CITY OF DOVER

RESIDENTIAL UTILITY AUDITS

Presentation to City Council Members and
City of Dover Customers
April 13, 2009

EXHIBIT #1
Regular Council Meeting of 04/13/2009

LET US HELP YOU CON$ERVE

Free Residential Utility Service Audits Being Offered

The City of Dover Public Utilities Department is offering this program to assist you with your electric and water conservation efforts. This program is available to all City of Dover residential utility customers. The audit consists of having a City of Dover representative conduct a walk-through audit of your home. Recommendations and tips will be given based on this analysis. A few areas that will be covered are heating, air conditioning, air infiltration via infrared imaging, water temperature and use, lighting, and passive solar applications. Having a better understanding of energy and water usage habits will allow you to implement conservation measures which should result in lower utility bills.

For more information or to schedule a Residential Utility Service Audit, please contact the City of Dover Public Utilities Department at (302)736-7070.

THE PROCESS…

1. Request a Utility Audit by calling 302-736-7070;
2. A questionnaire will be mail or emailed;
3. Customers are asked to complete the questionnaire and return (either by mail or email);
4. City staff will analyze the data provided;
5. A member of the Public Utilities Department will contact the customer to schedule the home utility audit;
6. Audits take approximately 2 ½ hours; and
7. Once the audit is complete, staff will download the thermal images and produce a detailed report of recommendations, which will be mailed to the customer.

THE QUESTIONNAIRE

CUSTOMER NAME: _____
ADDRESS: _____
PHONE NUMBER: _____
EMAIL ADDRESS: _____
CUSTOMER ID: _____
DATE: _____

WATER SECTION

1. Please circle the size of your existing toilet.

3.5 gallon
5.5 gallon

2. Please estimate the average number of times the toilet is flushed per day. _____

ELECTRIC SECTION

1. At what temperature do you normally set your thermostat for cooling?

_____ (68, 70, 72, …75)

2. Approximately how many showers are taken each week in your home?

☐ (1, 2, 3, …10, 15, 20, …50)

CHECK WATER TEMPERATURE







Recommended hot water heater setting is 120°.



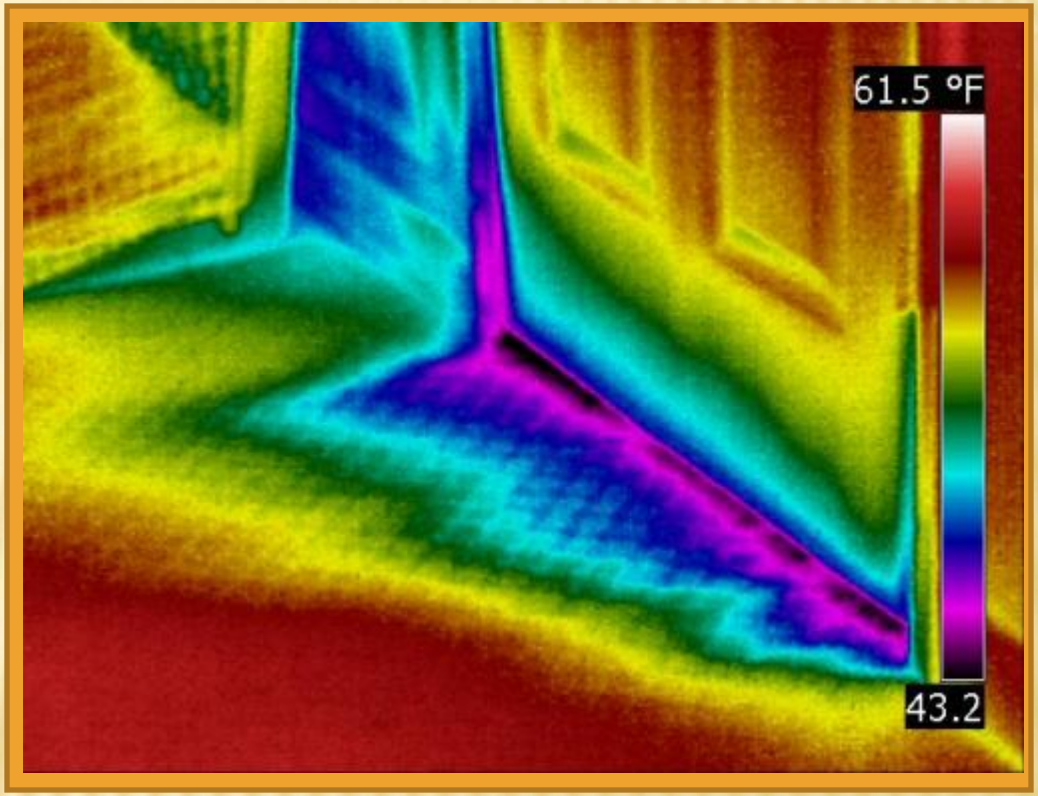


UTILIZING THERMAL IMAGING



Thermal Camera

Sample – Winter Weather Picture



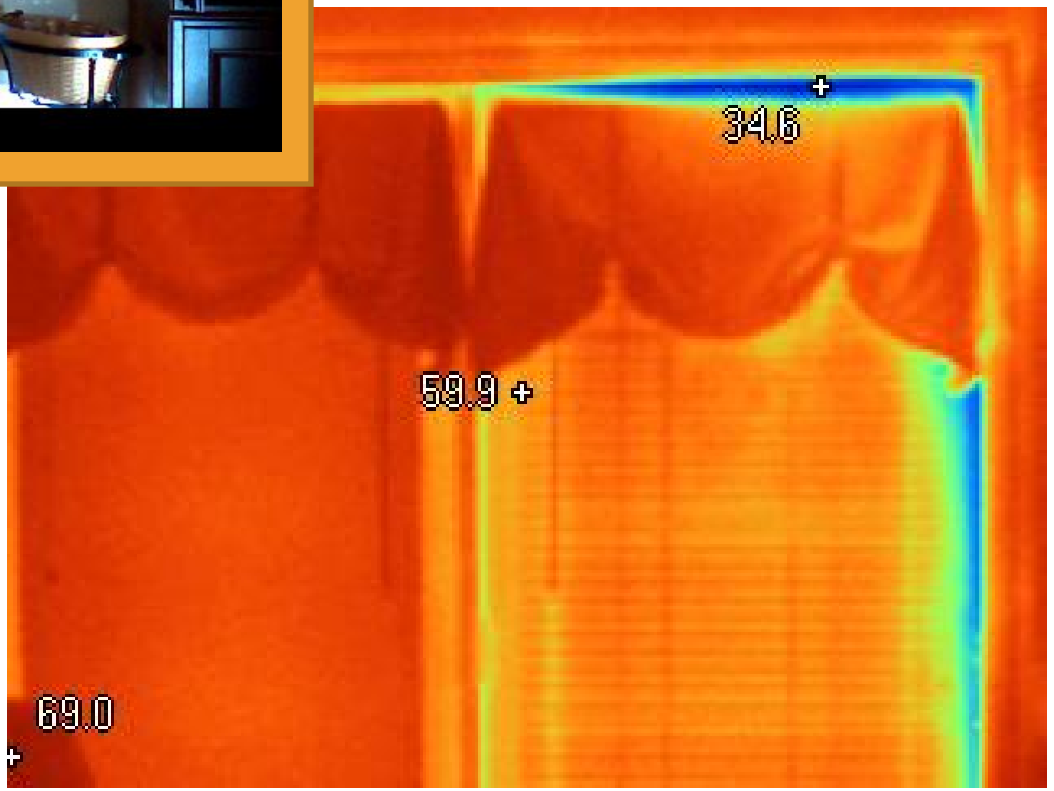
This thermal picture shows the infiltration of cold air.

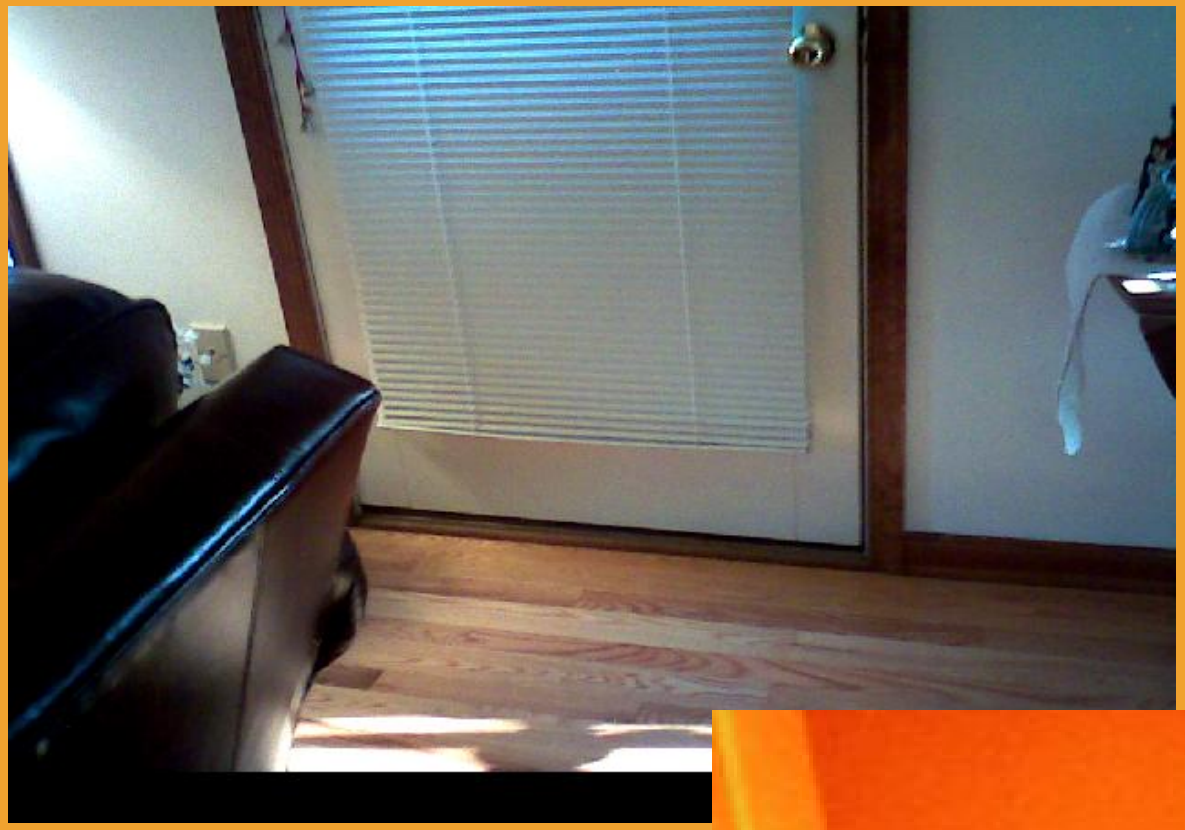


Actual photo taken during an audit at a Dover residence on March 24, 2009

Surrounding indoor air temperature is 69°

Cold air infiltration temperature is 34.6°

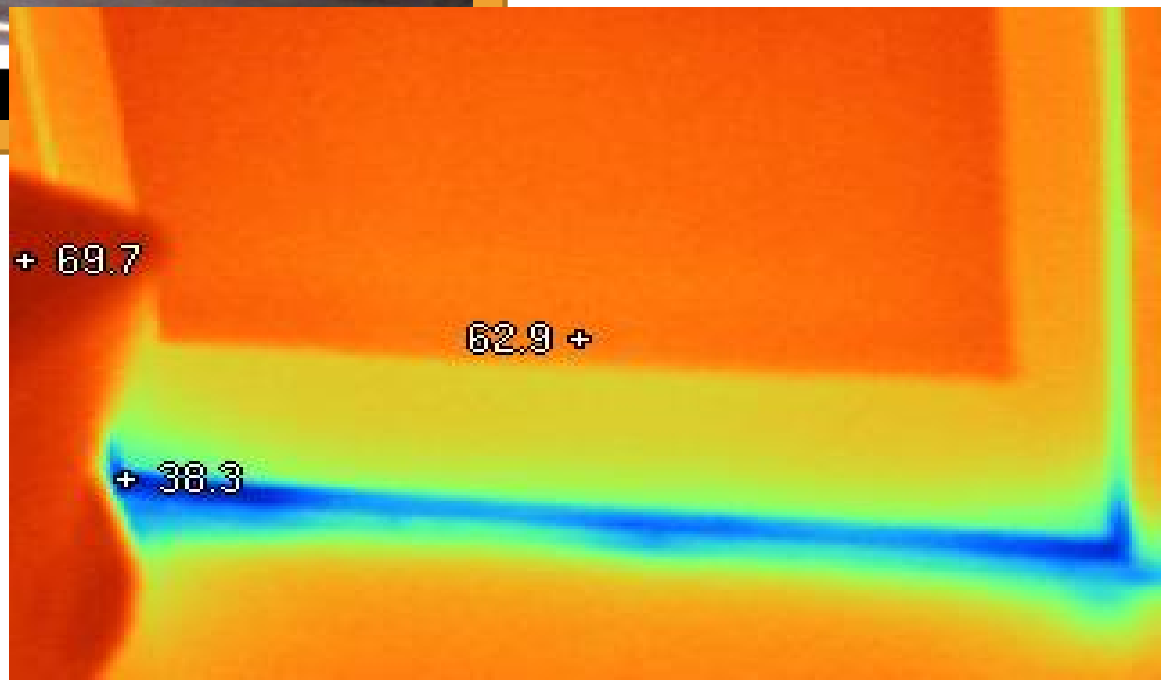




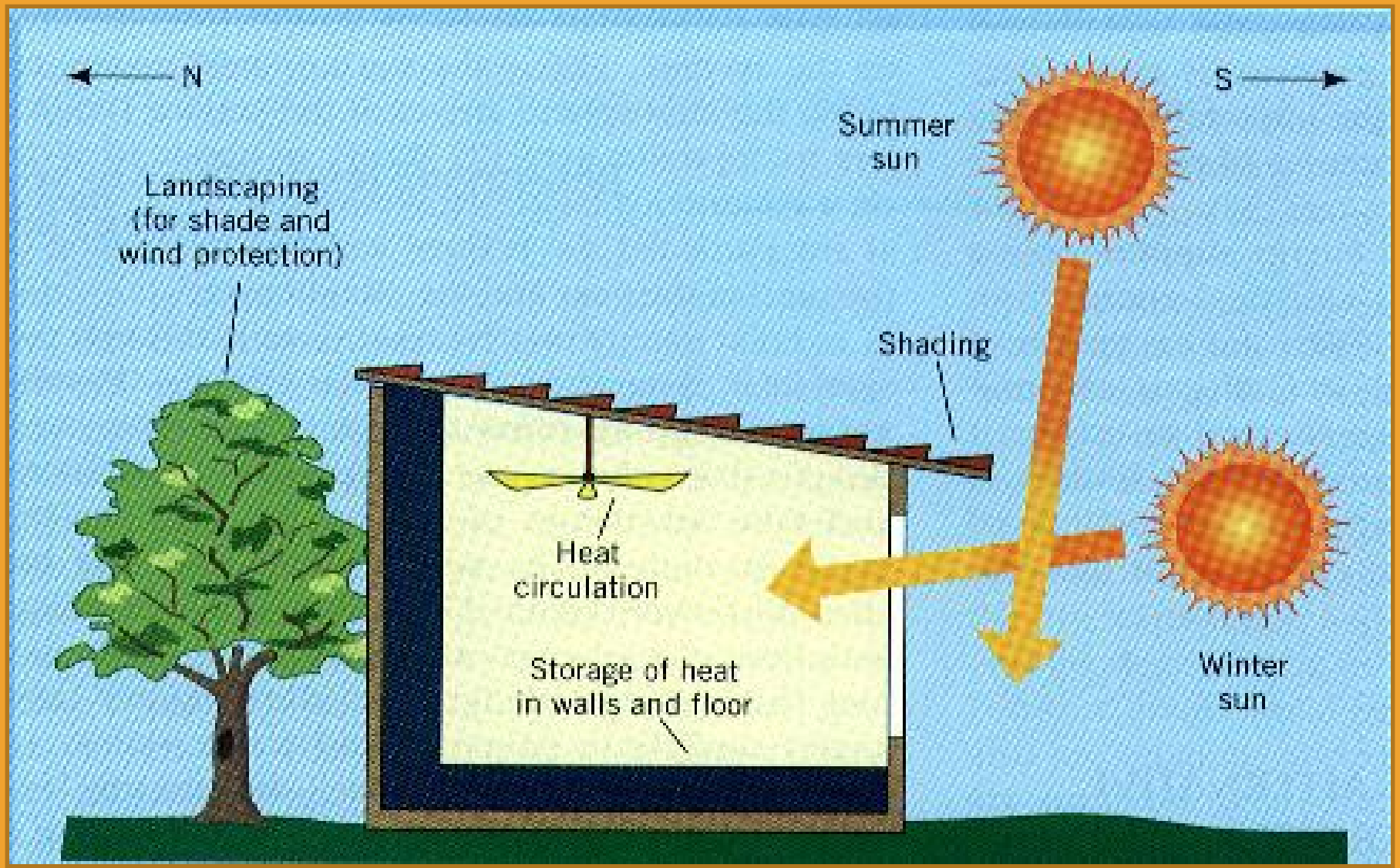
Actual temperature of French door is 62.9°

Surrounding indoor air temperature is 69.7°

Cold air infiltration temperature is 38.3°



WHAT IS PASSIVE SOLAR?



KILL A WATT POWER MONITOR







(Sample Formula)

Total energy usage for 1 hour = 1.14kWh
1.14 kWh x usage (24 hrs) = 27.36 kWh per day
27.36 kWh X 30 days = 820.8kWh per month
820.8 x $0.1450 cents (Residential Rate) =

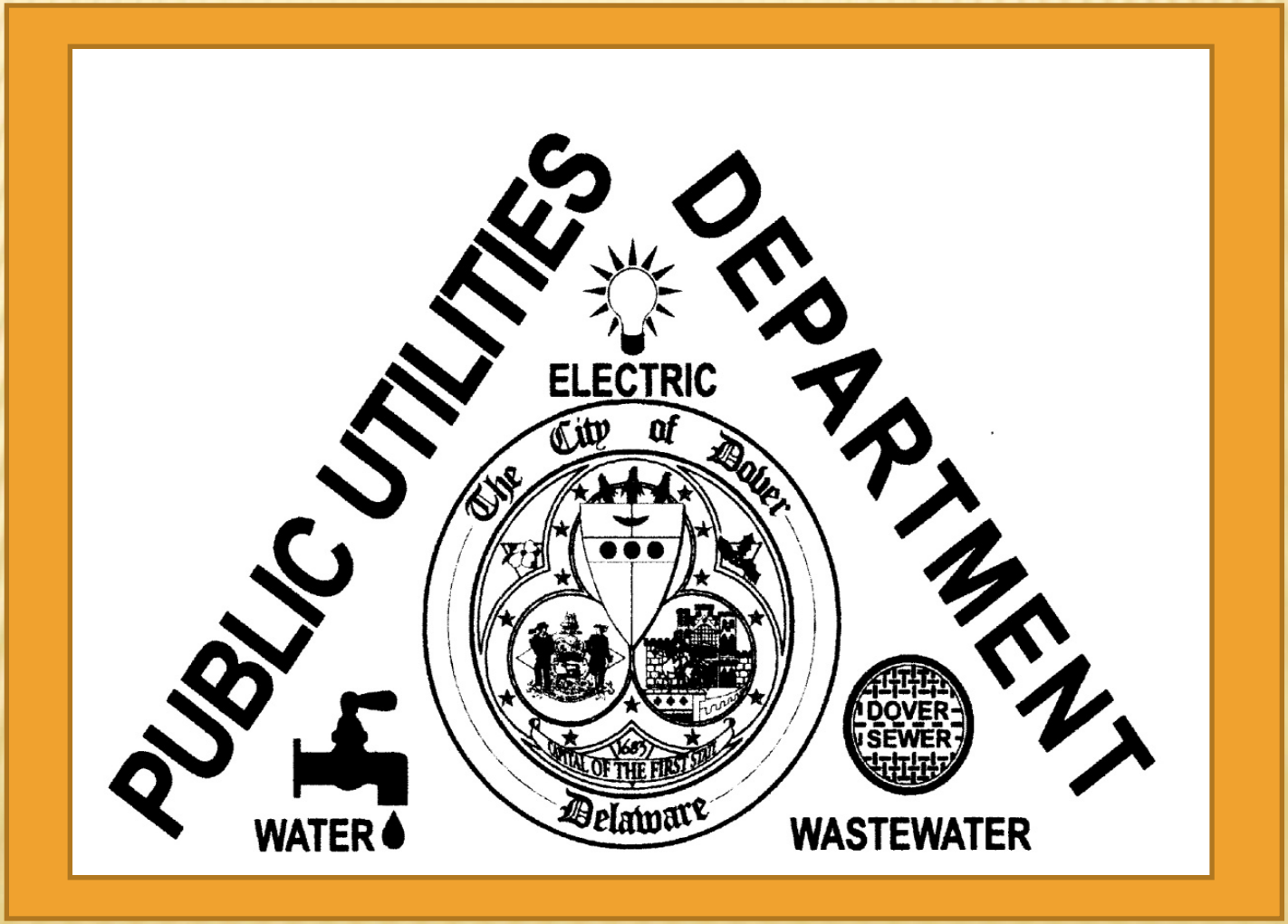
$119.01 per month to run this old freezer

WHO WILL BE CONDUCTING THESE AUDITS?

William Myers, Meter Technician, from the Public Utilities Metering Department will be conducting the majority of the utility audits. He has been employed by the City for nearly 21 years, is experienced in home construction, and is certified in using thermal graphic equipment.

TO REQUEST A CITY OF DOVER UTILITY AUDIT

PLEASE CALL US AT 302-736-7070



Generating Jobs With Infrastructure Investment

American Recovery and Reinvestment Act (ARRA)
Delaware Department of Transportation
April 2, 2009

Final Projects List

I-95 Newark Toll Plaza

Description: Reconstruct and reconfigure the Newark Toll Plaza to incorporate two highway-speed E-ZPass lanes in the northbound and southbound lanes.
Cost: Approximately $43 million, to be obligated in the 1-year timeframe.
Justification: This toll plaza experiences high levels of congestion due to the current plaza configuration. As approximately 55 percent of travelers through the plaza utilize E-ZPass, congestion would be drastically reduced with high-speed lanes. This plaza is a regular complaint of motorists traveling through this state, and leaves travelers with a negative impression – in many cases their only impression -- of Delaware, impacting reputation, business, tourism and economic development. This project was scheduled to begin construction in 2011 or 2012.

Market Street Safety Project, Wilmington

Description: This project would elevate the roadway out of the floodplain. The limits are Market Street from "A" Street to just north of the Market/Walnut St. Split.
Cost: $9 million, to be obligated in the 1-year timeframe.
Justification: The full project of elevating the road out of the floodplain would bring it to the level of other developments in the area, reducing the impact flooding has on residents and business.

Pavement and Rehabilitation Projects Statewide (go to www.deldot.gov for complete list)

Description: Paving and rehabilitation projects are targeted statewide and intended to improve the long term condition of the road system, ultimately avoiding costly replacement.
Cost: $26.3 million within 120 days. An additional $11 million is targeted for Sussex County within the one-year time period, funding permitting.
Justification: These projects are federally eligible, have little to no right of way and design issues and can be bid quickly. Jobs are to be spread out to many contractors. From an infrastructure perspective, maintaining roadways before they lapse into disrepair and require a major capital project is smart and economical in the long run.

Bridge Maintenance

Description: This would include various work on bridges along I-495, I-95 and in other locations. Work includes painting, approach slab replacement/repairs, overlay of decks,

repair of expansion joints and bearings, repair of spalled concrete and replacement of deck and substructure.
Cost: $9.4 million to start. Another $11 million in work could be moved forward if more ARRA funding becomes available.
Justification: Maintenance of bridges is a priority as it's a significant step in ensuring these bridges are in satisfactory condition, and do not fall into the structurally deficient category.

2009 Traffic Signal Improvements Statewide (go to www.deldot.gov for more details)

Description: Traffic signal installation, upgrade, or reconstruction at nine intersections: New Castle County: SR 2 & Albertson Boulevard; US 13 & Boulden Boulevard; US 13 & Memorial Drive; US 202 & Righter Parkway; and, Mill Creek Road & McKennans Church Road. Kent County: US 13 & Lepore Road; US 13 & SR 42; and, Frederica Fire Signal. Sussex County: SR 1 & West Way Drive.
Cost: $1.5 million
Justification: Improvements will improve traffic flow, vehicular safety, pedestrian safety, and the reliability of the system. Projects were initiated through a public complaint, through a study completed by our Traffic Studies Section, or through a request from our Signal Maintenance Section. Each intersection has a different scope of work, involving new signal installations, reconstruction of aging infrastructure, pedestrian signal enhancements, upgrade of curb ramps to current ADA standards, modification of left-turn phasing, and lengthening of left-turn storage bays.

Route 10 and Sorghum Mill Road, Kent County

Description: The project consists of channelizing the median at the intersection of SR 10 and Sorghum Mill Road to accommodate eastbound and westbound SR 10 left-turns. This improvement will accommodate westbound left-turns, the highest volume left-turn movement at the intersection, while separating left-turn movements at the intersection to reduce the potential for left-turn and angle accidents. Northbound left-turns will be diverted to the median opening to the east at Liberty Plaza where volumes are minimal and sight distance is adequate.
Cost: $400,000
Justification: Identified under the Highway Safety Improvement Program as a safety priority.

Rehoboth Beach Boardwalk Refurbishment Phase II and III

Description: Boardwalk Restoration from Henlopen Hotel to Rehoboth Avenue and from Laurel Street to Prospect Street as well as area adjacent to Rehoboth Avenue.
Cost: $7.5 million
Justification: The current wooden boardwalk is becoming a safety issue. This benefits not only pedestrian accessibility but enhances tourism.

New Castle County Greenway Millcreek

Description: This project will complete a segment of looped recreational trails and will be a part of an overall cross-county greenway trail system near Mill Creek Road. This segment will start at the intersection of McKennans Church Road and Duncan Road traverse north through the Delcastle recreational area and terminate near the golf course.
Cost: $1 million
Justification: Will encourage more people to choose off-road pedestrian and bicycle facilities to get to destinations.
Status: Working with New Castle County.

New Castle County Greenway Industrial Track Phase I

Description: Construct a trail along an abandoned railroad corridor owned by the State of Delaware from SR 273 to just north of Boulden Blvd.
Cost: $1.5 million
Justification: Will encourage more people to choose off-road pedestrian and bicycle facilities to get to destinations.
Status: Working with New Castle County.

Lightship Overfalls Site Improvement, Lewes

Description: Work to construct a permanent berth for the historic Lightship Overfalls. The ship (LV118/WAL539), built in 1938, has been on the Canal in downtown Lewes, Delaware since 1973. She is listed on the National Register of Historic Places. The ship is now in Norfolk, VA., having a new hull installed on the ship. Once the work is complete, the plan is to have the ship will return to Lewes. Prior to the ship leaving for VA., DelDOT's Transportation Enhancement (T.E.) program spent roughly $300,000 to assist with the interior renovation of the ship. All the work was done by local volunteer historians. The plan is to return the ship back to its original location in a new berth, adjacent to the Lewes Canal Front Park.
Cost: $400,000
Justification: This project would go a long way assisting with the economic revitalization of the local area by bringing tourists to the attraction, including the Lewes Canal Front Park, for the long haul. Tourists that visit the site also spend money in the surrounding area. As volunteers did much of the previous work, this investment will also bring about a sense of community pride.
Status: DelDOT is currently accepting public comments on this project through May 4, 2009, per Federal Highway Administration (FHWA) guidance.

For more on the ship and the Overfalls Maritime Museum Foundation go to www.overfalls.org.

Route 299 Park & Ride Improvements, Middletown

Description: Expansion of the park and ride located at the intersection of SR 299 and SR 1. Project also includes the relocation of the entrance to SR 299 to a new signalized intersection being constructed at Gloucester Drive.
Cost: $1.4 million
Justification: Assists in expanding and providing better access for alternative transportation users.

Rt. 896 and Rt. 4 Park & Ride Improvements, Newark

Description: Retrofit curb ramps, sidewalks and other aspects of the facility to comply with the Americans with Disabilities Act (ADA).
Cost: $200,000 of ARRA funding (entire project cost is approximately $400,000).
Justification: This facility was built in the early 1980s before ADA requirements, and the upgrades will not only better serve the disabled, but also enhance safety for all users.

Dover Transit Center, first phase

Description: Build the first phase of a DART Dover Transit Center on five acres on Water Street between Queen and West streets. This work would include the internal loop road, shelters, parking lot and stormwater system.
Cost: $5.7 million, to be obligated in the one-year timeframe.
Justification: Federal spending allocation restrictions prevent the full $13.3 million from being funded. As such, DelDOT will move forward with the bus loop, parking areas and stormwater aspects, while making future accommodations for the addition of the buildings. Eventually, this site would replace the current minimal facility on 1.5 acres on Water Street, between Governors Ave. and State Street. The future facility could accommodate more buses, allowing for future expansion of the system if funding allows. The new facility will also be located on the rail line, allowing for possible use as a train station in the future if funding for such a capital project were available.
Status: This project would be built under a Design-Build scope, allowing the project to move forward faster than a regular bidding process. The Request for Qualifications (RFQ) – the first step in a Design-Build project – is expected to go out by the end of April.

I-95 Concrete Medians Replacement

Description: Some medians along I-95 need replacement.
Cost: $1.2 million
Justification: Safety issue as the concrete on many of these medians is deteriorating.
Status: There should be no significant environmental/permitting issues.

Old Lancaster Pike (Hockessin) Streetscape/Drainage Project

Description: Improve street design and drainage along Old Lancaster Pike. The Streetscape Project for the Community Redevelopment Plan for the Village of Hockessin falls within the scope of a Transportation Enhancement (TE) project. The project includes streetscape improvements along Old Lancaster Pike from Valley Road to Erickson Drive. Improvements will include sidewalk repair/replacement, curb ramp upgrades, decorative street lighting, crosswalk improvements and minimal landscaping.
Cost: $3.5 million.
Justification: This work would improve safety for motorists and pedestrians and make much-needed drainage improvements.

Centreville Streetscape/Traffic Calming

Description: This project on Rt. 52/Old Kennett Pike would replace current temporary traffic calming features with permanent ones, including continuous curb and sidewalk network, bulb-outs, crosswalk improvements and parking width and markings.
Cost: $3.7 million.
Justification: This work would improve safety for motorists and pedestrians.

New Castle County Guardrail Upgrades

Description: Existing guardrails would be upgraded.
Cost: $1 million.
Justification: A safety concern as many locations need replacement to meet current safety standards.

Rail Cars, New Castle County

Description: Allows DelDOT's Delaware Transit Corporation (DTC) to purchase 4 new Silverliner V rail cars from SEPTA, which will add capacity for SEPTA service between Philadelphia and Newark, DE. Delivery is scheduled for 2010.
Cost: $8 million.
Justification: Purchase of the rail cars will support the rail improvements project currently in the CTP, and improve the frequency of trips along the Northeast Corridor.

Buses, Sussex County

Description: This project is part of a bus purchase and replacement program, which allocates new buses throughout the state. An investment of $1.9 million will purchase buses for Sussex County that are needed to replace current buses with high mileage.
Cost: $1.9 million.
Justification: Will allow DART to continue to provide reliable service to customers.

DART Mid-County Facility, New Castle County

Description: This project will construct six maintenance bays and parts storage for the maintenance of DART Fixed Route and Paratransit buses. The facility is at Rt. 72 and Rt. 1.
Cost: $7.2 million.
Justification: This expands the current facility.
Status: Design is partially complete.

Rehabilitation of Epoxy Pavement Markings

Description: Several areas of roadways statewide would be rehabilitated.
Cost: $2 million, to be completed if additional ARRA funding becomes available.
Justification: The high-visibility epoxy markings contribute to a safer road system in particular during adverse weather conditions.
Status: There are no environmental/permitting issues.

Route 404/Newton Road Railroad Crossing, Bridgeville

Description: Add gates and update cantilever lights and controller; replace pre-cast concrete surface. Railroad would do this work.

Cost: $400,000, to be completed if additional ARRA funding becomes available.
Justification: A safety project.

PETITION TO AMEND ZONING DISTRICT
Public Hearing before the Dover City Council
April 13, 2009

Applicants/Owners:	Jireh Christian Center & Rinnier Development Company
Location:	2161 Forrest Avenue
Tax Parcel ID #:	ED-05-075.00-01-05.00-000
Size:	42 +/- acres (30 +/- acres of parcel are proposed to be rezoned)
Present Use:	Institutional (Church)
Proposed Use:	Residential (The portion of the property not included in the rezoning application will remain institutional.)
Comprehensive Plan Designation:	Residential (*2003 Comprehensive Plan Update)* Residential Medium Density (*Final Draft 2008 Comprehensive Plan)*
Present Zoning:	R-10 (One Family Residence Zone) COZ-1 (Corridor Overlay Zone)
Proposed Zoning:	RM-2 (Medium Density Residence Zone) COZ-1 (Corridor Overlay Zone)
Recommendation of The Planning Commission:	Following a public hearing before the Planning Commission on February 17, 2009 and a continuation of this public hearing on March 16, 2009, Planning Commission unanimously voted to forward to City Council a recommendation for approval of the rezoning request, acknowledging as part of this project, the Delaware Route 8 Concept Plan and Operation.
File Number:	Z-09-01

Existing Property
The property is currently zoned R-10 (One Family Residence Zone). Destiny Christian Church sits on the property. The applicant is proposing to rezone a portion of the property, not including the church, to RM-2 (Medium Density Residence Zone). The property is subject to the requirements of the COZ-1 (Corridor Overlay Zone).

Surrounding Land Uses:
The property is surrounded by agricultural and other undeveloped lands. The Carey Farm, which was purchased by the Capital School District for the new Dover High School, lies adjacent to the subject parcel to the east. It is zoned R-10 (One Family Residence Zone). The land immediately west is also zone R-10 (One Family Residence Zone) and has an approved site plan for the construction of a new church. Construction has not begun on the site. The land immediately south is located in unincorporated Kent County and is within an Agricultural Preservation District.

Comprehensive Plan:
The *2003 Comprehensive Plan Update*, as amended in May 2005, September 2006, March 2007, and March 2008, depicts the subject area in question as Residential land use on the Growth and Annexation Map. A more specific land use classification is not indicated on the Land Development Plan map, as the property was annexed after the May 2005 amendment to the Comprehensive Plan. The *Final Draft of the 2008 Comprehensive Plan* depicts the subject area as Residential Medium Density land use on the Land Development Plan Map. The RM-2 zoning classification is consistent with the Residential Medium Density land use classification.

Request for RM-2 (Medium Density Residence Zoning)
The following description of the RM-2 zoning district is provided from Article 3 §7 of the *Zoning Ordinance.*

> Section 7. [Medium density residence] RM-2 zone.
> 7.1*Uses permitted.* In an RM-2 zone, no building or premises shall be used, and no building or part of a building shall be erected, which is arranged, intended or designed to be used, in whole or in part, for any purposes, except the following:
>
> (a) Any use permitted in one-family residence zones;
> (b) One-family lot-line dwellings, not to exceed one such dwelling per lot;
> (c) Duplex dwellings;
> (d) Multiplex dwellings;
> (e) Townhouses;
> (f) Roominghouses accommodating not more than five roomers.
> (g) Garden apartments.

In addition, the RM-2 zoning district includes a density cap of eight (8) dwelling units per acre. The primary differences between the current zone and the requested zone are the housing styles permitted, density, and other bulk standards. The RM-2 district permits a higher density and a wider range of housing styles than the R-10 district.

Recommendation of the Planning Staff and Planning Commission:
Staff supports the rezoning request from R-10 with COZ-1 to RM-2 with COZ-1. The request is consistent with the Comprehensive Plan and the long-term redevelopment of the area.

Additionally, the *Final Draft 2008 Comprehensive Plan* identifies this area for medium density residential development.

Although staff believes that the requested zoning is ultimately appropriate for the area, we also acknowledge that with the amount of development on the horizon, specifically with the new Dover High School, and the recent study performed by the Dover/Kent Metropolitan Planning Organization of the State Route 8 corridor in this area, it is imperative that any development plans for the site be properly coordinated with these other activities in the area.

Staff recommendation was made prior to a public hearing. Following a public hearing before the Planning Commission on February 17, 2009 and March 16, 2009, Planning Commission unanimously passed the following motion:

Mr. von Reider moved to forward to City Council approval of Z-09-01 Lands of Destiny Christian Church located at 2161 Forest Avenue to move the rezoning classification from R-10 to RM-2 with COZ-1 for the subject property with all DAC comments included and also acknowledging as part of this project, the Delaware Route 8 Concept Plan and Operation Study presented to us tonight by the MPO in the hopes that those plans will be part of the overall planning of the whole project and including some alternatives that Mr. Rinnier brought forward tonight concerning shared access drives and intersections, seconded by Colonel Welsh and the motion was unanimously carried.

Public Testimony and Discussion before the Dover Planning Commission:
The following is a summary of the discussion and public testimony from the public hearing before the Planning Commission on February 17, 2009. Following this public hearing, Planning Commission left the public hearing open and tabled the application.

> Mr. Kooker stated that he would like to note that in the DAC Report in the wastewater section, it states that the only way to sewer this site would be by the pump station. We would like to hold out the possible potential to tie into the Village of Westover as this project moves forward.
>
> Mr. Kooker further stated that he would like to support the project based on the Comprehensive Plan, the idea of the high school being built adjacent to the site, and the change in zoning as the proposed use will fit better.
>
> Mr. Rinnier stated that what they have planned is a garden style apartment project. They have done some market studies and he does have a copy of the Route 8 Study. He was surprised how comprehensive it is. There are a number of items that were mentioned that they will be sensitive to their planning process.
>
> Mr. Holt questioned regarding the Traffic Impact Study, has anything been received? Responding to Mr. Holt, Mr. Kooker stated that at this time, we have only done preliminary work and it does appear that a Traffic Impact Study will be required; however, that is a costly endeavor and at this point, until we can get this particular aspect addressed, there is no need in moving forward with that study.
>
> Colonel Welsh questioned if the development would in any way be affiliated with the church? Responding to Colonel Welsh, Mr. Rinnier stated that these are two

separate entities with two separate identities.

Mr. DiMondi opened the public hearing.

Dr. Michael Thomas – Superintendant of Schools for Capital School District – Stated that his responsibility is to look out for what we believe to be our planning and future development in the best interest of our schools in which we house our children. The site adjacent to our site is the Destiny Christian Church. Approximately one hundred and six (106) acres was purchased a little over a year ago to house a new Dover High School and he feels that his obligation is to the community that gave voter approval of 8.9 million dollars to purchase this property. We purchased it knowing certain things in mind. The Board did an extensive search of properties about fifteen (15) initially and narrowed it down to this property for several reasons. The first reason is because there is a tremendous amount of open space for a high school which is incredibly important and is part of the reason why we cannot keep the high school where it is at because there is nowhere to expand that property. We purchased the property knowing the current zoning of the property and the surrounding property which was an appeal with single family dwellings. He believes both personally and professionally that high density housing sitting on the boundary lines of the high school is not a good thing. One of the bad things about that is when the people move into these units, and living on the boundary line of a high school, they will have problems as a result of 1,800 kid's everyday and this is known nationwide. This will not be a good mix and he would ask you to please give some consideration to that. We have invested a lot of money into this property and a great deal of money through our citizen's money through their voter approval at which time they have to vote on building a new high school.
Dr. Thomas further stated that there would be tremendous traffic problems with 1,800 kids and 130 staff members at this school. This school will be here for fifty (50) years and this is our intention for purchasing this site and to not have high density housing sitting on our borders.

Mr. Tom Kietel – Capital School District Board Member – Stated that he has been on the Board now for two and a half years now and when he was introduced on how one works, he found out that they wanted to renovate and build new schools. In the process of coming to understand this, he found out that one of the challenges with their current system is that the properties that their schools are on are not large enough to accommodate the new school that we had in mind. If you went through the list of the current schools today and the number of acres we have, you would see that we are challenged. Our first objective was the high school as far as new schools were for the district as this was the one that needed the most amount of land. We know that one hundred and six (106) acres will suit us well today; however, we also know that ten (10) years from now we will need room to grow. We also know that there are no guarantees; however, one of the things that we did when we looked at this property was to talk to the pastor of the church and offer our willingness to negotiate a purchase of the land if they ever decided to sell it. We are concerned about having the need to grow and not be confined.

Colonel Welsh stated that he has heard high density mentioned a couple of times; however, nowhere in here is there a proposal to create high density housing. It goes from single family to medium density which is eight (8) units per acre. How many units do you propose to build? Responding to Colonel Welsh, Mr. Rinnier

stated that they propose to build 240 units with three (3) bedrooms and two (2) bedrooms.

Colonel Welsh further stated that we are dealing with single family homes that are medium density. Is there, from your perspective, the land use that is being requested, a difference between the single family and medium density? Responding to Colonel Welsh, Dr. Thomas stated that abutting up to the district's property line with the design of this and planned on the east side of the property is 240 dwelling units with approximately eight (8) dwellings per acre which is a decent density while not considered high in density. The reason this property was so appealing was knowing that it was zoned for single family and that we would not have apartment buildings abutting up to the property line which without question in our mind is going to be problematic not only for the district, but for the future property owners there with 1,800 children coming and going off of this property.

Mr. Tolbert stated that our concern this evening is not so much the issues that are being discussed here at this point in time. We are only talking about amending the zoning.

Dr. Charles Fletcher – Calvary Baptist Church – Stated that he serves as a Deacon and Chairman of their high ground construction project and he has several items that he would like to present for consideration to have the area rezoned. Calvary Baptist Church has been working on Site Plan for the past six to seven years having done extensive planning. The church has invested over two million dollars on the architectural fees, plans, and design work. We have met with DelDOT on numerous occasions and have had tremendous impositions placed upon our ability to get this church constructed to the tune of requiring us to put in a pumping station on our property. We were denied to put in a gravity well feed for the sewer going behind Mr. Mast's property through the Carey Farm when we attempted to do this. The second item is that a Traffic Impact Study is required because the church was initially going to hold 1,100 people there and with the entrance abutting next to Mr. Mast's Destiny Church, we were required to have a Traffic Impact Study done. Then we were told that we would have to pay for the widening of the road to justify turning into this property even though the timing of people turning into this property would be on a Sunday. We felt this was an imposition; however, again this is something that was imposed upon us. We were also forced to add an additional thirty (30) feet of frontage space for bike paths and a drainage and sewer area along the stream area located in front of the church which again would be a requirement of DelDOT for drainage areas. Finally, we were part of the initial group of properties that were approached by the City to be the lynch pin in providing annexation of the entire area. This caused some challenges; however, we were willing to go along with it because the City was a good friend with us and assisted us in doing the initial trenching of the water lines which started with our property and ran all the way up to the Cranberry Run development. To hear that they want to put in apartments right next to our church is a concern for Calvary Baptist Church. We have subsequently put our plans on hold because of some financing with a banking problem that is going on across the country and hope that this will be resolved.

Dr. James C. Foor – Stated that from a zoning standpoint, this appears to be a zoning issue and with the Comprehensive Plan noted of medium density, he feels

that the individuals with the petition have as much right obviously as anyone else with the property that they own. The merits of whether it is for the character of the area or overall a part of the Comprehensive Plan it seems to him that the issue is zoning and the merits of this property as it relates to zoning, not the potential use of it. It could be sold the day after they change the zoning to something else that would meet that criteria. It is the zoning of the land that you are looking at this evening.

Pastor Dale Mast – Pastor of Destiny Christian Church – Stated that he would like to address an issue. He has been in the ministry for twenty-five (25) years in Dover and is committed to the fabric of this community. Life has different turns, as he was traveling and his wife was pastor for a season, Mr. Foster talked with his wife and she was not interested in selling land. She passed away of cancer and he then returned. He was not aware of the conversation and did not know that they had any interest in the property and was not aware of any conversation of that matter. We did take this offer seriously and looked at a project that was built in Maryland because we have to live with what he builds. To be honest, we were pleasantly surprised with the way that the project was taken care of. In the contract we stipulated that it would have to be something equal in appearance to what he had built before. They put a lot of money into landscaping with water fountains and that project was well maintained.

Mrs. Sammy Augustus – Stated that her husband and her own property in the development of Heatherfield located off of Route 8 and currently live on Hazletteville Road in Cardinal Hills. They have experience with both of these roads traveling east in the morning at an early hour and they are very heavily congested. She heard a lot of conversations regarding DelDOT and she feels that it is critical because you cannot get out of Heatherfield in the morning. When she comes down Hazlettville Road in the morning, Wyoming Mill Road traffic is stopped at a standstill beyond where you can see so it is a heavily congested area and 240 single family houses or multi-dwelling units emptying out onto Route 8 is our concern which is the alleged use; however, there will be novice drivers pulling out and they will be impatient and we really need to give thought to how the traffic will flow in this area.

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

Mr. von Reider stated that the comments he is about to make he had developed before any of the public hearing occurred so he is not influenced by what anyone had to say. His biggest concern about this, he is totally in favor of orderly development expansion of the City; however, based on previous experience where we have approve rezoning without having any plans or Traffic Impact Studies done is, for him, putting the cart before the horse. The Comprehensive Plan, he has taken to be, to set the maximum densities that are allowed in one area, not the required densities. For example, if something was to be RM-2 in the Comprehensive Plan that does not mean that it has to be. Responding to Mr. von Reider, Mrs. Townshend stated that the zoning has to be consistent with the Comprehensive Plan. It does not mean that RM-2 would have to be the zoning; however, it needs to be a zoning classification that is consistent with the medium density classification.

Mr. von Reider further stated that it seems that this evening we are being asked to

approve a zoning density that we know will probably generate more traffic obviously than current zoning density would allow; however, without any benefit of knowing what DelDOT's absolute plans are for the roadway or how the traffic from this site will impact the overall traffic on Route 8. Having said this, after listening to public comments, he is very concerned about this development for the requested zoning.

Mr. Rinnier stated that what he is hearing is concerns regarding traffic. In previous projects we have worked with the City and the State agencies to ensure that what we build is conscientious to the traffic patterns. The project is not allowed to move forward until these agencies are satisfied. Sometimes this means stop lights that we contribute towards or pay for, road widening, or other items that are meant to alleviate traffic concerns. As far as this development being next to a high school, we have an apartment project "Parkside" in Salisbury, MD right across from Parkside High School and we are great neighbors with one another. It is great when the children can walk to school. Route 8 seems to be a well traveled road and in the path of growth and the Traffic Study we looked at recognizing that. Our project is in compliance with the Comprehensive Plan and our zoning request seems to be in compliance with it as well.

Mr. Nichols stated that the issue brought up regarding traffic; we know it is very bad. He lives in the Heatherfield development and knows what is in this area. He is very well aware that there will be a traffic light there at the entrance to the school for buses and other traffic to get in and out once the school is built. They just keep adding and adding. The church that is going to be built next to this property; he understands that this church will hold 3,000 people. You can understand what kind of traffic will be in this area at the same time. This church had their proposal to build there before Destiny Christian Church was here. You need to take into consideration that there is going to be an awful lot of traffic before the school is ever built and there are currently already problems with traffic. Responding to Mr. Nichols, Mr. Kooker stated that the Traffic Impact Study has not been completed. If this project moves forward, we will be addressing these issues with DelDOT and they will be looking very closely at all the surrounding projects.

Mr. Shomo stated that traffic is a concern of his especially once the school has been built because it is a serious problem. Mr. Holt also agreed with this concern.

Mr. Baldwin stated that he agrees with what has been stated by his colleagues; however, he is also concerned in that we are here to discuss the rezoning and not the end product? He agrees that we should have more information before us regarding the Traffic Impact Study and the road designs because it seems that if we approve this, we are jumping the gun. His real concern is the rezoning not the other extremes.

Colonel Welsh stated that the potential impact of the rezoning is what we have to consider. In light of that and not having completed a Traffic Impact Study as to how this rezoning and building 240 units and what kind of an impact will that have on what appears to be an already problematic situation is putting the cart before the horse. He is reluctant to buy off on medium density currently and he would like to push this off until they have a Traffic Impact Study.

Mrs. Townshend stated that in putting together the Land Development Plan Map, we

looked for areas where the infrastructure could support medium density. This is an area where the City has made investment in the water and the sewer system to support development. The idea is that when implemented (referring to the Route 8 Study), it will provide options for travel that are not one way in and one way out onto Route 8. The large implementation of the Route 8 study will be done through the development process where a developer comes in with a project and DelDOT requires that they provide right-of-way and until they get to that stage in the process, we do not know definitively what DelDOT will require. There were a lot of factors looked at in where medium density would be appropriate in the City. Knowing that there was a plan for traffic improvement in this area and that we have significant infrastructure investment in sewer and water were the driving factors to make this area Medium Density Residential in the Comprehensive Plan.

Mrs. Townshend further stated that the Comprehensive Plan does have other zoning classification zones that are classified as medium density. The lowest of the medium density being R-8 which is slightly denser than the R-10 that is currently there now. Her concern at this point with stating that medium density is not appropriate for this area is that we just finished a Comprehensive Plan where this was never stated.

Mr. von Reider stated that he does not need a Traffic Impact Study because if he knew that DelDOT has plans in the next two to four years to make major improvements to this roadway for a road that is already over burdened, he would be inclined to go with an RM-2 zoning classification; however, not having the knowledge of what DelDOT has planned and probably will not have within the next two to four years we are going to continue to create more problems on Route 8 and add in such a high density that is classified as medium density that will create more traffic at this time.

Mr. Rinnier stated that what he hears again is traffic and we will be part of fixing that or else DelDOT is not going to allow us to develop this project. The thing that is important to us is the ability to build apartments and make it work.

Mr. Tolbert stated that much of the discussion involves around the Traffic Impact Study that will be developed as a result of that project. The two entities that are already there, Calvary Baptist Church and the school district, neither have property that is developed. They do not know when their development will be developed. Once they are developed, there is going to be traffic problems. From this discussion, we are going to amend the zoning on what we anticipate will happen with the adjoining properties.

Mr. von Reider stated that he agrees with what Mr. Tolbert has stated except that once we approve the RM-2 and City Council approves it, then we have even less basis to deny the development when it occurs because they will be in compliance with the zoning regulations at that time.

Mrs. Townshend stated that she would like to bring to your attention in the *Zoning Ordinance* Article 10, Section 5 regarding amendments; it states that “every such proposed amendment may be referred by the City Council to the Planning Commission for report before the public hearing and that City Council shall not take action on any amendment without a report from the Planning Commission unless

the Planning Commission fails to render a report within seventy-five (75) days of its regularly scheduled meeting following such referral." She brings this to your attention because of the questions that have been raised in that it may be a matter of tabling the rezoning request.

Colonel Welsh stated that in looking at this plan, he thought that it would be a good idea to have apartments next to the school because kids could walk to school; however having several members from the school board state otherwise concerns him. When we have had these situations in the past where the developer states that they have a superior design that is going to look nice you need to have a package put together that the public can see of something that you already have constructed such as the apartments in Salisbury, MD and not just for members of the Commission. He suggested tabling the application.

Mr. von Reider stated that he would agree with Colonel Welsh's thought to table the application for 30 days just to give the applicant's an opportunity to explore a slightly lesser density and also for comments from neighbors and properties as to their position for lesser density.

Colonel Welsh moved to table for thirty (30) days application Z-09-01 Lands of Destiny Christian Church at 2161 Forrest Avenue, subject to the suggestion to the applicant that they consider less dense development options and to consult with the neighbors as well on an interim basis and to include that any additional information they can obtain from DelDOT as far as what kind of improvements may be required as a result of this kind of development be done and what's in the DelDOT plan for the area, seconded by Mr. von Reider and the motion was unanimously carried.

Mr. von Reider questioned if it would be possible to extend the public hearing at the next meeting so that we can hear from Dr. Thomas and others? Responding to Mr. von Reider, Mr. DiMondi stated that the public hearing had been closed; however, he could re-open it for the next meeting as part of the motion this evening and it's second. The motion was amended to re-open the Public Hearing at the next meeting.

Mr. Tolbert stated that it is his understanding that with Dr. Fletcher from Calvary Baptist Church and Dr. Thomas from Capital School District that density was not their big problem; they do not want this type of development adjacent to their properties to start with.

The following is a summary of the public testimony and Planning Commission discussion regarding the application from the meeting on March 16, 2009. At that meeting, Planning Commission heard a presentation from Juanita Wieczoreck of the Dover/Kent MPO regarding the *Delaware 8 Concept Plan and Operations Study*, which addresses the long-term issues of traffic on Delaware Route 8 between the railroad tracks and Artis Drive.

Mrs. Townshend stated to recap, the current zoning on the property is R-10 (One Family Residence Zone). The applicant is requesting RM-2 (Medium Density Residence Zone). The property is subject to the COZ-1 (Corridor Overlay Zone) and even with the rezoning would still be subject to the Corridor Overlay Zone. The 2008 Comprehensive Plan, as adopted, shows this area as Residential Medium

Density. In terms of the surrounding land uses, to the east there is the High School property which is currently vacant farm land. To the south is an Agricultural Preservation District that is outside of the City limits. To the west is the Calvary Baptist Church property which has a development application associated with it; however, they have not yet started construction. This is the first major potential development application for this area in terms of actual use.

Mrs. Townshend further stated that the reason they had an item on the agenda to discuss the Route 8 Study was because so much of the discussion previously centered on traffic and Staff's sense was that the Commission wanted to hear what the solutions are and how those solutions may unfold as time goes on.

Mrs. Townshend further stated that she has spoke with the applicant and they have provided additional information and will provide a Power Point presentation.

Mr. Rinnier presented a Power Point presentation and started the discussion at this time. He started with an overview of the project that is being developed along with some pictures that give an example of the type of project they are proposing to bring to the area and the type of neighbor they will be. As an overview, they are planning on developing approximately thirty (30) acres of the forty-two (42) acre property on the Destiny Christian Church property located at 2161 Forrest Avenue in Dover. The development style is a garden style luxury apartment home similar to the following photographs of the Marley Manor luxury apartment homes located in Salisbury, MD that they developed. Amenities located in that development include a resort style pool, a clubhouse, business center, and fitness room. (Pictures of Marley Manor, Salisbury, MD were handed out to Commission members).

Mr. Rinnier further stated that they spend a lot of money in landscaping. As shown in the pictures of Marley Manor, there is at the entrance to the community a nice waterfall and an aesthetic pond with a lot of green open space. To give a feel of the type of community they would be presenting, he included some testimony from some of their current clients. Mr. Robert Super stated that "The layout of the apartments make them feel like home and the amenities are amazing but nothing beats the management team, they have become like family to me."; Pat "I love how the property is maintained and the layout of the apartments and the great office and management staff.", Desiree, "The residence pool, beautiful landscaping, response of residents needs, and the layout of the apartments can't be beat."; Dr. Thompson stated that "He can always count of great customer service plus the neighbors and the beautiful views are wonderful."

Mr. Rinnier further stated that since their last meeting, they were given the directive from the Planning Commission to do three things and they are outlined here. To allow the Department of Planning and Inspections to obtain further information from DelDOT on the type of transportation related improvements that may be necessary for this kind of development and also, the States road improvement plan in this area. In addition to the Department of Inspections and Planning inguirery to DelDOT concerning the property, we also met with Planner, Bill Brockenbrough from DelDOT to discuss DelDOT's plans for future Route 8 improvements and expected specific project requirements. DelDOT suggested a ten (10) foot wide multi-modal path, installation of a Delaware Transportation stop to provide another means of travel, and road improvements to include the installation of a left and right hand turn lane

from the property entrance. Mr. Rinnier further stated that the second directive from the Planning Commission was to allow the applicant to consider a less dense development option or zoning district for the property. He is requesting to maintain the RM-2 zoning category for four reasons. The zoning request has been supported by the Planning Staff for RM-2 (Medium Density Residence Zone), is consistent with the Comprehensive Plan, the 240 potential units permitted in the RM-2 zoning district can afford the traffic improvements that he is suggesting including an estimated $200,000 for a stop light, and $230,000 for an interconnected roadway. After considering these holistically the proposed development makes sense. Apartments are prominent in the nearby area and are good neighbors to schools where single family development may not be due to homeowner's potential concerns regarding school related traffic during peak school hours and events. This development could be part of the solution to improving traffic concerns on Route 8 as specifically indicated in the MPO Route 8 Traffic Study that was just heard. In an environment where States are having problems funding projects, private developers could be part of the answer. We are ready to go on this project and to start to apply applications to improve the traffic.

Mr. Rinnier further stated that they were also given a directive to consult with the neighbors on the proposal. With regards to Capitol Baptist Church, he emailed Dr. Fletcher a summary of their proposed development on February 19, 2009. Dr. Fletcher assured him that this was something that they would consider. From their last meeting, he understands their concern to be traffic and how they connect to the utilities. We will work with the City to connect to the City services as required by the City. During this process, we will offer to work with Calvary Baptist Church to understand their needs and identify possible savings to Calvary Baptist Church. They must realize by the fact of our development, it would bring the required utilities closer to the Calvary Baptist Church property then they currently exist.

Mr. Rinnier further stated that the issue of traffic was also raised by the school district. With regards to Capital School District, he met with Dr. Michael Thomas and understands the school districts concerns that include traffic; medium density housing as a neighbor and a general concept of having elbow room around the school property. The concern of traffic is eminent on Route 8 and his proposed development could be part of the solution to improve traffic conditions along Route 8. Subject to the appropriate approvals, his development could offer a combined entrance between the school and their site with a potential traffic signal. It could also provide a connector road from the Cannon Mill stub road to Route 8. Medium density housing as a neighbor is one of the concerns as well as potential problems with pedestrian traffic between the two properties. He would offer to work with the School District in his site design process to discourage any cross traffic between the two properties using buffering design concepts including tasteful white vinyl fencing, targeted open spaces on the school side of his property so that the buildings are further apart from one another and planned landscaping and berms to discourage any cross traffic.

Mr. Rinnier further stated that continuing to address medium density housing as a concern. In general, some apartment developments have concerns about raised increased crime. Their apartments are luxury apartments with a higher tier rent in the market typically averaging above $1,000 a month. The average median income of their renter is approximately $41,000. The types of residents they attract are

generally good residents. The incidents of crime and safety concerns would be compared to low rates of traditional single family neighborhoods due to our management practices and the economic demographic of their residents. They have a proven tract of being a good neighbor to schools. Our Parkwood Apartments are located across the street within 100 feet of the Parkside High School in Salisbury, MD. With regards to room, with his proposal he understands that it would not be as attractive to the high school as the current use of the property as open farmland; however, with the type of community that he is proposing and the applications that his development could offer to improve the traffic concerns, he feels they are working to address the concerns of the school district. Their development would benefit the school in the following ways; improvements of traffic on Route 8 would benefit the overall area in general. The potential of a future stop light located between their two properties may offer an attractive option for the school traffic including bus and sport related events. In addition to or instead of direct access onto Route 8, the school traffic could exit the property onto the proposed interconnected road between the two properties and have signalized access to Route 8. This may provide a safer traffic flow than direct unsignalized access to Route 8. The school traffic would have to wait until access could be gained onto Route 8. DelDOT has estimated the traffic signal to cost about $200,000 and typically all parties that benefit from the stop light share this cost. He is offering to pay for the total cost of the stop light without contribution from the School District. The interconnecting road that he is suggesting between the two properties will provide a north south connector road to Route 8 and Hazlettville Road and would improve traffic conditions on Route 8. The interconnector he is suggesting is outlined specifically as one of the potential solutions in the MPO Delaware Route 8 Concept Plan and Operations Study that was conducting in October of 2007 as Item 6.1(b). By providing an interconnecting road on their property line it would overcome any chance that this interconnection would be required to bisect the schools property and create an unfavorable traffic condition on the schools property. What he is proposing is to do is a common road with a signal and move it off of the schools property and still offer the connectivity as part of the solution of the Route 8 Study. The installation of sanity sewer services to his development would be beneficial to the school since he would be required to bring the sanitary sewer services to his site which would lead to a savings for the School District in connecting to these utilities that would not be possible if his development were not allowed to be built.

Mr. Rinnier further stated that in closing, he would hope that his request for RM-2 zoning would be considered favorably this evening. His zoning request complies with the Comprehensive Plan and after taking consideration of the areas as a whole, offers two potential applications to improve the traffic on Route 8. These applications are a positive step towards improving the traffic conditions on Route 8 and are possible because of the development he is proposing.

Mr. von Reider stated that he appreciates them offering a connector road which would be a good idea. What is the density for R-10 zoning? Responding to Mr. von Reider, Mrs. Townshend stated that R-10 is a 10,000 square foot minimum lot size and by the time you take out for infrastructure and stormwater management, it tends to be about 3 units to the acre.

Colonel Welsh questioned Mrs. Wieczoreck with regards to the proposal to move

the access road to Route 8 away from the proposed intersection that you have coming in there, will that present a problem? Responding to Colonel Welsh, Mrs. Wieczoreck stated that she does not see it as one because their overall concept does show a direct connection going up the sides of the property he is talking about. They would be able to move the connector further away to line up with it as the lines on their maps are concepts and there has been no engineering done or decided on. There are a lot of environmental issues associated with the link north to Chestnut Grove Road than the one south of Hazlettville Road.

Mr. Tolbert questioned that earlier on you stated that single family homeowners would have more of a problem with traffic related situations then apartment dwellers, is this what you are saying? Responding to Mr. Tolbert, Mr. Rinnier stated that apartment dwellers are not committed for a lifetime to live there and with the increased traffic because of school events, they may not mind an area with more traffic.

Mr. Tolbert further stated that there would not be as much of a concern as single family property owners; however, there would be more people in apartments than in a single family home and for those reasons he would think that there would be more of a traffic problem. Responding to Mr. Tolbert, Mr. Rinnier stated that apartment residents would be worried about traffic as well because whether you rent or own a home they usually share the same general concerns; however someone on a year lease would probably have a lot less concerns than someone who has a thirty (30) year mortgage and are committed to the area a lot longer.

Mr. DiMondi re-opened the public hearing from last month's meeting.

Mr. Ray Paylor – 127 Shinnecock Road – Stated that he was here this evening to speak in the capacity of President of the Capital School District Board of Education. He is in a difficult position as he is a member of Calvary Baptist Church and worships at Destiny Christian Church often; however, today he speaks on behalf of the Capital School District Board of Education. A little over a year and a half ago they purchased 106 acres of land adjacent to Destiny Christian Church. They purchased the property to give our students in the Capital School District an open campus with a learning community that would provide a visual statement in a sense of institutional fidelity. Conceptually, that is what we have presently; however, if the Commission grants the requested zoning change proposed by the Rinnier Company, the newly proposed high school residents of whom the Capital School District purchased land for, would suffer a civic setback and would become beset with some of the same problems that motivated the need for a new high school in the first place. If the zoning change is granted and a 240 unit apartment complex is erected as proposed, here are some of the potential negative consequences for the proposed Dover High School and some expected changes generated by the proposed apartment complex. Some of the expected changes with the presence of the new High School, you will have an increase in the number of student drivers, an increase in school bus traffic, an increase in pedestrian traffic, and increase in teacher, administrative, and employee traffic, and an increase in parent vehicle traffic. With these expected changes, coupled with likely results of a medium density apartment complex of approximately 240 units, one can relatively expect an increase in crime, potential increase in drug use, and the presence of drug paraphernalia, and an increase in littering. You can look for an increase in littering

and loitering and an uncontrollable increase in residential commuting in foot traffic close to school property. There will also be security issues for our students and facilities. He also has a testimony from a resident at Arden's Run one of the housing communities owned by Mr. Rinnier. He met with this resident in February to explain what he was looking at and she stated "As a resident of Arden's Run she will tell you straight Mr. Paylor, this is okay for a college environment but not for a high school.
Mr. Paylor further stated that there are other items that need to be disclosed here today and Dr. Thomas will make further comments. His opposition here today is not one of animosity. He is here on behalf of the children of the Capital School District.

Dr. Michael Thomas – Superintendant of Capital School District – Stated that he would like to discuss a couple of things that were not discussed at the last hearing. At this time, a Feasibility Study that was done on the property when it was purchased was handed out to Commission members and Staff. The Feasibility Study was done by Landmark Engineering. Where Route 8 runs in front of the property and west of it you will see the boundary line that lies between Destiny Church and the school property. One significant issue here is the placement of the new stadium and why this is significant. How many places can you place it on the ground? We certainly conclude that although this is not an architectural record proposal only a Feasible Study, the placement of the football stadium to the west was placed there because there are not many places you can go because they need relatively good access to that stadium for exit and entrance to the school property. This is important because the stadium has limited possibilities as to where it can be placed. At the current high school the stadium is in full use at least 65 nights a year with the lights on with one or more multiple teams playing there with it being football, soccer, or lacrosse and seating between 4,000 and 5,000 people. This is why we chose this location for the school to have some space and some open green space. Right now we have no reason to believe we will get into what we are leaving? Having this many people in a stadium very close to a boundary line situation does not seem like it would work out very well.

Dr. Thomas further stated that other factors that they believe to be relevant are the foot traffic and there is no way that they see that they are going to cut off this extensive level of foot traffic. He and Mr. Rinnier differ significantly on what they are talking about might be there and what is actually there in reality once everything is constructed. He feels that the apartment complex and the high school will be significantly incompatible. There is interest in what they believe to be the best interest of the new Dover High School which is our students and the Capital School District. We believe that the facts are when you check on medium density apartments like this these problems are real.

Mr. Nichols questioned with the regards to the plan that was presented, is this near to a finished concept that you will have? Responding to Mr. Nichols, Dr. Thomas stated that it is a Feasibility Study that was done to see if the acreage there could hold and meet all of the demands of the new high school. It is not a finished concept or an architectural record. As you look at this, in fairness to Landmark Engineering, they felt that these were the best places. Once they have a vote of referendum he believes that it will be laid out very close to this.

Mr. von Reider questioned if the Feasibility Study that was done is to cover the

projected out years of the life cycle for this high school? Responding to Mr. von Reider, Dr. Thomas stated that for the most part; however, there would be some change over the next fifty (50) years.

Mrs. Townshend stated you just saw Mrs. Wieczoreck speak about the Route 8 Study and both this property, the school property, and all the other properties along Route 8 are within the Corridor Overlay Zone so there are some things on this plan that she would consider to be missing. She would be cautionary with regards to connectivity as she believes that the thought is that there would be connection over to stub streets to the south as well as cross access easements on either side east and west. She would like to address an issue regarding the pictures that were handed out along with the Feasibility Study. Staff has seen similar things in apartment complexes and we do have a very proactive Code Enforcement program and everything you see in these pictures would be code violations that would be written up and need to be corrected by the property owner which would be the apartment complex. We also have standards on dumpsters needing gates and screening. There are a lot of things that if a rezoning application is approved, will need to be addressed at the Site Plan level and regardless of where development happens or how it happens there is always Code Enforcement that comes afterwards.

Responding to Mrs. Townshend, Dr. Thomas stated that there point in presenting these pictures was obviously to make a point. We understand in their development presenting an ideal situation in their pictures that they showed you last time and we concur they were certainly ideal pictures. The reality is code enforcement and not ideal pictures and that is what we saw, the other side as well and that was point that things are not always as ideal as we know.

Mr. Tolbert stated that given the current constraints with funding, what is your anticipated projection for the school becoming a reality? Responding to Mr. Tolbert, Dr. Thomas stated that this is a difficult question to answer and he could only answer it this way; we will be going back to the Department of Education this summer asking them for issuance of a Certificate of Necessity which would allow them to go to referendum probably in the next year to year and a half. Once a certificate is issued that means that the State is going to pay their share which is approximately seventy (70) percent. We will pursue this every year until this certificate is achieved and given the State's financial situation, he would not look for that to happen in the next year.

Dr. Charles Fletcher – Deacon at Calvary Baptist Church – Stated that his concern with being here is not in direct opposition to Mr. Rinnier's project or what he is attempting to do. Their concern with putting their church here and the things that were placed upon Calvary Baptist Church's attempt to get construction started with things such as the sewer connection and how it had to take place. The City required them to construct a pumping station that would adequately allow for the affluence to go down to the frontage of Route 8 and all the way down to the next connection at the boundary of Dover, without giving us the option of placing a gravity feed through the rear of the property to west Dover which was the site aligned with the closest point and we were denied that opportunity. We were also imposed with some rather stringent changes in their plans as far as taking care of providing frontage for a bike path, walking paths, as well as widening the road all the

way from the beginning of the joint border line between Destiny Christian Church all the way around to Artis Drive. These items added well over a million dollars in unanticipated construction cost on our church that was going to have capacity for about 1,100 in phase one of construction. This pushed us out of our opportunity. We paid for the water and were starting in good faith with the City's assistance then he heard that it was the apartment complex that was going to benefit from the utilities. It was Calvary Baptist's initial construction plans before the City that placed its boundary line covering their property that put in the water line as well as us putting in a contract with Chesapeake Utilities to bring gas to this property. Those things along with additional costs of putting in traffic studies to determine the impact that were imposed upon us and when he heard the proposal and that he did not have to do any of these things, his ears were immediately concerned. What is the difference? His concern is with the ongoing discussion and is rather pleased that he is willing to have a discussion with us about those items; however, the additional costs he would like to see him do these things as they would help them with the utilities by having the construction of sewer and a pumping station and may be a true benefit for them. We would certainly not fight a fellow Christian church on development that they would like to do, but we at least want to make sure that we get an opportunity to place before you our concerns as well so that there can be some balance somewhere along the line.

Mr. DiMondi stated that a Site Plan for Calvary Baptist Church has not been approved for this site by the Planning Commission simply because the approval that was sought and obtained by the church occurred in the county before annexation into the City of Dover about two years ago. This is an application for rezoning as opposed to Site Plan.

Mr. Richard M. Avant – Pastor of Calvary Baptist Church – Stated that their only concern at this point is the things that were spoken of by Dr. Fletcher regarding the pumping station which we were told would cost us around $250,000. We have already paid $50,000 for water connection. If there is any connection available for us could we connect into whatever the apartment arrangements are going to be? We just want to know how it is going to benefit us.

Responding to Mr. Avon, Mrs. Townshend stated that we are without Engineering Staff this evening; however, she would try and answer his question. If they proceed ahead of your construction, they would have to come through the Planning Commission with a Site Plan and through the Development Advisory Committee. The Public Utilities Department would review their sewer needs and if you have not gone to construction yet, that could amount to revisions to your sewer plans and could change the pump station situation. When yours was reviewed, it was for that single site and the big cost is getting the sewer from on the other side of the road. When the engineers look at their plans for wastewater, there may be some opportunity to work together on it.

Mr. Tolbert stated that for clarity you do not have a problem with the zoning for medium density? Responding to Mr. Tolbert, Mr. Avon stated that no not at this time.

Mr. Ashley Wolf – 18 Delaware Avenue, Milford, DE – Stated that he attends Destiny Christian Church as a leader and has been there for twenty (20) years and

is also a business owner in Milford. Pastor Mast is out of the country and he is here to speak on behalf of Destiny Christian Church. We are friends of the community and always want to be to our neighbors Calvary Baptist Church and the school district. Everything that the superintendant and principal brought forth as potential negatives for this proposal mostly come from the fact that this is a school and are some of the tendencies to be around the school not necessarily from the proposed plan that Mr. Rinnier has brought forward. He believes that there is more of a potential if you have single family dwellings for them to be a risk then if you have something of this nature that has fence systems and security systems around it. We know that as the church there that we welcome having the high school there and want to be a part of the community and a place and access for the community for kids to be able to go. We recognize that there can be a negative potential; however, welcome it as we believe that it is a very small percentage and believe that we could have a solution for it.

Mr. Jeff Mast – 477 Lambert Drive, Magnolia, DE – Stated that he also attends Destiny Christian Church and has for twenty-five (25) years and has been in the construction business for thirty-six (36) years and so he has an eye for detail. He was concerned about what they wanted to put up here. He went to see their development in Salisbury, MD and it is very top notch from the landscaping, trim work, to keeping the yards up. It is a very eye appealing complex and looks like a top notch place to live.

Mr. Arthur Queen – 219 E. Devon Road, Viola, DE – Stated that he is a member of the Destiny Christian Church and has been for about thirty-five (35) years. The problem brought up regarding drugs next to the school, drugs are all over the place we just have to have good law enforcement to make sure that they do not spill over into our schools and is a definite concern of his as he has grandchildren. The second concern with regards to the economic situation that we have facing us today our President talks about putting people to work and creating jobs, he believes this will create jobs. He believes that he has no problem with anything that has been said here this evening; however, at the same time a couple of the comments that were made such as with regards to drugs are not warranted. He has been to Salisbury, MD and has seen the community and it is one of the finest developments he has seen in many, many years. He feels that it would be an asset to the City of Dover and a very good tax revenue.

Mrs. Kay Dietz-Sass – 31 Bay Circle South, Dover – Stated she was here as a Capital School District Board Member but more importantly as a mom of three kids in this district. She has two kids currently in high school and she is the one that spoke with the local Police Department concerning her concerns of drugs and what happens to property, after hearing what they had to say here last month of how good of neighbors they make. She has worked in marketing and when she saw their pictures she knew, these are marketing pictures. She asked if someone could go take some photos and those photos show what is down there currently. They do have problems and if you Google their management company of their apartment complexes that are near the schools, you will see what comes up. There are drug problems and these do affect our kids and as a mom she does not want her kids exposed to this. She really truly hopes that you take into consideration it is not just traffic, it's not just drugs, it is not just littering, or loitering, it is everything in an entire nutshell. We are not benefiting from the sale of the property to them and she is not

for this application because of that and more so because she is a mother.

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

Mr. Tolbert stated that they need to keep in mind that the only thing we will be dealing with tonight is the zoning issue, not all of the other issues.

Mr. von Reider stated that primarily the reason that he moved to table this last month was because of the traffic situation and the potential for traffic problems. Obviously, problems exist on Route 8 and the Study's show it; however, they have plans or alternative plans that could potentially help the situation out there and basically he had his questions answered on this subject. He is somewhat disappointed on some of the comments that were made about drugs, neighbors and so forth. He personally knows people who live near Central Middle School who complain about all the problems that the school presents to the neighbors not vice versa and he feels that it goes both ways. He thinks that it is unfair to blame an apartment complex that does not even exist for potential problems that may not exist. It depends upon the people who live there it is not the apartment complex or the type of housing. He feels with a church, residential, and a school that it is the best combination that you could have in the City because they help each other and support each other of being close by. We do not want schools sitting ten miles outside City limits just to get them off by themselves that is not going to work.

Colonel Welsh stated that he would agree with Mr. von Reider. To him is seems like good planning to have a school that is close by developed areas that can serve the community. He is a little concerned about trying to isolate this proposed community from the school and by not offering any access to the school grounds or the school property through this apartment complex. If there are students who would attend the school, they would have to walk out to Route 8 to go around the fence to get back into the school property. It seems to him that there should be access from the neighboring community to the school for those students.

Mr. Baldwin stated that he agrees with his distinguished colleagues. One of the things that are disturbing to him is that they tend to set apartment dwellers up as people who use drugs and that is not always the case. It has nothing to do with the apartments as it has to do with the people there. As Mrs. Townshend stated these are Code Enforcement and Law Enforcement issues so we need to let the system work.

Mrs. Townshend stated that she would just underscore that the R-10 classification that the property currently has is not consistent with the Comprehensive Plan and RM-2 is. There are other zoning classifications that are medium density as well that may be lesser density; however, in the end, the Comprehensive Plan recognizes this area as medium density. In your decision if in fact you do not believe RM-2 is the right zone, we would need to look at what that right zone is because the Comprehensive Plan tells us it is not R-10.

Mr. von Reider questions what the appropriate zone for this plan that complies with the Comprehensive Plan besides RM-2 would be? Responding to Mr. von Reider, Mrs. Townshend stated that R-8 would be the lowest density zoning that would qualify as medium density, RM-1 which would be six (6) dwellings per acre. She

believes that does not permit apartments, and then the general residence zones which would be RG-2, RG-3; however, those could give you significantly more density than the RM-2 zoning classification. The RM-2 zoning classification gives you the option to do apartments but a capture density of eight (8).

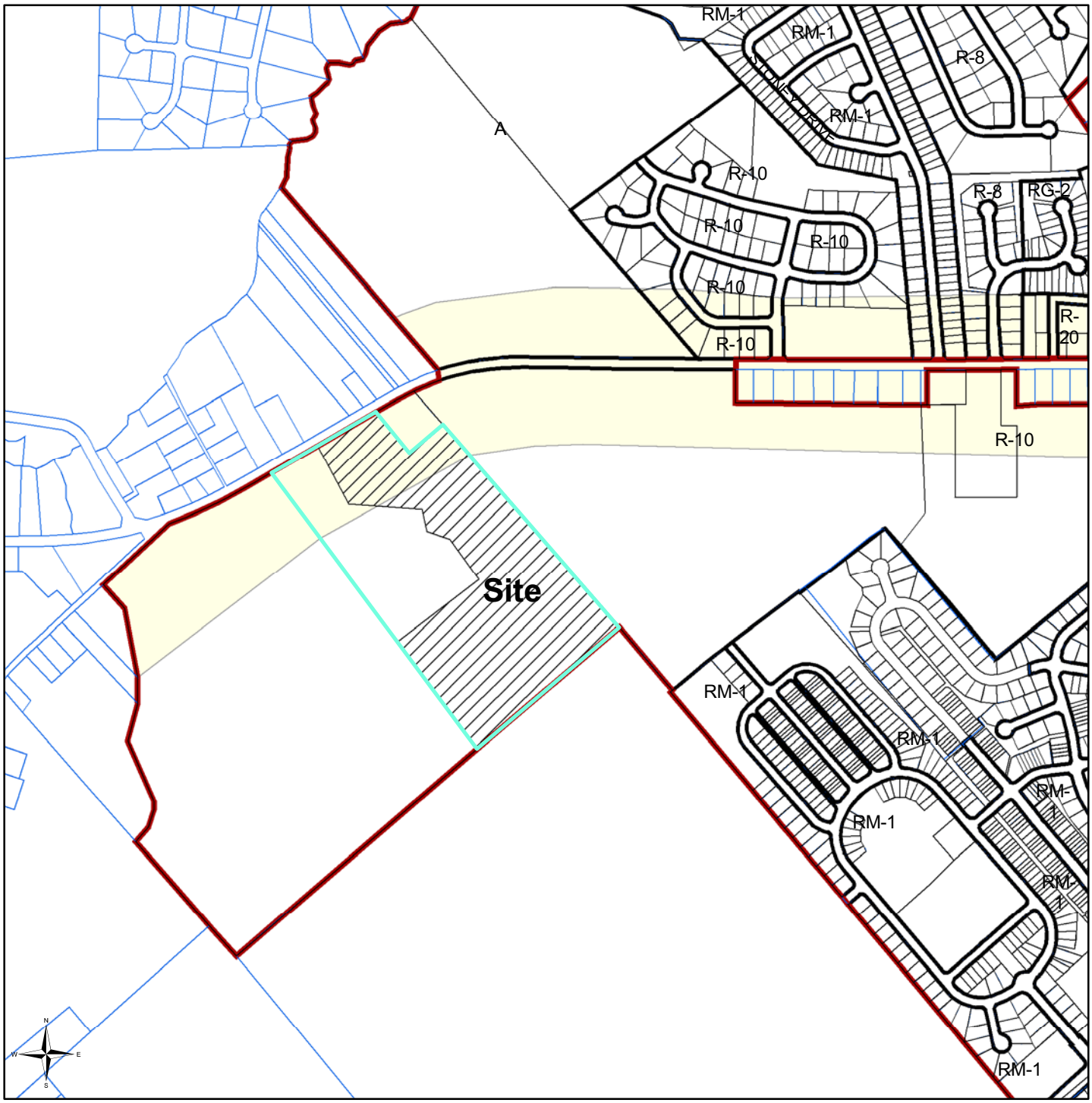
Mr. Holt stated that he agrees with Mr. von Reider that it is a little unfair to judge apartments and the people in them. They are not in them yet and he feels that the RM-2 zoning classification is what they need to do.

Mr. von Reider stated that he specifically asked the question to Dr. Thomas about the Feasibility Study if this represents what the school will be and will need for its life cycle and he replied that yes it would for the next fifty years. He knows that last time they mentioned expanding and acquiring more land which is not a consideration that we need to worry about. He would hope that the school district acquired all the land that they needed the first time out and hopes that it will be enough for them. We have talked about the people, the renters, and the residential being next to a school which he feels is a good idea. As far as the logistics of cross access or shared entrances it will all get worked out as we go towards Site Plan approval. Mr. Rinnier presented pictures this evening and you have now set the bar. We will hold you to that bar when you come back for Site Plan. Do not come back with anything less. The school needs to be as good a neighbor as the neighbors are to the schools as it works both ways.

City of Dover

Department of Planning & Inspections

Application No.: Z-09-01

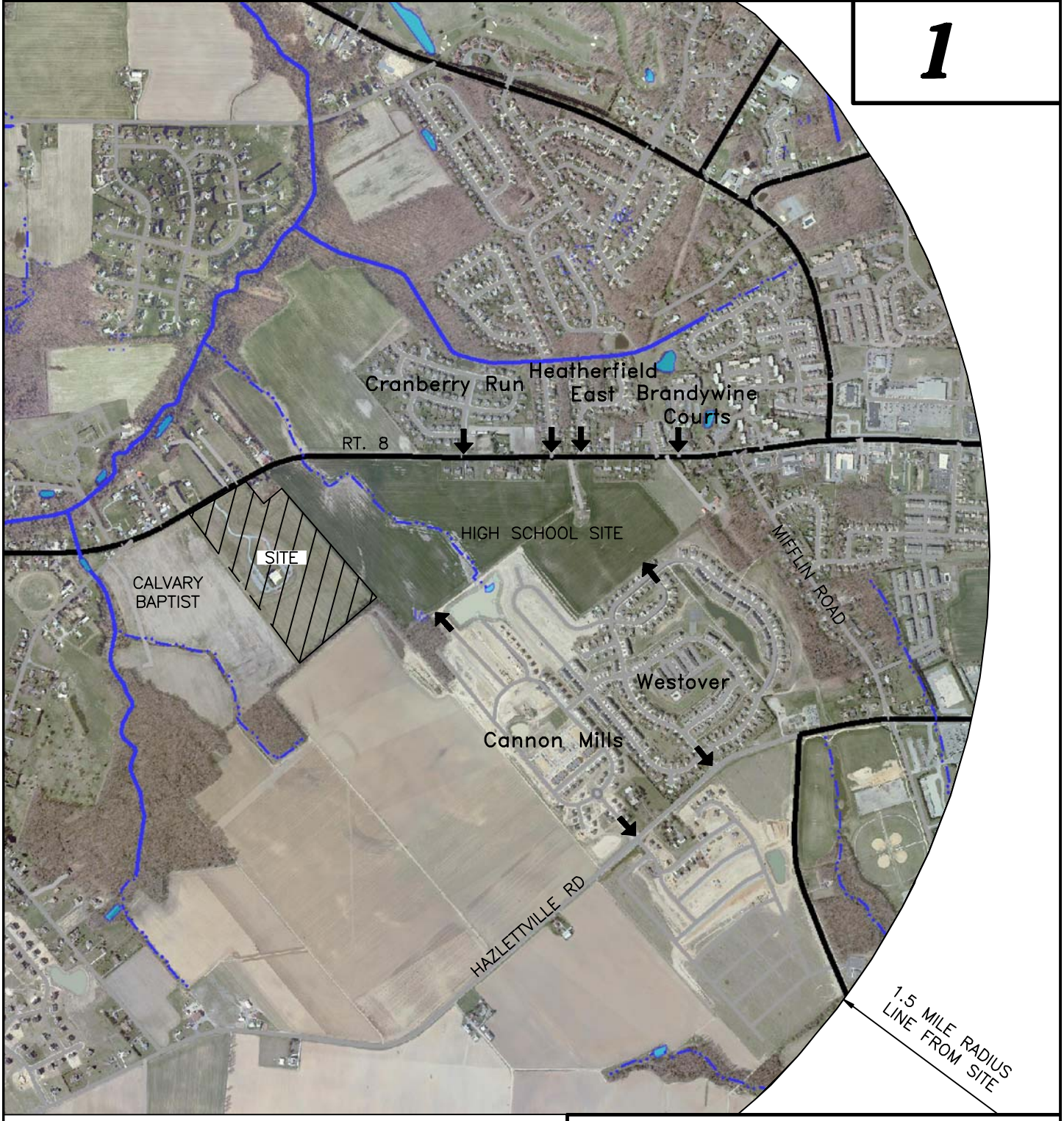


Plan Title: Lands of Destiny Christian Church
Location: 2161 Forrest Avenue
Plan Type: Rezoning
Tax Parcel: ED05-075.00-01-05.00-000
Current Zoning: R-10, COZ-1
Proposed Zoning: RM-2, COZ-1
Owner: Jireh Christian Center
Equitable Owner: Rinnier Development Company
Date: 11-14-09

0 500 1,000 2,000 Feet

Legend

- Portion of parcel to be rezond to RM-2
- Zoning
- Corridor Overlay Zone
- Dover Parcels
- County Parcels
- Dover Boundary



AERIAL PLAN

FOR

TAX PARCEL # ED-05-75.00-01-05.00

EAST DOVER HUNDRED – KENT COUNTY DELAWARE

OWNER
JIREH CHRISTIAN CENTER, INC.
2161 FORREST AVENUE
DOVER, DE 19904

EQUITABLE OWNER
RINNIER DEVELOPMENT COMPANY
218 E. MAIN ST.
SALISBURY, MD 21801

LANDMARK ENGINEERING
CIVIL AND SITE ENGINEERING SPECIALISTS
29 SOUTH STATE STREET • DOVER, DELAWARE
PHONE - (302) 734-9597 • FAX - (302) 734-9875
INFO@LANDMARKENGINEERING.COM • WWW.LANDMARKENGINEERING.COM

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SCALE: 1" = 1500'		DRAWN BY: BKS	
DESIGNED BY: BKS	CHECKED BY: JJR	DRAWING NAME	REZONE.DWG
DATE: 3-10-09	COMM. NO. C2079	FILE NO. 003	SHEET NO. 1 of 1

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Proposed Development
Luxury Apartment Homes
Dover, DE

Developer:

Rinnier Development Company

Overview

Property Description

- The approximate 30 acres of the 42 acre property on which the Destiny Church is located at 2161 Forrest Avenue in Dover, DE.

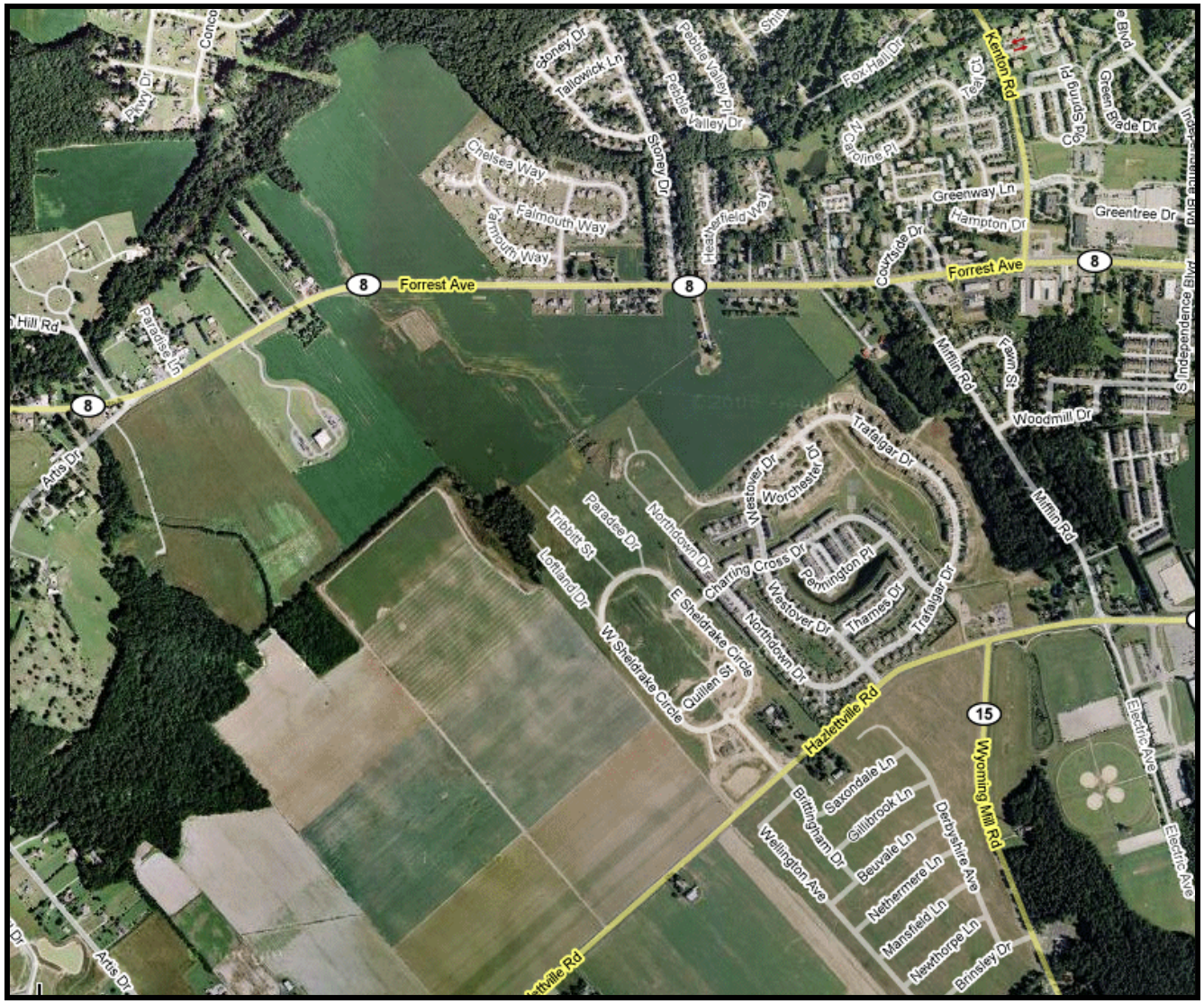
Development Concept

- Garden style luxury apartment homes similar to the following photographs of Marley Manor Luxury Apartment Homes in Salisbury, MD.

- Amenities include: Resort style pool, clubhouse, business center and fitness room.

Area Overview

West Dover











Executive Summary of Planning Commission Process

- I am here tonight to respectfully request that this property be rezoned to RM-2 for four reasons:
  - This zoning request is consistent with the Comprehensive Plan.
  - The Planning Staff and Planning Commission support my rezoning request.
  - This development can be part of the solution to improving the traffic patterns on Route 8 as specifically suggested in the MPO traffic study.
  - After considering the area holistically the proposed development makes sense:
    - Apartments are prominent in the nearby area
    - As pointed out by Mr. von Rider and Colonel Welsh of the Planning Commission, an apartment community next to a school makes good sense from a planning standpoint.

Executive Summary of Planning Commission Process

- The Planning Commission has heard my request for the rezoning as well as concerns that were raised during the public hearing process. Most of these concerns have been summarized in the March 30th letter from the Capital School District included in your package which I will address tonight. After hearing the public's comments regarding this rezoning request, the Planning Commission unanimously passed a motion to support my rezoning request.

Executive Summary of Planning Commission Process

- Past concerns regarding my rezoning request have included:
- Concerns of traffic on Route 8
  - Our review of the Route 8 traffic study and meeting with Bill Brockenbrough from DelDot led us to suggest two applications that are proposed to improve the traffic patterns along Route 8 above their current conditions today even after our development is completed.
    - We are willing to pay for the full cost of a traffic signal designed to benefit the entire area around our development on Route 8.
    - We are willing to pay for and construct an interconnector road along our property line that would help to provide connectivity from Route 8 to Hazlettville Road. This was one of the specific solutions identified as item 6.1(b) of the Delaware 8 Concept Plan and Operations Study (MPO Study)
    - In a time when State budgets may not provide for traffic improvement solutions, private developments, like the one I am proposing can be an answer to this need.

Executive Summary of Planning Commission Process

- Concerns of the type of neighbor an apartment community may be to the school.
  - The apartments I am proposing are luxury apartment homes with amenities including a resort style pool, clubhouse with business center and a fitness room. The curb appeal that this development will project to the neighboring area will be attractive as shown in the photographs we have looked at of our Marley Manor community in Salisbury. We plan to use substantially the same building and site designs as we have developed at Marley Manor.
  - Our residents typically have an average income that exceeds $40,000 and any instances of crime, loitering or littering would be comparable to single family neighborhoods because of the economic demographic of our residents and the management practices we apply.
  - On page 18 of your package, Mr. von Reider, of the Planning Commission made a good point when considering my rezoning request when, in response to the concern that apartments in general may increase drug use and crime, he said that he felt it was unfair to blame an apartment complex that does not even exist for potential problems that may not exist. It depends on the people who live there, it is not the apartment complex or the type of housing.

Executive Summary of Planning Commission Process

- Concern of the School District not having a neighboring open space for visual, operational, or future growth reasons.
  - In general, I understand that my proposed development is not as attractive to the School District as the current use of the property that is mainly open farmland, but I feel that the development I have proposed is in compliance with the Comprehensive Plan, offers solutions to traffic in the area, and will also benefit the school by bringing utilities closer to their site that will likely offer lower cost utility connections than would be available if my development had not been built.

Closing

- I hope that my request for RM-2 zoning will be considered favorably tonight.
- My zoning request complies with the comprehensive plan, and after taking consideration of the area as a whole, offers two potential applications to improve the traffic on Route 8. These applications are a positive step towards improving the traffic conditions on Route 8 and are possible because of the development I am proposing.
- Thank you for taking the time to consider my zoning request.


MARLEY MANOR







Board of Education
Raymond L. Paylor, President
Thomas Keitel, Vice President
Phillip Martino, Jr.
Darryl Scott
Kiran Clements

Capital School District

"A Premier School District"
945 Forest Street
Dover, DE 19904-3498

Superintendent of Schools
Michael D. Thomas, Ed. D.
Voice: (302) 672-1555
Fax: (302) 672-1716
Email: mthomas@capital.k12.de.us

March 30, 2009

RECEIVED
APR 01 2009
OFFICE OF THE CITY CLERK

Mr. Ken Hogan, President
And Members of
Dover City Council
P. O. Box 475
Dover, DE 19903-0475

Dear Council:

I correspond on behalf of the Capital School District Board of Education and the school district. We oppose the change of zoning approved by the City Planning and Zoning Commission for the lands of Destiny Church at 2161 Forrest Avenue. Rinnier Development Group is requesting a change of zoning from R-10 (1 family resident zone) to RM-2 (medium density residential zone) for 30 acres of the Destiny Church property.

The Board of Education and the school district oppose the rezoning of this property from R-10 to RM-2 for reasons as follows:

1. The board selected and purchased property adjacent to the Destiny Church property as the site for a new Dover High School. This property was chosen due to its offering of reduced traffic congestion for the entrance and surrounding area to the school. In addition, the property offered an open space setting important to creating curb appeal. With the zoning change to medium density housing, traffic and related congestion becomes problematic and with it concerns over safety for our students.

2. Medium density zoning RM-2 permits eight apartments per acre, a total of 240 units for the 30 acres requested for rezoning. Not only will vehicle traffic be a problem, but also increased foot traffic is of high concern. Also, 240 apartment units significantly diminish the importance of curb appeal for the school as cited above.

3. Although Rinnier Development Company advertises this development as luxury apartments, they are rental apartments. Unfortunately, statistics show medium and high density rental apartments are more subject to law enforcement activity, increased loitering and littering as well as high foot traffic. These issues are of a security nature and, therefore, a concern for the new high school. When these issues were brought before the planning commission, it was stated these matters could be dealt with under code enforcement. For the benefit of our children and our community as well as the investment made into the new high school, we can only hope that proves true.

THE CAPITAL SCHOOL DISTRICT DOES NOT DISCRIMINATE IN EMPLOYMENT, EDUCATIONAL PROGRAMS, SERVICES OR ACTIVITIES BASED ON RACE, COLOR, NATIONAL ORIGIN, SEX, AGE OR DISABILITY IN ACCORDANCE WITH STATE AND FEDERAL LAW

4. The new high school will have on its site a lighted sports stadium for night activities with seating for 4 to 5 thousand people. It is anticipated the stadium will be in use at least 65 nights per year. As discussed earlier, this site was initially selected for its offering of open space and lack of congestion in and around the property. Again, with a change in zoning to medium density RM-2, the benefits of this site are negated.

5. Construction of a connector road at their cost was presented at the planning commission hearing by Rinnier Development Company. This connector road cannot run on or through the new high school property. Such will fragment the property and create a highly unsafe setting for our students of which not only the district will oppose, but also, we believe, thousands of tax paying parents in Capital School District.

Given the Board of Education and district received approval by its citizens to purchase this property for the specific purpose of constructing a new high school, and given the Board of Education and district are responsible for providing the community's students the best possible setting for the new high school, please accept this letter in opposition to change of zoning from R-10 to RM-2 of the Destiny Church property located at 2161 Forrest Avenue.

Thank you to the Dover City Council for accepting these comments from the Capital School District Board of Education and school district.

Sincerely,

Michael D. Thomas, Ed.D.
Superintendent of Schools

PETITION TO AMEND AND ZONING DISTRICT
Report to the Dover City Council
April 13, 2009

Applicants/Owners:	Bay Village of Dover, LLC
Location:	South side of White Oak Road, east of SR1
Tax Parcel ID #:	LC-05-068.00-01-06.00-000
Size:	79.16 acres
Present Use:	Agricultural
Proposed Use:	Medium Density Residential
Comprehensive Plan Designation:	Residential Medium Density[1]
Present Zoning:	A (Agriculture Zone) SWPOZ (Source Water Protection Overlay Zone) – portions of site AEOZ (Airport Environs Overlay Zone) – portions of site
Proposed Zoning:	RM-2 (Medium Density Residence Zone) SWPOZ (Source Water Protection Overlay Zone) – portions of site AEOZ (Airport Environs Overlay Zone) – portions of site
Planning Commission Recommendation:	Following a public hearing on March 16, 2009 before the Planning Commission, the Planning Commission voted unanimously to forward the application to City Council with a recommendation that, to avoid any conflicts with coordinated activities later on, they defer an approval of this application until the planning process on Garrison Oak is further along.
File Number:	Z-09-02

[1] The *2008 Comprehensive Plan* also states: The City shall ensure that the development of the Bay Village site proceeds as a master planned community with transit access and bicycle and pedestrian amenities both within the site and connecting with Garrison Oak and other areas to the west. Additionally, the City must ensure that the viability of Garrison Oak is protected by requiring that the phasing and design of development on the site minimizes any potential conflicts between the residential and industrial uses. Development of the Bay Village site should coincide with a master plan for Garrison Oak, and the design of Bay Village must include adequate buffering from the industrial area.

Existing Property
The property is currently A (Agriculture Zone) and is used as agricultural land.

Surrounding Land Uses:
The property is surrounded by agricultural and other undeveloped lands. There are a number of single family lots along White Oak Road just north of the property. These lots, as well as the large wooded lot directly east of the subject property, are zoned R-20 (One Family Residence Zone). Development rights have been purchased by the State of Delaware on lands to the immediate west, south and southeast. These lands are zoned A (Agriculture Zone). Garrison Oak is located north of the subject property across White Oak Road, and it is zoned IPM-2 (Industrial Park Manufacturing Zone – Technology Park).

Comprehensive Plan:
The *2008 Comprehensive Plan* depicts the subject area in question as Residential Medium Density land use on the Land Development Plan Map. The Land Development Plan Chapter includes the following text:

> The City shall ensure that the development of the Bay Village site proceeds as a master planned community with transit access and bicycle and pedestrian amenities both within the site and connecting with Garrison Oak and other areas to the west. Additionally, the City must ensure that the viability of Garrison Oak is protected by requiring that the phasing and design of development on the site minimizes any potential conflicts between the residential and industrial uses. Development of the Bay Village site should coincide with a master plan for Garrison Oak, and the design of Bay Village must include adequate buffering from the industrial area.

Based on the Land Development Plan map, the zoning requested is consistent with the Comprehensive Plan. The timing of development discussed in the text indicates that development of the site must be timed so that it does not develop ahead of Garrison Oak. It also indicates that the site must develop within the context of a master plan. Based upon the above wording, this rezoning may be permissible; however review of a development application must be delayed until it can be considered in the context of plans for Garrison Oak. Deferral of the rezoning application may also be permissible based on the language in the Comprehensive Plan. According to Title 22, Chapter 7 of Delaware Code, rezoning to bring properties into conformance with the Comprehensive Plan must be complete within 18 months of the Comprehensive Plan's adoption (August 2010).

Request for RM-2 (Medium Density Residence Zoning)
The following description of the RM-2 zoning district is provided from Article 3 §7 of the *Zoning Ordinance.*

> Section 7. [Medium density residence] RM-2 zone.
> 7.1*Uses permitted.* In an RM-2 zone, no building or premises shall be used, and no building or part of a building shall be erected, which is arranged, intended or designed to be used, in whole or in part, for any purposes, except the following:
> (a) Any use permitted in one-family residence zones;
> (b) One-family lot-line dwellings, not to exceed one such dwelling per lot;

(c) Duplex dwellings;
(d) Multiplex dwellings;
(e) Townhouses;
(f) Roominghouses accommodating not more than five roomers.
(g) Garden apartments.

In addition, the RM-2 zoning district includes a density cap of eight (8) dwelling units per acre.

The difference between the current zoning and requested relates primarily to housing styles and types permitted and permitted density. The current A (Agriculture Zone) permits only limited residential development.

Recommendation of the Planning Staff and Planning Commission:
Staff ultimately supports the rezoning request from A with AEOZ and SWPOZ to RM-2 with AEOZ and SWPOZ; **however, staff believes that it may be prudent for Planning Commission to recommend to City Council that a decision on the rezoning application be deferred until a master plan for Garrison Oak is underway**. Under State law, the City has 18 months to rezone properties in accordance with the Comprehensive Plan. The zoning requested is consistent with the *2008 Comprehensive Plan* and the long-term development of the area; however, the *2008 Comprehensive Plan* specifically dictates that development of the site be timed and phased in a manner that preserves the viability of Garrison Oak.

Planning Staff's recommendation was made prior to the public hearing before the Planning Commission. Following a public hearing on March 16, 2009, the Planning Commission passed the following motion:

Mr. Tolbert moved to recommend to City Council Z-09-02 Lands of Bay Village of Dover, LLC on White Oak Road to avoid any conflicts with coordinated activities later on, that they defer an approval of this application until the planning process on Garrison Oak is further along, seconded by Mr. Holt The motion was unanimously carried.

Public Testimony and Discussion before the Dover Planning Commission:
The following is a summary of the discussion and public testimony from the public hearing before the Planning Commission on March 16, 2009. The minutes of this meeting have not yet been adopted by the Planning Commission:

> Mr. DiMondi stated that he would recuse himself from this application as he has a relative that has an interest in a neighboring property subject to this application. Colonel Welsh took over the meeting as Co-Chairman.
>
> Mrs. Townshend stated that the rezoning is proposed to construct a residential development. This is a site that is adjacent primarily to agricultural lands. There are some wooded lands just east of the site, agricultural lands to the south, and lands immediately surrounding on the southeast and the west are all preserved lands. The State of Delaware has purchased development rights either through the Department of Transportation or Department of Agriculture depending on which piece you are looking at. The site is directly across from the Garrison Oak site which is owned by the City of Dover and is intended to be developed as a Technology Park. It is also considered a site for the potential power plant that has

been discussed through the 2030 Energy Committee that the City of Dover has. This is an area that in the 2003 Comprehensive Plan had had an agriculture designation. There was, at one point in time for this and surrounding properties, a Senior Citizen Planned Neighborhood Development proposal. That proposal never came to fruition. The State purchased the development rights of the bulk of the land and there are 79 residual acres that the applicant is proposing to rezone.

Mrs. Townshend further stated in discussing this site and changing it from Agriculture in the previous Comprehensive Plan to medium density residential in the current Comprehensive Plan, there was discussion of the timing of development of this alongside Garrison Oak. The State and the City have made a significant investment in purchasing that site for future technology and industrial development so the language that is in the 2008 Comprehensive Plan states that the "City shall ensure that the development of the Bay Village site proceeds as a Master Plan community with transit access and bicycle and pedestrian amenities both within the site and connecting to the Garrison Oak and other areas to the west. Additional, the City must ensure the viability of Garrison Oak is protected by requiring that the phasing and design of development on the site minimizes any potential conflicts between the residential and industrial uses. Development of the Bay Village site should coincide with the Master Plan for Garrison Oak and the design of Bay Village must include adequate buffering from the industrial area."

Mrs. Townshend further stated that the purpose of this language was to ensure that we do not essentially have a large residential community that goes out east of Route 1 which has been the line in the sand on development that is out there well in advance of the Garrison Oak development. The idea in talking with the developer and others at the City level was that once there are jobs at Garrison Oak, this would be a great place for workforce housing where you would have properly designed and be planned together. They could be used to complement one another. The purpose of the language in the Comprehensive Plan is to ensure that they are uses that complement each other and that they not get out of synch and cause problems for each other. The problem with the language in the Comprehensive Plan is that it does not specifically state whether development should wait until Garrison Oak is further along or whether the rezoning should. She feels that now that we have an application in front of us, the Planning Commission may need to think about this issue. It may be prudent for the Planning Commission to recommend to City Council to defer a decision until they are further along on planning of Garrison Oak. We are looking at getting an RFQ for planning Garrison Oak out within the next month.

Mr. Moore stated that they feel that the Comprehensive Plan is very clear in that it states that development of the Bay Village site should coincide with the Master Plan and we are fine with that and agree with what the Comprehensive Plan actually says. What we would request is that we be given the opportunity to proceed with our Traffic Studies, Environment Studies, and Master Planning. We are very aware of the sensitivity of the Garrison Oak property and will be screening and buffering and would like to begin that process.

Mr. Baldwin questioned Staff how far out the Garrison Oak Master Plan is? Responding to Mr. Baldwin, Mrs. Townshend stated that they are looking to get a process clearly underway by summer. She would expect that it would be a one year

project to completion to do it right.

Mr. Holt stated that Mrs. Townshend eluded to a problem with this development that would hinder the Garrison tract development, what type of problem are you eluding to? Responding to Mr. Holt, Mr. Townshend stated that the issue tends to be when you have industrial property adjacent to residential and this gets out ahead of Garrison Oak that now we have people who are within 200 feet and do not want to live across from an industrial site even though they have been duly advised. The most important thing would be coordination that we work these things together.

Colonel Welsh questioned if anything in the future planning of Garrison Oak that would preclude rezoning to RM-2 to allow them to begin planning? Responding to Colonel Welsh, Mrs. Townshend stated no. We need to look at this entire area as there may be two Master Plans going on at the same time, one on Garrison Oak and one on this property and the idea is to coordinate the two of them.

Colonel Welsh opened a public hearing.

Mr. Tony DePrima – City Manager, City of Dover – Stated that he is here to support the Planning Staff's concern in ensuring that there is adequate coinciding in this plan. He will argue that the appropriate place to ensure that coinciding is at the zoning stage and not at the Site development stage. He probably does not have to talk about how important economic development is right now and how important the Garrison Tract is to economic development. You all went through the Comprehensive Plan and know that in the Comprehensive Plan there is a whole section on the Garrison Tract and about the recommendation that we need to develop that tract. You probably know from those hearings that this tract is the single largest industrial zoned piece of land in the State of Delaware. The Planner adequately stated why this is an issue because traditionally a neighbor can very easily convert into a NIMBY. We are excited about the possibilities for this tract now that we are on board to develop it. What we have done in compliance with the Comprehensive Plan, we have now hired and invested significantly in an Economic Development Office and a person whose task is to shepherd this Comprehensive Plan. We are proposing $100,000 in next year's budget to begin that planning process, utilities, and land planning that is being held in reserve. We are having exciting discussions with some potential uses on this site across the street. Everything from a very exciting possible solar park for solar energy to discussions of an energy plant there and the latest technology of a gas fired plant. There concern is with regards to timing. He was opposed to even rezoning this to medium density; however, he deferred to the Planning Staff opinion and this language would be somewhat of a compromise to at least acknowledge that there needs to be planning in advance for the Garrison Tract so that we can clearly communicate in advance of anyone moving in what is going on. It takes time to do economic development and large tracts and zoning is the appropriate place to hold this line. In his opinion, zoning is a discretionary stage that you and City Council have. Once you zone something, he is of the opinion that a person has the right to submit a Site Plan application. He feels that your ability to delay a Site Plan application because of conditions in the Comprehensive Plan are seriously limited. You lose your discretion when you move to the Site Plan stage. He heard what they want to do, Traffic Studies, and some analysis, it is in the Comprehensive Plan. They can do a lot of these preliminary studies in conjunction with the fact that it has been

recommended in the plan. There is nothing that would preclude them from doing some of the basic analysis maybe in conjunction with our own analysis. They might be able to jointly pay for a traffic analysis or jointly look at how we get utilities to our joint sites. The Planning Staff notes that he knows that the law gives you eighteen (18) months to zone something after a Comprehensive Plan is adopted and he would even argue that the current zoning, agriculture, could be interpreted in complying with the plan because there is a residential option. He understands that you can put stuff in peoples deeds; however, he can't tell you how many times people tell him that the Realtor told them that it was always going to stay a farm field in their back yard, why is there development there? People do not read deed information.

Colonel Welsh closed the public hearing after seeing no one else wishing to speak.

Mr. von Reider stated that he noticed that the adjoining properties to the east and southeast are also owned by Bay Village of Dover. Are they the developers of the 79 acres that is being developed for Bay Village or is it an equitable owner? Responding to Mr. von Reider, Mr. Moore stated that Bay Village will be the developers of that.

Also responding to Mr. von Reider, Mrs. Townshend stated that the neighboring property is where the development rights were purchased. Seventy-nine acres is the only acreage to be developed as everything else held by Bay Village has sold the development rights.

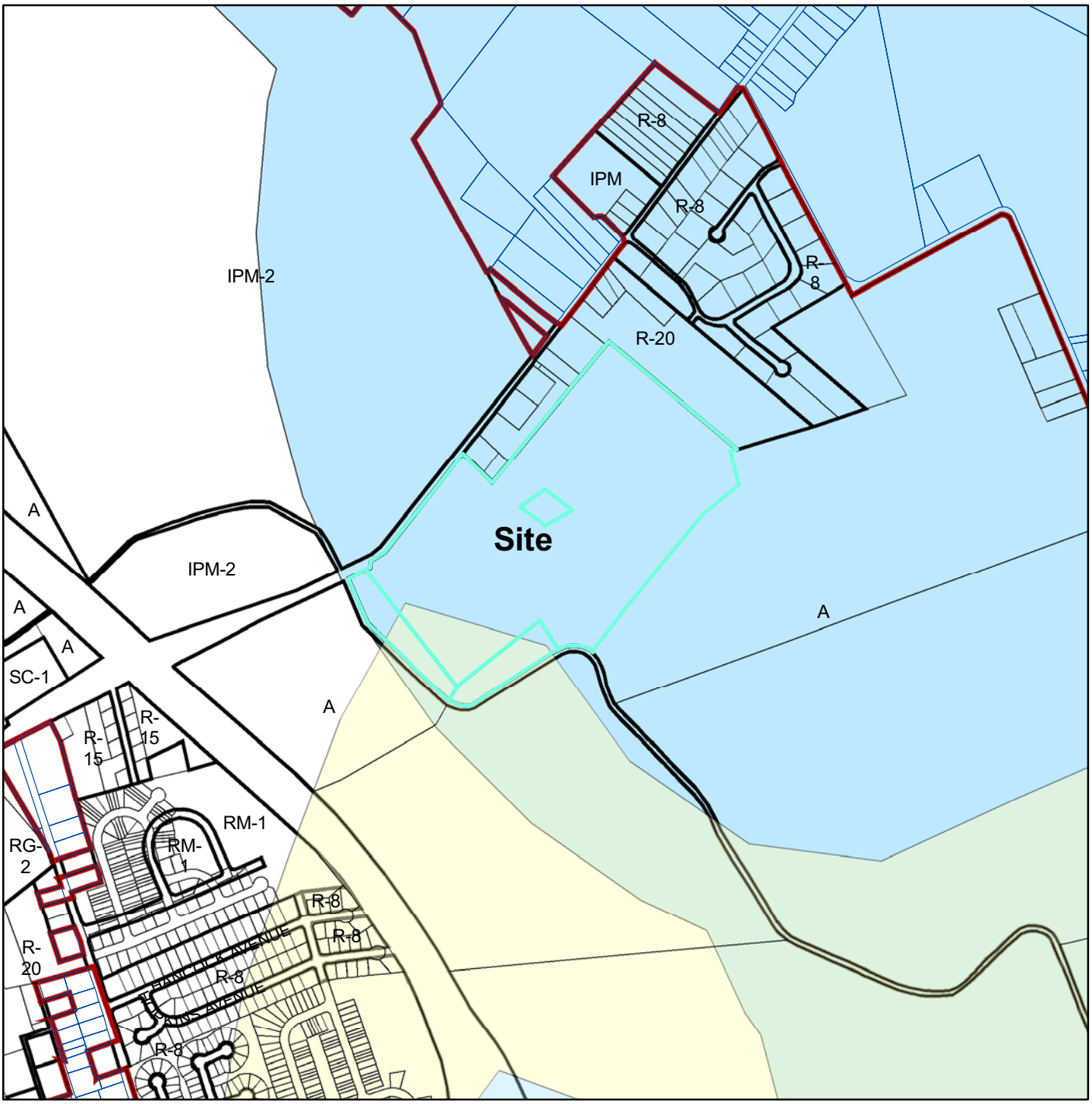
Mr. von Reider further questioned if Mr. DePrima was correct in saying that the agricultural zone would meet the Comprehensive Plan. Responding to Mr. von Reider, Mrs. Townshend stated that she felt that it would not meet medium density zoning. She feels that his point is that it does allow for residential use. When you look at the Matrix within the Land Development Plan chapter it is not one of those listed.

Mr. DePrima stated that he would like to clarify his comment. What he thought was allowed as medium density here is what was similar to what was approved before that could go for a Conditional Use Senior Housing Option that allows for high density.

City of Dover

Department of Planning & Inspections

Application No.: Z-09-02



Plan Title: Lands of Bay Village of Dover, LLC
Location: White Oak Road
Plan Type: Rezoning
Tax Parcels: LC-05-068.00-01-03.01-000, LC-05-068.00-01-04.00-000, LC-05-068.00-01-05.00-000, and LC-05-068.00-01-06.00-000
Current Zoning: A, SWOPZ, and AEOZ
Proposed Zoning: RM-2, SWOPZ, and AEOZ
Owner: Bay Village of Dover, LLC
Date: 2-11-09

Legend

- County Parcels
- Dover Parcels
- Dover Boundary
- Zoning
- SWPOZ Tier 2
- Noise Zone A
- Noise Zone B
- Noise Zone C
- Noise Zone D

0 600 1,200 2,400 Feet

CITY OF DOVER
IDENTITY THEFT PREVENTION POLICY

Subject: Identity Theft Prevention Program for the City of Dover

Purpose: To create and implement an Identity Theft Prevention Program for the City of Dover that will identify, detect, prevent and mitigate, and update Red Flags that signal the possibility of identity theft in connection with the opening of a covered account or any existing covered account and payment of services.

Effective Date: May 1, 2009

STATEMENT OF POLICY

The Fair and Accurate Credit transaction Act (the FACT Act), which amends the Fair Credit Reporting Act (FCRA) established numerous requirements that provide protection for the victims of identity theft, provide more information to consumers about credit reports and credit scoring, limits sharing of information with affiliates, and protects consumer medical and other information.

POLICY

It is policy of the City of Dover to:

- Respond to fraud and activity duty alerts.
- Properly dispose of consumer report information.
- Provide information to victims of identity theft.
- Properly handle notice of identity theft.
- Respond to any notification received from identity theft, to prevent refurbishing blocked information.
- Truncate all but the last 4 digits of a debit or credit card and social security number.
- Comply with the rules regarding sharing information with affiliates.
- Provide an oral, written, or electronic notice to those who receive less favorable terms.
- Provide the required notice and credit scores, upon request.
- Provide notice regarding negative information.
- Take appropriate action when the utility receives a notice of discrepancy in the consumer's address.
- Comply with red flag guidelines.
- Protect medical information in the utility system.

The Privacy Officer, with assistance from the Privacy Committee members, is responsible for developing appropriate written procedures and internal controls to assure compliance with the act.

The senior officer of each department is responsible for implementing and complying with these procedures and internal controls.

DEFINITIONS

Covered Account

For purposes of this Policy, the term means an account that the City of Dover offers or maintains, primarily for personal, family or household purposes, that involves or is designed to permit multiple payments or transactions **and** any other account that the City of Dover offers or maintains for which there is a reasonably foreseeable risk to customers or the safety and soundness of the City of Dover from identity theft, including financial, operational, compliance, reputation, or litigation risks.

Identity Theft

For purposes of this Policy, the term means a fraud committed or attempted by using personal identifying information (name, social security number, etc.) of another person without authority. This fraudulent activity may include opening deposit accounts with counterfeit checks, establishing credit card accounts, establishing lines of credit, or gaining access to the victim's accounts with the intent of depleting balances.

Privacy Officer

The person appointed the responsibility to oversee the procedures of this policy including periodic assessments, employee training, and annual reporting.

Red Flag

For purposes of this Policy, the term means a pattern, practice, or specific activity that indicates the possible existence, intent, or risk of identity theft. The section titled "Identification of Relevant Red Flags" provides a specific description of which Red Flags are applicable to this policy.

PRIVACY COMMITTEE

On ***October 15, 2008*** the Privacy Committee was formed under the leadership of ***Teresa Tieman, Senior City Administrator***. Each representative qualifies under a "need to know" guideline. For security, only employees who have been carefully screened and/or have a successful tenure with the utility will qualify.

Representation from key areas included:

Name	Department	Responsibilities/ Areas of Expertise
Teresa Tieman	City Manager's Office	**Privacy Officer -** Will coordinate activities of the committee/ develop and evaluation of program. Reports to: City Manager
Teresa Tieman	City Manager's Office	Supply resources to establish proactive identity theft program.
Peggy Teal	Accounting	Payroll, Specialist in the flow of funds.
Andy Siegel/ Mark Callan	IT	Data and Network Security, Specialist in SCADA/network administration.
Rhonda Walker	Human Resources	Personnel Information. Identity Theft Training.
Sgt. Tim Stump	Police	Fraud Investigator
Kathy Divver	Customer Service	Day to day processes in opening new accounts and monitoring activity on existing accounts. Billing, Collections
Carolyn Courtney	Recreation	Day to day processes in opening new accounts and monitoring activity on existing accounts.
Maretta Purnell/Scott Koenig	Public Services, Permitting/Licensing	Day to day processes in opening new accounts and monitoring activity on existing accounts.
Lisa Gardner	Public Utilities	Day to day processes in opening new accounts and monitoring activity on existing accounts
Traci McDowell/Amber Clendaniel	City Clerk	Records Retention

IDENTIFICATION OF RELEVANT RED FLAGS

After careful examination of our accounts, including the methods by which we open and access accounts, and our past experience with identity theft, the following events/occurrences reasonably indicate the potential for identity theft and should be considered "Red Flags" for purposes of this policy:

A. Alerts, notifications, or other warnings received from consumer reporting agencies or service providers, such as fraud detections services. For the purposes of this policy the City of Dover will be utilizing TransUnion as our service provider to identify the "Red Flags" listed below:

1. A fraud or active duty alert is included with a credit report.

2. A consumer reporting agency provides a notice of credit freeze in response to a request for a credit report.

3. A consumer reporting agency provides a notice of address discrepancy.

4. A credit report indicates a pattern of activity that is inconsistent with the history and usual pattern of activity of an applicant or customer, such as:

    a. A recent and significant increase in the volume of inquiries;
    b. An unusual number of recently established credit relationships;
    c. A material change in the use of credit, especially with respect to recently established credit relationships; or
    d. An account that was closed for cause or identified for abuse of account privileges by a financial institution or creditor.

B. The presentation of suspicious documents, such as, but not limited to:

1. Documents provided for identification appear to have been altered or forged.

2. The photograph or physical description on the identification is not consistent with the appearance of the applicant or customer presenting the identification.

3. Other information on the identification is not consistent with information provided by the person opening a new covered account or customer presenting the identification.

4. Other information on the identification is not consistent with readily accessible information that is on file. For example, the signatures do not match the signature card on file or a recent check.

5. An application appears to have been altered or forged, or gives the appearance of having been destroyed and reassembled.

C. The presentation of suspicious personal identifying information, such as a suspicious address changes:

1. Personal identifying information provided is inconsistent when compared against external information sources used by the City of Dover. For example:

a. The address does not match any address in the credit report; or
b. The Social Security Number (SSN) has not been issued, or
c. The Social Security Number is listed on the Social Security Administration's Death Master File.

2. Personal identifying information provided by the customer is not consistent with other personal identifying information provided by the customer. For example, there is a lack of correlation between the date of birth on a driver's license and on other forms of identification provided.

3. Personal identifying information provided is associated with known fraudulent activity as indicated by internal or third-party sources used by the City of Dover. For example:

   a. The address on an application is the same as the address provided on a fraudulent application; or
   b. The phone number on an application is the same as the number provided on a fraudulent application.

4. Personal identifying information provided is of a type commonly associated with fraudulent activity as indicated by internal or third-party sources used by the financial institution or creditor. For example:

   a. The address on an application is fictitious, a mail drop, or a prison; or phone number is invalid, or is associated with a pager or answering service.

5. The Social Security Number provided is the same as that submitted by other persons opening an account or other customers.

6. The address or telephone number provided is the same as or similar to the account number or telephone number submitted by an unusually large number of other persons opening accounts or other customers.

7. The person opening the covered account fails to provide all required personal identifying information on an application or fails to provide all the required information in response to notification that the application is incomplete.

8. Personal identifying information provided is not consistent with personal identifying information on file with the City of Dover.

9. If the City of Dover uses challenge questions, the person opening the covered account cannot provide authenticating information beyond that which generally would be available from a wallet or credit report.

D. The unusual use of, or other suspicious activity related to, a covered account:

1. Shortly following the notice of a change of address for a covered account, the City of Dover receives a request for adding:

a. Additional properties to the account; or
b. Additional authorized users on the account.

2. A new account is used in a manner commonly associated with known patterns of fraud patterns. For example:

The customer fails to make the first payment or makes an initial payment but no subsequent payments.

3. A covered account is used in a manner that is not consistent with established patterns of activity on the account. (Stable history shows irregularities.) For example; Nonpayment when there is no history of late or missed payments.

4. A covered account that has been inactive or has had low activity for a reasonably lengthy period of time is used or unexpectedly jumps to high consumption (taking into consideration the type of account, the expected pattern of usage and other relevant factors).

5. Mail sent to the customer is returned repeatedly as undeliverable although transactions continue to be conducted in connection with the customer's covered account.

6. The City of Dover is notified that the customer is not receiving their bills.

7. The City of Dover is notified of unauthorized charges or transactions in connection with a customer's covered account.

E. Notice from customers, victims of identity theft, law enforcement authorities, or other persons regarding possible identity theft in connection with covered accounts held by the City of Dover:

1. The City of Dover is notified by a customer, a victim of identity theft, a law enforcement authority, or any other person that it has opened a fraudulent account for a person engaged in identity theft.

DETECTION, PREVENTION AND MITIGATION

A. Detection

In an effort to ensure proper detection of any Red Flags, all customers must provide at least the following information/documentation before any new covered account will be opened:

1. Full Name;

2. Date of birth (individual);

3. Address, (a residential or business street address for an individual; for an individual who does not have a residential or business street address, an Army Post Office (APO) or Fleet Post Office (FPO) box number, or the residential or business street address of next of kin or of another contact individual; or for a person other than an individual (such as a corporation, partnership, or trust), a principal place of business, local office, or other physical location; and;

4. Identification number, which shall be: (i) For a U.S. person, a taxpayer identification number; or (ii) For a non-U.S. person, one or more of the following: a taxpayer identification number; passport number and country of issuance; alien identification card number; or number and country of issuance of any other government-issued document evidencing nationality or residence and bearing a photograph or similar safeguard.

   For any account holder of a covered account for which the above information is not already on file at the City of Dover, the customer will be contacted within a reasonable period of time after discovering the missing information to obtain the necessary information.

   To assist with detection of Red Flags, the City of Dover will implement the appropriate computer programs tailored to the City of Dover business needs to help authenticate customers, monitor transactions, and change of address requests.

B. Preventing and Mitigating Identity Theft

In the event a Red Flag is detected, the City of Dover is committed to preventing the occurrence of identity theft and taking the appropriate steps to mitigate any harm caused thereby. In order to respond appropriately to the detection of a Red Flag, the City of Dover shall consider any aggravating circumstance(s) that may heighten the risk of identity theft. After assessing the degree of risk posed, the City of Dover will respond to the Red Flag in an appropriate manner, which may include:

1. Monitoring a covered account for evidence of identity theft;
2. Contacting the customer;
3. Changing any passwords, security codes, or other security devices that permit access to a covered account;
4. Reopening a covered account with a new account number;
5. Not opening a new covered account;

6. Closing an existing covered account;
7. Withholding service,
8. Not attempting to collect on a covered account or not selling a covered account to a debt collector;
9. Notifying law enforcement; or
10. Determining that no response is warranted under the particular circumstances.

All incidents and resolutions shall be tracked and documented. Internal incident form and tracking report are attached as a part of this policy.

For the protection of our customers, all service providers hired by the City of Dover to perform any activity in connection with any covered account must also take appropriate steps to prevent identity theft. To this end, the City of Dover will only contract with service providers that have implemented and follow a similar identity theft prevention policy.

TRAINING EMPLOYEES IN IDENTITY THEFT PREVENTION

A. Employees to be trained

Training will be provided to all employees that work with covered accounts and/or who handle sensitive personal identification information to enable them to detect, prevent and mitigate theft identity.

B. Training Materials

The following workbooks, which are made a part of this policy, will be used for periodic policy assessment and training tools:

1. *Identity Theft Prevention Programs in American Utilities: Guidelines for Compliance with Red Flags – Employee Workbook for Safeguarding Customer Information.*

2. *Identity Theft Prevention Programs in American Utilities: Guidelines for Compliance with Red Flags – Employee Workbook for Safeguarding Customer Information Supervisor Edition.*

PROGRAM UPDATES

The City of Dover is committed to maintaining an Identity Theft Prevention Policy that is current with the ever-changing crime of identity theft. To that end, the City will reassess this policy on an annual basis, or as necessary. In reassessing this policy, the City of Dover will add/delete Red Flags, as necessary, to reflect changes in risks to customers or to the safety and soundness of the City of Dover from identity theft. The determination to make changes to this policy will be within the discretion of the responsible parties, identified in this policy, but after careful consideration of the following:

1. The City of Dover's past experience(s) with identity theft;

2. Changes in methods of identity theft;

3. Changes in methods to detect, prevent, and mitigate identity theft;

4. Changes in the types of accounts that the City of Dover offers or maintains; and

5. Changes in the business arrangements of the City of Dover, including mergers, acquisitions, alliances, joint ventures, and service provider arrangements.

ADDITIONAL LEGAL REQUIREMENTS

A. Consumer Addresses

1. Address Confirmation

The City of Dover shall furnish the consumer's address that has been reasonably confirmed as accurate to credit reporting agencies as part of the information that the City of Dover regularly furnishes for the reporting period in which the City of Dover establishes a relationship with the customer. In an effort to ensure that the City maintains accurate address information for its customers and to ensure the City of Dover provides accurate address information of our customer to reporting agencies, at least one of the following steps must be taken prior to providing the customer's address to the consumer reporting agency:

a. Verify the address on file with the customer;
b. Confirm the address being sent to the credit reporting agency matches the address the City of Dover has on file for that particular customer;
c. Compare the address with information received from any third-party source; or
d. Verify by other means that are reasonably available at the time.

2. Address Discrepancies

Because the City of Dover is a user of consumer credit reports, at least one of the following steps must be taken when the City receives notice from any credit reporting agency that a substantial difference exists between the address for the customer that the City of Dover provided and the address(es) in the credit reporting agency's file for that particular customer:

a. Compare the differing address with the City of Dover 's file, by either (1) confirming that the address information provided by the City to the credit reporting agency is the same information the City of Dover obtains and uses to verify the customer's identity in accordance with the requirements of the Customer Information Program (CIP) rules (31 USC 5318(1) (31 CPR 103.121»; or (2) comparing the differing addresses with the City of Dover records and files, including applications, change of address notifications, other customer account records, or retained CIP documentation; or (3) comparing the differing addresses with information the City of Dover may have received from a third-party source; or
b. Verify the information in the credit report provided by the credit reporting agency with the customer.

B. Other requirements should be addressed below based on entity type

Examples:

a. Implementing any requirements for furnishers of information to consumer reporting agencies under 15 U.S.C. 1681s-2 (Fair Credit Reporting Act, which imposes responsibilities on all persons who furnish information to consumer reporting agencies), for example, to correct or update inaccurate or incomplete information, and to not report information that the furnisher has reasonable cause to believe is inaccurate; and
b. Complying with 15 U.S.C. l681m, of the Fair Credit Reporting Act, which prohibits the sale, transfer, and placement for collection of certain debts resulting from identity theft.

Consumer ID Theft Incident Report

(for internal use only)

Victim Information

1) My full legal name is _____
(First) (Middle) (Last) (Jr., Sr., III)

2) (If different from above) When the events described in this affidavit took place I was known as _____
_____
(First) (Middle) (Last) (Jr., Sr., III)

3) My date of birth is _____
(day/month/year)

4) My Social Security number is _____

5) My driver's license or identification card state and number are _____

6) My current address is _____

City _____ State _____ Zip Code _____

7) I have lived at this address since _____
(month/year)

8) (If different from above) When the events described in this affidavit took place, my address was _____
_____

City _____ State _____ Zip Code _____

9) I lived at the address in Item 8 from _____ until _____
(month/year) (month/year)

10) My daytime telephone number is (_____) _____
My evening telephone number is (_____) _____

City of Dover

Identity Theft Prevention Tracking Report

Date	Scope	Employee	Employee Trained	Describe Incident or "Significant Event"	Management Response	Mitigation

(FOR INTERNAL USE ONLY)

FINAL READING

CITY OF DOVER PROPOSED ORDINANCE #2009-07

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

The amounts hereinafter named in various City funds are changed from the currently approved revenues/receipts and appropriations to the revised revenues/receipts and revised appropriations for use by the various departments of the Municipal Government for:

2008-2009 BUDGET ORDINANCES
GENERAL FUND
CASH RECEIPTS AND BUDGET FOR 2008-2009

CASH RECEIPTS ESTIMATES	Info Only 2008/09 BUDGET	*Revised* 2008/09 BUDGET
ITEMS		
PRIOR YEAR BALANCE	3,910,144	4,227,059
FINES AND POLICE REVENUE	671,000	565,410
911 FEE	64,000	64,000
INVESTMENT INCOME	234,000	234,000
LIBRARY REVENUES	59,873	59,873
KENT COUNTY BOOK REIMBURSEMENT	459,000	459,000
BUSINESS LICENSES	1,450,000	1,385,000
PERMITS AND OTHER LICENSES	1,120,000	1,104,500
MISCELLANEOUS CHARGES	54,250	54,250
POLICE EXTRA DUTY	393,169	393,169
PROPERTY TAXES	10,042,473	10,000,464
BID REVENUE	53,264	52,692
RECREATION REVENUE	187,000	150,000
FRANCHISE FEE	426,220	426,220
TRASH FEES	1,246,411	1,246,411
DSWA TRASH FEE REBATE	170,000	172,385
RENT REVENUE - GARRISON FARM	41,535	41,535
COURT OF CHANCERY FEES	815,860	650,000
INTRAFUND SERVICE RECEIPTS W/WW	1,057,212	1,038,884
INTRAFUND SERVICE RECEIPTS ELECTRIC	3,704,510	3,644,549
GRANTS:		
POLICE RELATED	40,000	40,000
CAPITAL SCHOOL DISTRICT REVENUE	37,440	37,440
RECREATION GRANTS	25,000	25,000
TRANSFERS FROM:		
TRANSFER TAX	2,650,222	1,400,000
MUNICIPAL STREET AID	710,346	790,264
CIVIL TRAFFIC PENALTIES	500,000	500,000
WATER/WASTEWATER	564,810	564,810
ELECTRIC	6,758,100	6,758,100
WORKER'S COMP FUND	100,000	-
TOTALS	**37,545,839**	**36,085,015**

44	**2008-2009 BUDGET ORDINANCES**		
45	**GENERAL FUND - CONTINUED**		
46	**EXPENSE SUMMARY**	**Info Only**	***Revised***
47		**2008/09**	**2008/09**
48		**BUDGET**	**BUDGET**
49	**DEPARTMENT EXPENSES:**		
50	CITY CLERK	312,576	303,830
51	COUNCIL	136,822	134,030
52	TAX ASSESSOR	680,736	611,925
53	FIRE	722,865	710,814
54	GROUNDS MAINTENANCE	1,146,864	1,133,239
55	LIBRARY	1,170,556	1,156,031
56	RECREATION	868,159	837,927
57	LIFE SAFETY	324,571	311,149
58	CODE INFORCEMENT	382,605	342,875
59	PLANNING	484,408	434,245
60	INSPECTIONS	551,635	528,707
61	ECONOMIC DEVELOPMENT	312,977	292,704
62	POLICE	12,481,983	12,316,081
63	POLICE EXTRA DUTY	452,280	449,516
64	STREETS	855,519	846,989
65	SANITATION	2,210,834	2,105,695
66	CITY MANAGER	582,427	567,032
67	INFORMATION TECHNOLOGY	888,491	871,742
68	FINANCE	795,165	793,676
69	PUBLIC SERVICES - ADMINISTRATION	359,262	348,682
70	FACILITIES MANAGEMENT	1,127,854	1,100,830
71	CENTRAL SERVICES	763,684	751,005
72	FLEET MAINTENANCE	699,564	689,863
73	CUSTOMER SERVICES	994,719	964,422
74	HUMAN RESOURCES	434,120	456,031
75	MAYOR	98,012	95,522
76	**OTHER EXPENSES:**		
77	DEBT SERVICE	442,319	442,319
78	INSURANCE	500,000	515,000
79	RETIREES HEALTH CARE	853,987	806,187
80	RETIREES PAYMENTS	100,000	100,000
81	UNCOLLECTIBLES - TRASH AND OTHER	10,000	10,000
82	STREET LIGHTS	985,000	985,000
83	TRANSFER TO CAPITAL FUND - PROJECTS	1,884,497	1,044,184
84	TRANSFER TO CAPITAL FUND - RESERVE	200,000	200,000
85	TRANSFER TO CDBG FUND	11,000	11,000
86	CURRENT YEAR BALANCE	2,720,348	2,816,763
87	**TOTALS**	**37,545,839**	**36,085,015**

88	**2008-2009 BUDGET ORDINANCES**		
89	**GENERAL CONTINGENCY FUND**		
90	**CASH RECEIPTS ESTIMATE/EXPENSE SUMMARY**		
91	**CASH RECEIPTS ESTIMATES**	**Info Only**	***Revised***
92		**2008/09**	**2008/09**
93		**BUDGET**	**BUDGET**
94	**ITEMS**		
95	BEGINNING BALANCE	679,754	717,211
96	**TOTALS**	**679,754**	**717,211**
97	**EXPENSE SUMMARY**		
98	**ITEMS**		
99	CARRY FORWARD TO NEXT YEAR	679,754	717,211
100	**TOTALS**	**679,754**	**717,211**

101	**2008-2009 BUDGET ORDINANCES**		
102	**GOVERNMENTAL CAPITAL PROJECTS FUND**		
103	**CASH RECEIPTS AND BUDGET FOR 2008-2009**		
104	**CASH RECEIPTS ESTIMATES**	**Info Only**	***Revised***
105		**2008/09**	**2008/09**
106		**BUDGET**	**BUDGET**
107	**ITEMS**		
108	BEGINNING BALANCE	185,000	811,017
109	STATE GRANTS	-	600,000
110	INTEREST EARNINGS	65,000	65,000
111	RECREATION GRANTS	440,000	468,500
112	TRANSFER FROM GENERAL FUND	1,884,497	1,044,184
113	TRANSFER FROM PARKLAND RESERVE (JWP CNTR)	-	40,000
114	TRANSFER FROM LIBRARY RESERVE	1,200,000	600,000
115	**TOTALS**	**3,774,497**	**3,628,701**
116	**EXPENSE SUMMARY**		
117	**ITEMS**		
118	FIRE	296,210	312,533
119	GROUNDS MAINTENANCE	109,500	210,413
120	LIBRARY	1,200,000	1,200,000
121	RECREATION	500,000	595,704
122	LIFE SAFETY	4,200	4,200
123	POLICE	346,126	127,628
124	STREETS	704,170	295,922
125	SANITATION	315,000	315,000
126	INFORMATION TECHNOLOGY	110,915	87,704
127	PUBLIC SERVICES - ADMINISTRATION	38,380	38,193
128	FACILITIES MANAGEMENT	140,000	75,000
129	CENTRAL SERVICES	9,996	25,996
130	CURRENT YEAR BALANCE	-	340,408
131	**TOTALS**	**3,774,497**	**3,628,701**

132	**2008-2009 BUDGET ORDINANCES**		
133	**GENERAL CAPITAL ASSET REPLACEMENT FUND**		
134	**CASH RECEIPTS/REVENUES AND BUDGET FOR 2008-2009**		
135	**CASH RECEIPTS ESTIMATES**	**Info Only**	***Revised***
136		**2008/09**	**2008/09**
137		**BUDGET**	**BUDGET**
138	**ITEMS**		
139	BEGINNING BALANCE	34,776	35,074
140	TRANSFER FROM GENERAL FUND	200,000	200,000
141	**TOTALS**	**234,776**	**235,074**
142	**EXPENSE SUMMARY**		
143	**ITEMS**		
144	CARRY FORWARD TO NEXT YEAR	234,776	235,074
145	**TOTALS**	**234,776**	**235,074**

146	**2008-2009 BUDGET ORDINANCES**		
147	**WATER/WASTEWATER FUND**		
148	**REVENUE AND BUDGET FOR 2008-2009**		
149	**CASH RECEIPTS ESTIMATES**	**Info Only**	***Revised***
150		**2008/09**	**2008/09**
151		**BUDGET**	**BUDGET**
152	**ITEMS**		
153	PRIOR YEAR BALANCE - WATER	449,977	782,546
154	PRIOR YEAR BALANCE - WASTEWATER	643,949	613,583
155	PRIOR YEAR BALANCE - KCSA	(364,750)	(545,326)
156	WATER FEES	4,386,862	4,299,000
157	WASTEWATER FEES	2,533,686	2,495,000
158	WASTEWATER ADJUSTMENT FEES	4,307,001	3,910,369
159	WATER TANK SPACE LEASING	250,275	250,275
160	SEWER IMPACT FEES	712,500	630,000
161	WATER IMPACT FEES	196,000	125,000
162	INTEREST EARNINGS	104,000	75,000
163	MISCELLANEOUS SERVICE FEE	61,000	71,000
164	TRANSFER FROM CAPITAL ASSET RESERVE WW	200,000	-
165	**TOTALS**	**13,480,500**	**12,706,447**

166	**2008-2009 BUDGET ORDINANCES**		
167	**WATER/WASTEWATER FUND - CONTINUED**		
168	**EXPENSE SUMMARY**	**Info Only**	***Revised***
169		**2008/09**	**2008/09**
170		**BUDGET**	**BUDGET**
171	**DIRECT EXPENSES:**		
172	ENGINEERING & INSPECTION	705,585	700,372
173	WATER CONSTRUCTION	516,094	510,343
174	WATER DEPARTMENT	496,569	473,292
175	WATER TREATMENT PLANT	1,377,268	1,347,238
176	WASTEWATER DEPARTMENT	1,222,541	1,105,809
177	METER READING	73,577	72,816
178	KENT COUNTY TREATMENT CHARGE	3,644,430	3,435,430
179	**DIRECT EXPENDITURE SUBTOTALS**	**8,036,064**	**7,645,300**
180	**OTHER EXPENSES:**		
181	DEBT SERVICE - WATER	501,360	469,860
182	DEBT SERVICE - WASTEWATER	334,240	365,740
183	RETIREES HEALTH CARE	128,515	119,455
184	INTRAFUND SERVICE FEES	1,320,565	1,302,782
185	ARBITRAGE PAYMENT 60/40 Water		71,436
186	TRANSFER TO:		
187	GENERAL FUND FROM WATER	221,204	221,204
188	GENERAL FUND FROM WASTEWATER	343,606	343,606
189	WATER IMP AND EXT	500,000	500,000
190	WASTEWATER IMP AND EXT	200,000	200,000
191	SEWER IMPACT FEE RESERVE	378,260	264,260
192	CURRENT YEAR BALANCE WATER	638,998	867,310
193	CURRENT YEAR BALANCE WASTEWATER	579,867	405,881
194	CURRENT YEAR BALANCE KCSA	297,821	(70,387)
195	**OTHER EXPENSES SUBTOTALS**	**3,927,750**	**3,858,343**
196	**TOTALS**	**13,480,500**	**12,706,447**

197	**2008-2009 BUDGET ORDINANCES**		
198	**WATER/WASTEWATER CONTINGENCY FUND**		
199	**CASH RECEIPTS/REVENUES AND BUDGET FOR 2008-2009**		
200	**CASH RECEIPTS ESTIMATES**	**Info Only**	**Revised**
201		**2008/09**	**2008/09**
202		**BUDGET**	**BUDGET**
203	**ITEMS**		
204	PRIOR YEAR BALANCE - WATER	111,391	114,395
205	PRIOR YEAR BALANCE - WASTEWATER	126,128	127,863
206	INTEREST EARNINGS	8,313	8,313
207	**TOTALS**	**245,832**	**250,571**
208	**BUDGET SUMMARY**		
209	**ITEMS**		
210	CURRENT YEAR BALANCE - WATER	115,541	118,545
211	CURRENT YEAR BALANCE - WASTEWATER	130,291	132,026
212	**TOTALS**	**245,832**	**250,571**

213	**2008-2009 BUDGET ORDINANCES**		
214	**WATER/WASTEWATER IMPROVEMENT & EXTENSION FUND**		
215	**CASH RECEIPTS/REVENUES AND BUDGET FOR 2008-2009**		
216	**CASH RECEIPTS ESTIMATES**	**Info Only**	***Revised***
217		**2008/09**	**2008/09**
218		**REVISED**	**BUDGET**
219	**ITEMS**		
220	PRIOR YEAR BALANCE - WATER	275,134	1,446,695
221	PRIOR YEAR BALANCE - WASTEWATER	284,969	713,799
222	TRANS FR WATER OPERATING FUND	2,660,500	500,000
223	TRANS FR WASTEWATER OPERATING FUND	775,300	200,000
224	TRANS FR WASTEWATER IMPACT FEE RESERVE	850,000	644,217
225	TRANS FR WATER CAPITAL ASSET RESERVE	-	1,000,000
226	TRANS FR WASTEWATER CAPITAL ASSET RESERVE	-	500,000
227	MISCELLANEOUS RECEIPTS	12,986	-
228	DEVELOPER CONTRIBUTIONS	20,000	-
229	DEMA GRANT - WATER GENERATORS FOR WELLS	140,000	140,000
230	INTEREST INCOME	24,000	36,000
231	**TOTALS**	**5,042,889**	**5,180,711**
232	**EXPENSE SUMMARY**		
233	**ITEMS**		
234	WATER	2,096,857	2,636,572
235	WASTEWATER	1,006,481	1,451,053
236	WATER METER READING	5,648	-
237	WATER TREATMENT PLANT	18,150	-
238	WATER CONSTRUCTION	39,450	29,000
239	ENGINEERING & INSPECTION	48,450	15,445
240	CURRENT YEAR BALANCE - WATER	912,621	431,400
241	CURRENT YEAR BALANCE - WASTEWATER	915,232	617,241
242	**TOTALS**	**5,042,889**	**5,180,711**

243	**2008-2009 BUDGET ORDINANCES**		
244	**WATER/WASTEWATER CAPITAL ASSET RESERVE ACCOUNT**		
245	**CASH RECEIPTS/REVENUES AND BUDGET FOR 2008-2009**		
246	**CASH RECEIPTS ESTIMATES**	**Info Only**	***Revised***
247		**2008/09**	**2008/09**
248		**BUDGET**	**BUDGET**
249	**ITEMS**		
250	BEGINNING BALANCE WATER	1,678,380	1,169,504
251	BEGINNING BALANCE WASTEWATER	-	550,354
252	INTEREST EARNINGS - WATER	58,744	29,238
253	INTEREST EARNINGS - WASTEWATER	-	13,759
254	**TOTALS**	**1,737,124**	**1,762,855**
255	**BUDGET SUMMARY**		
256	**ITEMS**		
257	TRANSFER TO I &E FUND FOR WATER	-	1,000,000
258	TRANSFER TO I &E FUND FOR WASTEWATER	-	500,000
259	TRANSFER TO WASTEWATER OPERATIONS	200,000	-
260	CARRY FORWARD TO NEXT YEAR WATER	1,160,455	198,742
261	CARRY FORWARD TO NEXT YEAR WASTEWATER	376,669	64,113
262	**TOTALS**	**1,737,124**	**1,762,855**

263	**2008-2009 BUDGET ORDINANCES**		
264	**ELECTRIC REVENUE FUND**		
265	**REVENUE AND BUDGET FOR 2008-2009**		
266	**BASE REVENUE**	**Info Only**	***Revised***
267		**2008/09**	**2008/09**
268		**BUDGET**	**BUDGET**
269	**ITEMS**		
270	PRIOR YEAR BALANCE	6,816,609	10,680,522
271	DIRECT SALES TO CUSTOMER	92,081,400	98,527,100
272	PURCHASE POWER ADJUSTMENT	6,445,700	-
273	UTILITY TAX	1,763,500	1,763,500
274	GREEN ENERGY	137,600	137,600
275	MISCELLANEOUS REVENUE	1,041,000	1,041,000
276	RENT REVENUE	186,816	186,816
277	EMISSION CREDIT SALES	1,632,000	274,267
278	INTRAFUND SERVICE RECEIPTS W/WW FUND	263,353	263,898
279	REIMBURSEMENT OF BOND ISSUANCE COST	-	222,690
280	INTEREST EARNINGS	418,000	325,000
281	**TOTALS**	**110,785,978**	**113,422,393**

282	**2008-2009 BUDGET ORDINANCES**		
283	**ELECTRIC REVENUE FUND - CONTINUED**		
284	**EXPENSE SUMMARY**	**Info Only**	***Revised***
285		**2008/09**	**2008/09**
286		**BUDGET**	**BUDGET**
287	**ITEMS**		
288	POWER SUPPLY	63,410,077	63,410,077
289	POWER SUPPLY MANAGEMENT	3,088,808	3,088,808
290	PJM CHARGES - LOAD	3,510,195	3,510,195
291	CAPACITY CHARGES	10,692,738	10,692,738
292	**SUBTOTAL POWER SUPPLY**	**80,701,818**	**80,701,818**
293	PLANT OPERATIONS	5,921,646	5,921,646
294	GENERATIONS FUELS	2,382,179	2,382,179
295	PJM CREDITS	(2,552,753)	(2,552,753)
296	CAPACITY CREDITS	(9,265,997)	(9,265,997)
297	**GENERATION SUBTOTAL**	**(3,514,925)**	**(3,514,925)**
298	**POWER SUPPLY & GENERATION SUBTOTAL**	**77,186,893**	**77,186,893**
299	TRANSITION COSTS		
300	TRANSMISSION/DISTRIBUTION	3,680,134	3,631,559
301	ELECTRICAL ENGINEERING	1,668,347	1,634,201
302	ADMINISTRATION	662,515	649,062
303	METER READING	293,494	290,176
304	SYSTEMS OPERATIONS	553,954	575,443
305	UTILITY TAX	1,763,500	1,763,500
306	**DIRECT EXPENDITURE SUBTOTALS**	**85,808,837**	**85,730,834**
307	**OTHER EXPENSES:**		
308	ALLOW FOR UNCOLLECTIBLES	135,000	135,000
309	RETIREES HEALTH CARE	557,727	519,999
310	GREEN ENERGY PAYMENT TO DEMEC	137,600	137,600
311	INTRAFUND SERVICE FEES	3,704,510	3,644,549
312	INTEREST ON DEPOSITS	42,000	54,500
313	INVENTORY WRITE OFFS	175,000	175,000
314	BOND ISSUANCE COSTS	-	222,690
315	DEBT SERVICE	3,431,323	4,055,023
316	TRANSFER TO:		
317	IMPROVEMENT & EXTENSION	1,684,000	1,684,000
318	GENERAL FUND	6,758,100	6,758,100
319	CURRENT YEAR BALANCE	8,351,881	10,305,098
320	**TOTALS**	**110,785,978**	**113,422,393**

321	**2008-2009 BUDGET ORDINANCES**		
322	**ELECTRIC UTILITY IMPROVEMENT AND EXTENSION FUND**		
323	**CASH RECEIPTS/REVENUES AND BUDGET FOR 2008-2009**		
324	**CASH RECEIPTS ESTIMATES**	**Info Only**	***Revised***
325		**2008/09**	**2008/09**
326		**BUDGET**	**BUDGET**
327	**ITEMS**		
328	PRIOR YEAR BALANCE	229,629	1,870,644
329	PRIOR YEAR BALANCE BOND	10,694,083	302,327
330	INTEREST EARNINGS	113,037	113,037
331	RECEIPT FROM DEPRECIATION RESERVE	2,000,000	2,000,000
332	RECEIPT FROM FUTURE CAPACITY RESERVE	3,000,000	-
333	STATE REIMBURSEMENT FOR SR1 & SR9	-	95,420
334	STATE REIMBURSEMENT FOR GOVS AVE	805,558	710,318
335	DEMA GRANT FOR SECURITY SYSTEM	50,000	50,000
336	GREEN ENERGY GRANT FOR PHOTOVOLTAIC	-	65,820
337	BOND ISSUE 2008	-	15,293,600
338	TRANSFER FROM ELECTRIC	1,684,000	1,684,000
339	**TOTALS**	**18,576,307**	**22,185,166**
340	**EXPENSE SUMMARY**		
341	**ITEMS**		
342	ELECTRIC GENERATION	2,690,000	3,370,555
343	TRANSMISSION AND DISTRIBUTION	933,500	932,698
344	ELECTRICAL ENGINEERING	9,556,887	15,042,107
345	CURRENT YEAR BALANCE	5,395,920	1,461,548
346	CURRENT YEAR BALANCE -BOND	-	1,378,258
347	**TOTALS**	**18,576,307**	**22,185,166**

348	**2008-2009 BUDGET ORDINANCES**		
349	**ELECTRIC CONTINGENCY RESERVE ACCOUNT**		
350	**SOURCES AND USES OF FUNDS FOR 2008-2009**		
351	**SOURCE OF FUNDS**	**Info Only**	***Revised***
352		**2008/09**	**2008/09**
353		**BUDGET**	**BUDGET**
354	**ITEMS**		
355	BEGINNING BALANCE	876,632	894,169
356	INTEREST EARNINGS	30,700	30,700
357	**TOTALS**	**907,332**	**924,869**
358	**BUDGET SUMMARY**		
359	**ITEMS**		
360	CARRY FORWARD TO NEXT YEAR	907,332	924,869
361	**TOTALS**	**907,332**	**924,869**

362	**2008-2009 BUDGET ORDINANCES**		
363	**ELECTRIC DEPRECIATION RESERVE ACCOUNT**		
364	**SOURCES AND USES OF FUNDS FOR 2008-2009**		
365	**SOURCE OF FUNDS**	**Info Only**	***Revised***
366		**2008/09**	**2008/09**
367		**BUDGET**	**BUDGET**
368	**ITEMS**		
369	PRIOR YEAR BALANCE	9,144,804	9,451,663
370	INTEREST EARNINGS	250,100	250,100
371	**TOTALS**	**9,394,904**	**9,701,763**
372	**BUDGET SUMMARY**		
	ITEMS		
373	TRANSFER TO IMPROVEMENT AND EXTENSION	2,000,000	2,000,000
374	CURRENT YEAR BALANCE	7,394,904	7,701,763
375	**TOTALS**	**9,394,904**	**9,701,763**

376	**2008-2009 BUDGET ORDINANCES**		
377	**FUTURE CAPACITY RESERVE ACCOUNT**		
378	**SOURCES AND USES OF FUNDS FOR 2008-2009**		
379	**SOURCE OF FUNDS**	**Info Only**	***Revised***
380		**2008/09**	**2008/09**
381		**BUDGET**	**BUDGET**
382	**ITEMS**		
383	PRIOR YEAR BALANCE	8,237,392	8,457,351
384	INTEREST EARNINGS	183,300	183,300
385	**TOTALS**	**8,420,692**	**8,640,651**
386	**BUDGET SUMMARY**		
387	**ITEMS**		
388	TRANSFER TO IMPROVEMENT AND EXTENSION	3,000,000	-
389	CURRENT YEAR BALANCE	5,420,692	8,640,651
390	**TOTALS**	**8,420,692**	**8,640,651**

391	**2008-2009 BUDGET ORDINANCES**		
392	**INSURANCE STABILIZATION RESERVE ACCOUNT**		
393	**SOURCES AND USES OF FUNDS FOR 2008-2009**		
394	**SOURCE OF FUNDS**	**Info Only**	***Revised***
395		**2008/09**	**2008/09**
396		**BUDGET**	**BUDGET**
397	**ITEMS**		
398	PRIOR YEAR BALANCE	363,555	370,802
399	INTEREST EARNINGS	12,700	12,700
400	**TOTALS**	**376,255**	**383,502**
401	**BUDGET SUMMARY**		
402	**ITEMS**		
403	CURRENT YEAR BALANCE	376,255	383,502
404	**TOTALS**	**376,255**	**383,502**

405	**2008-2009 BUDGET ORDINANCES**		
406	**ELECTRIC RATE STABILIZATION RESERVE ACCOUNT**		
407	**SOURCES AND USES OF FUNDS FOR 2008-2009**		
408	**SOURCE OF FUNDS**	**Info Only**	***Revised***
409		**2008/09**	**2008/09**
410		**BUDGET**	**BUDGET**
411	**ITEMS**		
412	PRIOR YEAR BALANCE	2,423,762	2,471,465
413	INTEREST EARNINGS	84,800	84,800
414	**TOTALS**	**2,508,562**	**2,556,265**
415	**BUDGET SUMMARY**		
416	**ITEMS**		
417	CURRENT YEAR BALANCE	2,508,562	2,556,265
418	**TOTALS**	**2,508,562**	**2,556,265**

419	**2008-2009 BUDGET ORDINANCES**		
420	**MUNICIPAL STREET AID FUND**		
421	**CASH RECEIPTS/REVENUES AND BUDGET FOR 2008-2009**		
422	**CASH RECEIPTS ESTIMATES**	**Info Only**	***Revised***
423		**2008/09**	**2008/09**
424		**BUDGET**	**BUDGET**
425	**ITEMS**		
426	BEGINNING BALANCE	446	153
427	STATE GRANT	710,000	789,918
428	**TOTALS**	**710,446**	**790,071**
429	**EXPENSE SUMMARY**		
430	**ITEMS**		
431	TRANSFER TO GENERAL FUND	710,346	790,264
432	CURRENT YEAR BALANCE	100	(193)
433	**TOTALS**	**710,446**	**790,071**

434	**2008-2009 BUDGET ORDINANCES**		
435	**WORKER'S COMPENSATION FUND**		
436	**CASH RECEIPTS/REVENUES AND BUDGET FOR 2008-2009**		
437	**CASH RECEIPTS ESTIMATES**	**Info Only**	***Revised***
438		**2008/09**	**2008/09**
439		**BUDGET**	**BUDGET**
440	**ITEMS**		
441	PRIOR YEAR BALANCE	1,236,346	1,380,282
442	INTEREST INCOME	37,000	37,000
443	PREMIUM FROM CITY	664,674	564,674
444	**TOTALS**	**1,938,020**	**1,981,956**
445	**EXPENSE SUMMARY**		
446	**ITEMS**		
447	PROGRAM EXPENSES/SUPPLIES	400,000	400,000
448	INSURANCE	93,400	93,400
449	BANK FEES	1,600	1,600
450	STATE OF DEL - SELF INSURANCE TAX	50,000	50,000
451	CONTRACTUAL SERVICES	32,000	32,000
452	TRANSFER TO GENERAL FUND FOR RETIREES	100,000	-
453	**TOTAL EXPENSES**	**677,000**	**577,000**
454	CURRENT YEAR BALANCE	1,261,020	1,404,956
455	**TOTALS**	**1,938,020**	**1,981,956**

456	**2008-2009 BUDGET ORDINANCES**		
457	**OTHER POST EMPLOYMENT BENEFITS FUND**		
458	**CASH RECEIPTS/REVENUES AND BUDGET FOR 2008-2009**		
459	**CASH RECEIPTS ESTIMATES**	**Info Only**	***Revised***
460		**2008/09**	**2008/09**
461		**BUDGET**	**BUDGET**
462	**ITEMS**		
463	PRIOR YEAR BALANCE	4,354,000	4,135,000
464	INTEREST INCOME	118,000	118,000
465	TRANSFER FROM GENERAL	380,440	380,440
466	TRANSFER FROM WATER/WASTEWATER	44,027	44,027
467	TRANSFER FROM ELECTRIC	75,085	75,085
468	**TOTALS**	**4,971,552**	**4,752,552**
469	**BUDGET SUMMARY**		
470	**ITEMS**		
471	CURRENT YEAR BALANCE	4,971,552	4,752,552
472	**TOTALS**	**4,971,552**	**4,752,552**

473	**2008-2009 BUDGET ORDINANCES**		
474	**COMMUNITY TRANSPORTATION IMPROVEMENT FUND**		
475	**CASH RECEIPTS/REVENUES AND BUDGET FOR 2008-2009**		
476	**CASH RECEIPTS ESTIMATES**	**Info Only**	***Revised***
477		**2008/09**	**2008/09**
478		**BUDGET**	**BUDGET**
479	**ITEMS**		
480	PRIOR YEAR BALANCE	308,414	289,812
481	GRANTS REVENUE	500,000	500,000
482	TRANSFER FR GOVERNMENTAL PROJECTS FUND	400,000	200,000
483	INTEREST INCOME	19,000	19,000
484	**TOTALS**	**1,227,414**	**1,008,812**
485	**BUDGET SUMMARY**		
486	**ITEMS**		
487	PROGRAM EXPENSES	900,000	900,000
488	CURRENT YEAR BALANCE	327,414	108,812
489	**TOTALS**	**1,227,414**	**1,008,812**

490	**2008-2009 BUDGET ORDINANCES**		
491	**PARKLAND/RECREATION RESERVE**		
492	**SOURCES AND USES OF FUNDS FOR 2008-2009**		
493	**SOURCE OF FUNDS**	**Info Only**	***Revised***
494		**2008/09**	**2008/09**
495		**BUDGET**	**BUDGET**
496	**ITEMS**		
497	PRIOR YEAR BALANCE	113,162	232,735
498	**TOTALS**	**113,162**	**232,735**
499	**BUDGET SUMMARY**		
500	**ITEMS**		
501	TRANSFER TO GENERAL CAPITAL PROJECTS FUND	-	40,000
502	CURRENT YEAR BALANCE	113,162	192,735
503	**TOTALS**	**113,162**	**232,735**

504	**2008-2009 BUDGET ORDINANCES**		
505	**LIBRARY RESERVE**		
506	**SOURCES AND USES OF FUNDS FOR 2008-2009**		
507	**SOURCE OF FUNDS**	**Info Only**	***Revised***
508		**2008/09**	**2008/09**
509		**BUDGET**	**BUDGET**
510	**ITEMS**		
511	PRIOR YEAR BALANCE	3,760,000	3,778,150
512	INTEREST INCOME	131,250	131,250
513	**TOTALS**	**3,891,250**	**3,909,400**
514	**BUDGET SUMMARY**		
515	**ITEMS**		
516	TRANSFER TO CAPITAL PROJECT FUND	1,200,000	600,000
517	CURRENT YEAR BALANCE	2,691,250	3,309,400
518	**TOTALS**	**3,891,250**	**3,909,400**

519 ADOPTED: APRIL 13, 2009