597,200 existing - $367,060 proposed = $230,140 Net Savings)
- Net Savings to Dover Tax Payers: $146,297
  ($614,000-$297,000(L.T) -$170,703=$146,297)
- Dover reduces Property Tax $297,000 to offset new Library Tax

Operating Funding Option B
Using the Library Tax

Assumptions: Increase Library Tax 57% ($0.058/$100); add Dover to Library Tax Base, Remove Library Expenses from Kent & Dover General Fund

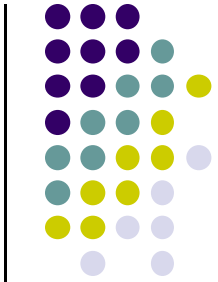
	Kent County	Dover	Smyrna/ Harrington/ Milford	Anchor
Library Tax (1.57 X Existing)	-	-	$292,000	$719,060
Dover added Library Tax ($297,900 x 1.57)	-	-	-	$467,703
				$1,186,763
			$1,478,763	

What does Option B do ?



- Increased Library Tax (5.8¢/$100) Applied to Dover Properties Yields $467,703
- Raises $1,184,000 locally needed for Anchor
- Net Savings to Kent Tax Payers: $230,140
  ($597,200 existing - $367,060 proposed = $230,140 Net Savings)
- Dover Reduces Expenses & Property Tax - $467,703
- Net Savings to Dover Tax Payers: $146,297
- Increases Smyrna, Harrington and Milford Funding by 57%
- Separates Dover and Kent from direct library funding.

How does Kent County Raise $3.7million **without** increasing taxes?



County savings benefit in both options = $230,000 surplus

$230,000 will finance ≈ $ 2.7 million in bonds*

+

$1.0 million Capital Reserve

$3.7million

*4.53% Average Coupon Rate, 20 Year Term

Why is this Good for Kent, Dover, Smyrna, Harrington & Milford?

- Anchor Larger than both Libraries (more than double)
- Everyone has access to a Modern State of the Art Library
- Fair to Smyrna/Harrington/Milford, increases funding 57%
- Greater library support from Anchor to Smyrna/Harrington/Milford
  - Librarian Training
  - Greater Material & Collection to lend
  - Co-operative Programming
- Efficiency of one Library
- NO IMPACT ON TAXES
- Reduces overall expenses

City of Dover
Analysis of Library Reserve Account
As of February 28, 2009

		2007	Final 2008	2009 To Date
Balance Forward		$ -	$ 2,373,776.37	$ 3,778,149.76
Receipts				
FY 07 Approp from Contingency Fund		$ 100,000.00		
FY 07 Approp from General Fund		250,000.00		
FY 07 Approp from General Fund (Payment in Lieu of Taxes)		333,500.00		
Subtotal Library Reserve Appropriations as approved in the orginal budget		683,500.00		
FY 07 Approp from General Fund (1st Budget Amdmnt. Prelim Carry Forward) 1/22/07		941,533.00		
FY 07 Approp from General Fund (2nd Budget Amdmnt. Audited Excess Carry Forward) 2/12/07		95,937.00		
Subtotal of Changes as a result of Excess Carry Balances from FY06		1,037,470.00		
F/Y 07 Kent County Levy Court - Additional Reciprocal Borrowing Proceeds		605,962.25		
FY 08 Donations/Gifts			700.00	
FY09 Donations/Gifts				1,484.00
FY 08 Appropriation from General Fund (Payment in Lieu of Taxes)			399,350.00	
FY 08 Additional appropriation from General Fund			1,249,759.00	
Interest Income - Actual Year to Date		46,844.12	140,438.39	94,629.69
Total Receipts		$ 2,373,776.37	$ 1,790,247.39	$ 96,113.69
Disbursements/Transfers				
FY 08 Approval of Computer Lab, Security Guards, & Document Imaging Equipment		$ -	$ 51,874.00	$ -
FY 08 Transfer to Parkland Reserve (as approved in the original budget by Council)		-	334,000.00	-
Due to the Governmental Capital Projects Fund	(1)	-	-	168,458.47
Total Disbursements		$ -	$ 385,874.00	$ 168,458.47
Ending Balance		$ 2,373,776.37	$ 3,778,149.76	$ 3,705,804.98

Comments

(1) This represents 50% of the actual expense paid to Holzman Moss Architecture LLP. The other 50% is reimbursed by the State.

	Amounts	Date Paid	
Payments to Holzman Moss Architecture LLP:	$ 33,425.58	10/3/2008	State has Reimbur
	56,989.62	11/11/2008	State has Reimbur
	102,664.76	12/31/2008	State has Reimbur
	52,868.97	2/4/2009	State has Reimbur
	3,105.49	2/4/2009	
	84,024.51	3/4/2009	
Payments to Horizon Philanthropic Serv. Inc.	2,000.00	2/18/2009	
Project Cost to date:	$ 335,078.93		
Due from State (50%):	$ 167,539.47		
Payments received from State:	$ 16,712.79	2/18/2009	
	51,332.38	2/11/2009	
	28,494.81	2/11/2009	
	26,434.48	11/26/2008	
	$ 122,974.46		
Balance due from the State	$ 44,565.01		
Payable from Reserve (including organization ($750) & certificate of Incorporation ($169) fees):	$ 168,458.47		

John W. Pitts Recreation Center

Revenue
July 1, 2008 – April 12, 2009

Leagues	$25,540
Fitness	$24,091
Sports	$ 3,290
Camps	$ 6,930
Rentals	$ 4,865
	$64,716

CHAPTER 114 – VEGETATION, ARTICLE II – WEEDS IN FULL CONTEXT

Sec. 114-31. Definitions.

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

Weeds means grass, weeds, bushes and any other vegetation, other than trees, ornamental shrubbery, flowers and garden vegetables that are properly tended.

(Code 1968, § 30-1; Code 1981, § 21-16)

Sec. 114-32. Maximum height.

It shall be unlawful and a nuisance for the owner, occupant or tenant of any premises, or any agent caring for or in charge of the premises, to permit any weeds, underbrush, deleterious or unhealthful growths, or other noxious matter to grow to a height of eight inches or more.

(Code 1968, § 30-4; Ord. of 9-13-1976; Code 1981, § 21-17; Ord. of 8-28-2000)

Charter references: Power of council to define nuisances, subpart A, § 18.

Sec. 114-33. Failure to maintain proper height; abatement by city; costs and lien.

(a) *Summons; action by city.* In the event that any owner, occupant or tenant of any premises within the city, or any agent caring for or in charge of the premises, shall permit any grass, weeds, underbrush, deleterious or unhealthful growths or other noxious matter to grow to a height of eight inches or more as prohibited by this article, then the health inspector or fire marshal or his authorized agents shall issue a summons showing a violation of section 114-32, said summons to be served personally or by certified mail upon the owner, occupant, or tenant of the premises, or any agent caring for or in charge of the premises. The summons shall cite the violation of this article and shall be accompanied by a letter or a copy of the relevant provisions of this article stating what corrective action must be taken and shall state the consequences for failure to take such corrective action. If the violation is not corrected within three days from the date of personal service of the summons or within seven days from the date of mailing of the summons by certified mail, then the city, at the direction of the health inspector or the fire marshal, may remove the weeds, grass, underbrush, deleterious or other unhealthful growths or other noxious matter growing to a height in excess of eight inches or more in violation of section 114-32 and charge the responsible person $50.00 per hour for such work that must be done to render the property in compliance with this article. When the owner, occupant, or tenant of any premises, or any agent caring for or in charge of the premises, has received summonses and fails to take corrective action, and the city has corrected the violation in accordance with this subsection, then no further notification shall be necessary for the city to take any further corrective action on any subsequent violations within the following 12-month period starting from the date of the first corrective action by the city.

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(b) *Failure to pay charges.* In the event that the owner, occupant, tenant or other agent caring for or in charge of the premises is deemed to be in violation of section 114-32, and in the event that the violation is corrected in compliance with subsection (a) of this section, and if the charges assessed by the city for correcting said deficiency are not paid, then the city, after having corrected the deficiency and violation, shall place its charges and expenses as specified in the municipal lien docket as a lien against said property, and the city solicitor shall be directed to enforce said lien or to collect the charges imposed by the city by any other means that he may deem desirable and most advantageous.

(Ord. of 9-13-1976; Code 1981, § 21-18; Ord. of 7-27-1992; Ord. of 8-28-2000)

Sec. 114-34. Fines.

(a) *Generally.* Any person convicted of a violation of section 114-32, regardless of corrective actions taken, shall be punished for that violation by a fine of not less than $25.00, nor more than $100.00. Any such fine shall be in addition to any charges or assessments imposed upon the violator pursuant to section 114-33(a). All fines imposed shall be in accordance with the minimum fine schedule set out in subsection (c) herein.

(b) *Each day.* Every day that a violation of section 114-32 continues shall be considered a separate offense, for which the violator may be tried and convicted without necessity of further notice.

(c) *Minimums.*

(1) Any fine assessed pursuant to subsection (a) of this section shall be no less than the minimum amount set out in the following schedule:

a. First offense . . . $ 25.00

b. Second offense . . . 50.00

c. Third and subsequent offenses . . . 100.00

(2) In determining the applicable minimum fine, an offense shall be considered a recurring offense only if the defendant has previously pleaded, or been found guilty of causing or permitting the same nuisance at the same location within the past 18 months, or for every day that the violation of section 114-32 continues as per subsection (b) of this section.

(d) *Lien.* Any fines imposed pursuant to subsection (a) of this section which remain unpaid shall be placed by the city as specified in the municipal lien docket as a lien against the property on which the violation occurred, and the procedures for enforcement or collection of said lien shall be as set out in section 114-33(b).

(e) *When not paid.* Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.

(Code 1981, § 21-19; Ord. of 3-23-1992; Ord. of 7-27-1992; Ord. of 9-22-2003)

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Sec. 114-35 Exceptions.

The following shall be considered exceptions to the eight-inch height maximum:

(a) Riparian Areas. Areas within seventy-five feet of the bank of a perennial stream or lake or within 25 feet from the outer edge of a stormwater management pond shall be permitted to include stream bank vegetation, including grasses, shrubs and/or trees.

(b) Agricultural Areas. Areas that are actively used for the cultivation of fields, including seasonal cover crops, shall be exempt from this requirement.

(c) Approved Natural and/or Meadow Areas. Areas that have been planted as meadow areas or areas that are being allowed revert to natural vegetation, with approval of the city planner and the city manager, shall be permitted in accordance with the approvals granted by these offices.

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CITY OF DOVER
PROPOSED ORDINANCE #2009-08

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

That Chapter 114 – Vegetation, Article II – Weeds, be amended by adding a new Section 114-35 – Exceptions, as follows:

Sec. 114-35. Exceptions.

The following shall be considered exceptions to the eight-inch height maximum:

(a) *Riparian Areas*. Areas within seventy-five feet of the bank of a perennial stream or lake or within 25 feet from the outer edge of a stormwater management pond shall be permitted to include stream bank vegetation, including grasses, shrubs and/or trees.

(b) *Agricultural Areas*. Areas that are actively used for the cultivation of fields, including seasonal cover crops, shall be exempt from this requirement.

(c) *Approved Natural and/or Meadow Areas*. Areas that have been planted as meadow areas or areas that are being allowed revert to natural vegetation, with approval of the city planner and the city manager, shall be permitted in accordance with the approvals granted by these offices.

ADOPTED: *

SYNOPSIS

The proposed ordinance would exempt riparian areas, active agricultural areas, and approved natural and meadow management areas from the eight-inch grass/weed height maximum. This measure would improve water quality in the City by allowing these areas to take up water and filter run-off before it reaches water bodies.

Actions History:

April 13, 2009 – Introduced at PR&CE Committee

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