REGULAR COUNCIL MEETING

A G E N D A

June 9, 2008 - 7:30 P.M. - Council Chambers - City Hall - City of Dover

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

INVOCATION BY CHAPLAIN WALLACE DIXON

PLEDGE OF ALLEGIANCE

AGENDA ADDITIONS/DELETIONS

* **CONSENT AGENDA**

Those items on the Council Agenda which are considered routine and non-controversial shall be marked with an asterisk (*) and will be acted upon by a single roll call vote of the Council. There will be no separate discussion of these items unless a member of Council so requests, in which event the matter shall be removed from the Consent Agenda and considered a separate item.

* 1. Adoption of Minutes - Regular Council Meeting of May 27, 2008

2. Presentation - GFOA Distinguished Budget Award

3. Proclamations
   A. Flag Day
   B. Race Unity Day

4. Public Hearing - 2008/2009 Electric Revenue Fund Budget

5. Request for Extension of Rezoning Approval - Properties located on South West Street (Capital Scrap Yard), owned by the Downtown Dover Development Corporation. These properties, consisting of eight (8) parcels totaling $1.4601^{+/-}$ acres, were rezoned from C-3 (Service Commercial) to C-2A (Limited Central Commercial) on July 9, 2007.

6. Public Hearing/Final Reading - Proposed Zoning Text Amendment - Staff Substitute #1 for Ordinance #2008-25

   The First Reading of the following proposed ordinance was accomplished during the Council Meeting of April 28, 2008. Copies of the proposed ordinances are available at the entrance of the Council Chambers.

   A. APPENDIX B - ZONING, ARTICLE 3 - DISTRICT REGULATIONS, SECTION 27 - CORRIDOR OVERLAY ZONE 1 (COZ-1), SUBSECTION 27.62 - BUILDING PLACEMENT

7. Utility Committee Report - May 27, 2008
   A. 2030 Power Plant Development
      (Committee recommended that the City Manager be authorized to execute the Pace Global Asset Management Generation RFP as presented for an estimated expense of $160,000)
* B. Final Electric Cost of Service Study by Burns & McDonnell
      (Committee recommended acceptance of the rate adjustments as recommended by Burns & McDonnell)
* C. 2008 Comprehensive Plan Review: Utility Chapter
      (Review to be continued)
* D. PACE/NAES Monthly Report (April)
      (Committee recommended acceptance of the Report)

* 8. Legislative, Finance, and Administration Committee Report - May 27, 2008
   A. Downtown Dover BID - Assessment (Tax) Rate for Fiscal Year 2008-2009
      (Committee recommended approval of the Downtown Dover Business Improvement District (BID) - Assessment (Tax) Rate for FY 2008-2009 and adoption of the proposed budget ordinance) (See Item #14-B)
   B. Criminal Justice Council - Amendment to Title V Grant with Aid in Dover
      (Committee recommended approval of the amended grant budget as requested by Aid in Dover)
   C. Donation of $10,000 for Vietnam War Memorial and Discussion of Donation Policy
      (Tabled by Committee)

* 9. Special Parks, Recreation, and Community Enhancement Committee Report - May 27, 2008
   A. Boys and Girls Club - Status of Proposed Schutte Park Facility Location
      (Committee Action not Required)
   B. Cost Benefit Analysis - Animal Control Officer
      (Committee recommended approval of Staff's recommendations)
   C. 2008 Comprehensive Plan Review
      (Deferred by Committee)

10. Evaluation of Bids - Steel Poles for Feeders 3 & 4 - Phase 2

* 11. Appointment Recommended by Council President Kenneth L. Hogan - Kent County Strategic Fund Development Advisory Committee - Mayor Carleton E. Carey, Sr.

* 12. Appointments Recommended by Mayor Carleton E. Carey, Sr. - Downtown Dover Partnership

* 13. Reappointments - Recommended by Mayor Carleton E. Carey, Sr.
   A. Board of Adjustment - Arthur G. Ericson - Three Year Term to Expire July 2011
   B. Dover Parking Authority - Ronald G. Poliquin - Five Year Term to Expire July 2013
   C. Public Advisory Committee of the Dover-Kent County MPO - William R. Saunders - Two Year Term to Expire July 2010
   D. Ethics Commission - Thomas C. Jackson - Five Year Term to Expire July 31, 2013
   E. Historic District Commission - Three Year Terms to Expire July 26, 2011
      e-1. C. Terry Jackson, Resident
      e-2. James D. McNair, II, Profession
      e-3. Joseph McDaniel, Business Representative

14. First Reading - Proposed Ordinances

The First Reading is offered on the following proposed ordinances. Final action by Council will take place during the Second Reading of the ordinances on June 23, 2008. Copies of all proposed ordinances are available at the entrance of the Council Chambers or can be obtained from the City Clerk's Office.

A. Budget Ordinances - 2007/2008 Revised and 2008/2009 City of Dover Budget
   - a-1. General Fund - Cash Receipts and Budget
   - a-2. Governmental Capital Projects Fund - Cash Receipts/ Revenues and Budget
   - a-3. General Fund Contingency - Cash Receipts/Revenue and Budget
   - a-4. Municipal Street Aid Fund - Cash Receipts/Revenue and Budget
   - a-5. Water/Wastewater Fund - Revenue and Budget
   - a-6. Water/Wastewater Improvement and Extension Fund - Cash Receipts/Revenue and Budget
   - a-7. Water/Wastewater Capital Asset Reserve Account - Cash Receipts/Revenue and Budget
   - a-8. Water/Wastewater Contingency Reserve Account - Cash Receipts/Revenue and Budget
   - a-9. Electric Revenue Fund - Revenue and Budget
   - a-10. Electric Utility Improvement and Extension Fund - Cash Receipts/Revenue and Budget
   - a-11. Electric Utility Contingency Reserve Account - Cash Receipts/Revenue and Budget
   - a-12. Electric Utility Depreciation Reserve Account - Sources and Uses of Funds
   - a-13. Electric Utility Future Capacity Account - Sources and Uses of Funds
   - a-14. Electric Utility Insurance Stabilization Account - Sources and Uses of Funds
   - a-15. Electric Utility Rate Stabilization Account - Sources and Uses of Funds
   - a-16. Workers Compensation Fund - Cash Receipts/Revenue and Budget
   - a-17. Community Transportation Improvement Fund - Cash Receipts/Revenue and Budget
   - a-18. OPEB (Other Post-Retirement Benefits) Reserve Fund - Cash Receipts/Revenues and Budget
   - a-19. Parkland/Recreation Reserve Account - Cash Receipts/Revenues and Budget
   - a-20. Library Reserve Account - Cash Receipts/Revenues and Budget
   - a-21. Pay for Performance (P.F.P) Calculation Worksheet - Non-Bargaining Employees

B. Downtown Dover Business Improvement District - Cash Receipts/Budget FY 2008-2009

C. Chapter 22 - Buildings and Building Regulations
   (Tabled During the Council Meeting of May 27, 2008)
   - c-1. Article III- Building Code, Section 22-65 - Permit Fees
   - c-2. Article V - Mechanical Code, Section 22-145 - Heating, Air Conditioning, and Heat Pump Permit Fees
   - c-3. Article VI - Plumbing Code, Section 22-185 - Permit Fees
   - c-4. Article IX Lodging Houses, Section 22-301 - Generally
   - c-5. Article X Rental Dwellings, Section 22-351. Generally

D. Chapter 26 - Businesses, Article II - Licenses, Section 26-35 - License Required; Fees
   (Tabled During the Council Meeting of May 27, 2008)

E. Chapter 46 - Fire Prevention and Protection
   (Tabled During the Council Meeting of May 27, 2008)
   - e-1. Article III - Fire Codes, Section 46-126 - Fire Prevention Permit, New Paragraph (e) - Final Inspections Fee
   - e-2. Article IV - Public Occupancies, Section 46-164 - Fees and Section 46-168 - Reinspection Fee, Paragraph (a) - Amount

F. Chapter 66 - Manufactured Homes and Trailers, Section 66-2 - License
   (Tabled During the Council Meeting of May 27, 2008)

G. Appendix A - Subdivisions
   (Tabled During the Council Meeting of May 27, 2008)
   - g-1. Article IV - Subdivision–Procedure
     - g-1-i. Section A - Preapplication, Paragraph 1
     - g-1-ii. Section B - Preliminary Layout, Paragraph 2
     - g-1-iii. Section C - Plat, Paragraph 3

15. First Reading - Proposed Zoning Text Amendment
The First Reading is offered on the following proposed ordinances. Since they are amendments to the Zoning Code, they are recommended for referral to the Planning Commission on July 21, 2008, and that a Public Hearing be set for July 28, 2008 at 7:30 p.m. and that the Second Reading and Final Action by Council take place at that time. Copies of all proposed ordinances are available at the entrance of the Council Chambers or can be obtained from the City Clerk's Office. ***(Tabled During the Council Meeting of May 27, 2008)***

A. Appendix B - Zoning
- a-1. Article 3 - District Regulations Section 24 - Planned Neighborhood Design
  - a-1-i. Subsection 24.2 - Review Process
  - a-1-ii. Subsection 24.8 - Conditional Use Plan Approval, Subsection 24.81
  - a-1-iii. Section 24.9 - Site Development Preliminary Subdivision Plan Review, Subsection 24.91
  - a-1-iv. Section 24.10 - Final Subdivision Plat Approval, Subsection 24.101
- a-2. Article 8 - Enforcement and Penalties, Section 2 - Certificates of Occupancy, Subsection 2.4
- a-3. Article 9 - Board of Adjustment, Section 3 - Procedure, Subsection 3.5
- a-4. Article 10 - Planning Commission
  - a-4-i. Section 1 - Approval of Conditional Uses, Subsection 1.5 - Application, Paragraph 1.52
  - a-4-ii. Section 2 - Site Development Plan Approval, Subsection 2.45 -Fees

16. Council Members Announcements

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REGULAR COUNCIL MEETING

The Regular Council Meeting was held on May 27, 2008 at 7:30 p.m. with Council President Hogan presiding. Council members present were Mr. Leary, Mrs. Russell, Mr. McGlumphy, Mr. Slavin, Mr. McGiffin, Mrs. Williams, Mr. Salters, and Mr. Ruane.

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

OPEN FORUM

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

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

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

AGENDA ADDITIONS/DELETIONS

Mr. Salters moved for approval of the agenda as presented, seconded by Mr. Slavin and unanimously carried.

Council President Hogan noted that staff has requested that item #8A - Proposed Fee Increases and New Fees, be removed from the consent agenda.

Mr. Ruane requested that item #11A (a-1), Tax Appeal - Beulah Gray, be removed from the consent agenda.

Mr. Leary moved for approval of the consent agenda as amended, seconded by Mr. Slavin and carried by a unanimous roll call vote.

ADOPTION OF MINUTES - COUNCIL WORKSHOP OF MAY 5, 2008

The Minutes of the Council Workshop of May 5, 2008 were unanimously approved by motion of Mr. Leary, seconded by Mr. Slavin and bore the written approval of Mayor Carey.

ADOPTION OF MINUTES - REGULAR COUNCIL MEETING OF MAY 12, 2008

The Minutes of the Regular Council Meeting of May 12, 2008 were unanimously approved by motion of Mr. Leary, seconded by Mr. Slavin and bore the written approval of Mayor Carey.

CERTIFICATE OF CONGRATULATIONS - CAMPUS COMMUNITY CHORUS

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

CERTIFICATE OF CONGRATULATIONS

Presented to

Campus Community
High School Choir

Congratulations on being awarded Choral Music Grand
Champions at the Fiestaval Celebration in Music 2008
held in Atlanta, Georgia

May 27, 2008

Mayor Carey presented the Certificate to Ms. Shannon Webb, Music Director, and Mr. Bob Bennett and Ms. Heidi Greene, Administrators, and members of the Chorus present.

Ms. Webb thanked the Mayor and Members of City Council for the recognition and members of the community for their support.

CERTIFICATE OF CONGRATULATIONS - DOVER HIGH SCHOOL CHORUS

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

CERTIFICATE OF CONGRATULATIONS

Presented to

Dover High School Chorus

Congratulations on your outstanding performance
in the New York National Freedom Festival
April 26, 2008

Concert Choir: Gold Rating
Select Ensemble: Gold Rating
Woman's Choir: Silver Rating
Men's Choir: Silver Rating

May 27, 2008

Mayor Carey presented the Certificate to Mr. Nathan L. Bankert, Director of Choral Activities, and members of the Chorus present.

CERTIFICATE OF APPRECIATION - TAX EXEMPTION REVIEW COMMITTEE

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

WHEREAS, the Tax Exemption Review Ad-hoc Committee was created by the Mayor and Council during their Regular Meeting of August 27, 2007; and

WHEREAS, the initial scope of the Committee was to review the fairness and appropriateness of the current tax exemption ordinance, the standards, and the process to determine if it is responsive to the needs of the citizens of Dover to provide a recommendation to the Legislative, Finance, and Administration Committee; and

WHEREAS, members of the Tax Exemption Review Ad-hoc Committee have worked diligently in researching the issues in order to develop recommendations that are objective and that have been thoroughly considered; and

WHEREAS, as a result of their efforts, the Tax Exemption Review Ad-hoc Committee submitted their Final Recommendations to City Council and on April 28, 2008, ordinances reflecting the Committee's recommendations were adopted, and thus, the Tax Exemption Review Ad-hoc Committee is hereby dissolved with gratitude to all members for their time and attention to this matter. It is deemed an honor and privilege to present this

Certificate of Appreciation to

James G. McGiffin, Jr., Chairman
Charles Bradley
Barbara C. Ford
Barry Hawlk
Jeffrey Mask
Joseph McDonough
Richard Snaman
Tom Williams

CITY OF DOVER
TAX EXEMPTION REVIEW AD-HOC COMMITTEE

Best Wishes on all Future Endeavors from the City of Dover
May 2008

Mayor Carey presented the Certificates to the members of the committee.

PRESENTATION - BRICK BY BRICK CAMPAIGN

Mr. Ray Book, Past-Chairman of the Greater Dover Foundation, introduced Ms. Lisa Ratliff, Executive Director of the Greater Dover Foundation and the Greater Dover Committee, and Mr. Joe McDaniel, Chairman of the Greater Dover Foundation. Ms. Ratliff provided background information regarding the Greater Dover Foundation and read a statement into the record regarding the Brick by Brick Campaign, as follows:

"Good evening and thank you for giving me a few minutes of your time tonight. My name is Lisa Ratliff and I am the Executive Director of the Greater Dover Committee and the Greater Dover Foundation. I am here tonight to give thanks to three great Dover organizations that gave their time and effort to support the Greater Dover Foundation during the recent Brick by Brick Community Matching Challenge.

Let me begin by giving a little background:

The Greater Dover Foundation as some of you know, is an endowment fund administered by the Delaware Community Foundation. It was started back in the early 90's by the Greater Dover Committee with an initial sum of $50,000. Today, the Greater Dover Committee is proud to announce that the fund has grown to just over $600,000.

Each year, the GDC gives the income that is generated by this fund back to the Dover community in the form of grants to non-profit organizations and public institutions. As the principle fund grows, so does the amount of money we have to give away each year. This year the Foundation will donate $16,000 back to the community. In the future, when the Foundation grows to become the multi-million dollar Foundation we plan for it to become, we will give 100s of thousands back to the community each and every year.

Recently, the GDF challenged the community to match a $110,000 principle pool of money that was created by local businesses and individuals. Our community, without hesitation, rose to this challenge and met the goal on December 31, 2007. For this reason, it would only be appropriate for me to begin giving thanks to the community members who helped make this possible through general donations and the purchases of bricks now placed along Loockerman Street.

In addition to the community members who participated, we are incredibly grateful for three organizations that helped to make the campaign a success. First, we would like to thank Rick Hill from Hill Design Group. Rick not only gave his time and expertise to help us market the campaign, he gave us great advice in the early stages of our campaign as we tried to work out the details of how the campaign would work. Rick could not be here tonight, but I wanted to express our thanks and let you and the community know what an asset Rick and his business are to Dover and the surrounding area.

Secondly, I would like to thank Mr. Dave Tucker and Delaware Brick Company. Delaware Brick was kind enough to donate the actual bricks for our campaign which helped us to keep costs down. Mr. Tucker, however, was the individual at Delaware Brick who helped me in particular through the ordering process…which was a bigger job than I first anticipated. I cannot thank him enough for making what could have been a very difficult process one that I would describe today as being quite enjoyable. We are lucky to have Mr. Tucker and Delaware Brick here in our community. They are doing their part to make Dover a better place.

Finally, we would like to thank the City of Dover. The city helped in a lot of ways during our campaign. First, they allowed the bricks to be placed along Loockerman Street and supported us as we began our efforts for this campaign. Tony DePrima and Scott Koenig couldn't have been more helpful during our organization phases. Secondly, the City donated their services and installed four different brick orders in the sidewalk throughout the campaign (often in several different locations). For this I have to thank Ron Swaggard and his crew. They never complained, always greeted me with a smile and helped to make a somewhat challenging project easy and fun. If you haven't seen the work Ron and his crew did you have to take a walk down Loockerman Street. The bricks look great and we have the City and Delaware Brick to thank for this.

We could not have been successful with this campaign if it were not the organizations I just mentioned. Tonight, we would like to present a small token of our appreciation and place Thank You Bricks for each organization along Loockerman Street. I have a brick here for Hill Design Group which I will present to Mr. Hill when he returns from being out of town….One for Delaware Brick which I would like to present to Mr. Tucker and one for the City of Dover that I would like to present to Mayor Carey, Scott Koenig, and Ron Swaggard.
In closing I would like to say that the Greater Dover Committee's goal is to help endow Dover's future with a Foundation that really makes a difference and helps to improve the quality of life for residents in the greater Dover area. This campaign has shown me that together, we really are stronger than when we stand alone. Thank you for your support, kindness and generosity."

PRESENTATION - RECOGNITION OF SERVICE - PAUL LAKEMAN - SAFETY ADVISORY AND TRANSPORTATION COMMITTEE (MAY 2004-MAY 2008)

Mayor Carey presented a Dover Cup to Mr. Paul Lakeman in appreciation of his service as a member of the Safety Advisory and Transportation Committee, having served from May 2004 through May 2008.

PROPOSED RESOLUTION - GORDON MASSEY, JR.

The City Clerk, Mrs. McDowell, read a proposed Resolution acknowledging the recent death of Mr. Gordon Massey, Jr.

By motion of Mr. Slavin, seconded by Mrs. Williams, Council, by a unanimous roll call vote, adopted the following Resolution:

COUNCIL RESOLUTION NO. 2008-10

WHEREAS, the Silver Lake Commission members have been greatly saddened by the death of their fellow Commission Member, Gordon Massey, Jr., who passed away on January 1, 2008; and

WHEREAS, Gordon Massey, Jr. was appointed into office as a Commission member representing the citizens of Dover on May 28, 2002, a position in which he served with distinction for more than 5 years; and

WHEREAS, during his term as a Commission member, Gordon Massey, Jr. served the Commission by unmatched outreach and dedicating much of his time to the restoration and revitalization of Silver Lake in Dover and has demonstrated, in many practical ways, his deep and genuine belief in Silver Lake as an asset for the City of Dover; and

WHEREAS, although Gordon Massey, Jr. will be respectfully remembered as having served the community in numerous capacities, he was particularly devoted to Silver Lake, the Silver Lake Commission adopted a Resolution on May 27, 2008 in dedication of his tireless efforts; and

WHEREAS, Gordon Massey, Jr. was very gracious and humble in serving as a member of the Silver Lake Commission; earning the respect, admiration, and high regard of all with whom he came into contact; and

WHEREAS, our community has sustained a great loss in the death of Gordon Massey, Jr..

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

1. The Mayor and Council express their regret for the loss of Gordon Massey, Jr. and extend their deepest sympathy to the members of his family and hope that they will be consoled by the memories of his fine life and achievements.

2. The Mayor and Council direct the City Clerk to place this Resolution in the permanent records of the City of Dover in recognition of the many contributions graciously given to the community by Gordon Massey, Jr.

ADOPTED: MAY 27, 2008

Mayor Carey presented the Resolution and a Dover Cup to Mrs. Massey. On behalf of the members of the Silver Lake Commission, Mr. David Edgell, Chairman, extended deepest sympathy for the loss of Mr. Massey.

PLANNING AND INSPECTIONS - PRESENTATION OF ANNUAL REPORT

The Planning and Inspections Department submitted their Annual Report to City Council during their Regular Meeting of March 10, 2008. Mrs. Townshend provided a Power Point Presentation (***Exhibit #1***) depicting highlights of the report.

PUBLIC HEARING/FINAL READING - REZONING AND PROPOSED COMPREHENSIVE PLAN AMENDMENT - LAND DEVELOPMENT PLAN AMENDMENT TO THE COMPREHENSIVE PLAN UPDATE 2003, AS AMENDED IN MAY 2005, SEPTEMBER 2006, MARCH 2007, AND MARCH 2008

A public hearing was duly advertised for this time and place to consider approval of a proposed zoning text amendment to the Comprehensive Plan Update 2003, as amended in May 2005, September 2006, March 2007, and March 2008 by amending Land Development Map 11-1 and amending the Zoning Ordinance and Zoning Map of the City of Dover by changing the Land Use Classification from Industrial to Residential High Density and changing the Zoning Designation from IPM (Industrial Park Manufacturing) to RG-2 (General Residence) on a $13.967^{+/-}$ acre portion of a $22.967^{+/-}$ parcel located on the north side of Commerce Way, owned by H&M Properties, LLC.

Mr. Salters moved that the Final Reading of the proposed zoning text amendment be acknowledged by title only, seconded by Mr. McGiffin and unanimously carried. *(The First Reading of this ordinance was accomplished during the Council Meeting of February 25, 2008).*

Planner's Review

Mrs. Townshend, City Planner, reviewed the petition to amend the Land Development Plan Map of the Comprehensive Plan and the findings and recommendation of the Planning Commission (***Exhibit #2***). She explained that the application is to amend the Land Development Plan map of the Comprehensive Plan and the zoning of the subject parcel. The amendment is being requested by H&M Properties, LLC. The subject parcel is currently zoned IPM and is part of the Enterprise Business Park. It is also adjacent to the Woodmill Apartments. She stated that the subject parcel is depicted on the Land Development Plan map as Industrial and Public Utilities. The applicant is requesting a zoning classification of RG-2, with the intent to construct garden apartment buildings on the site. Mrs. Townshend explained that the requested plan amendment would change the land use category from Industrial and Public Utilities to High Density Residential.

Mrs. Townshend noted the receipt of correspondence from Mr. E. Stuart Outten, President of Capital Uniform and Linen Service, which was submitted to the Planning Commission. She also noted receipt of a letter received from the State Planning Coordination Office which indicated opposition to the proposed change from Industrial to High Density Residential.

Mrs. Townshend advised members that the Planning Commission recommended approval of the application. However, she noted that one (1) member voted in opposition and requested that members of City Council be provided his explanation, as follows: "Mr. von Reider stated that he feels that it is a loss of a single tract of land developable for business or other purposes. He feels that it is encroaching residential onto existing industrial property which is already there, exists, and is
operational. He certainly hopes that residents of this community do not call the City complaining of noise."

Correspondence
Mrs. Townshend noted correspondence received from Ms. Keira Potter and the Central Delaware Economic Development Council in opposition to the Rezoning/Comprehensive Plan Amendment (*as on file in the Office of the City Clerk*).

Council President Hogan declared the public hearing open.

Mr. Jim McGinnis, Realtor representing the applicants, introduced Ms. Laura Swiski, engineer for the project. He advised members that the parcel of land has not been used for 30 years and a vacant parcel and warehouses are adjacent to the property. He noted that the project includes apartments, attached to the Woodmill Apartments, which will solve some of the affordable housing issues.

Responding to Mr. Ruane, Mr. McGinnis stated that the current rental fees for Woodmill Apartments range from $700 to $1,000. He stated that the proposed apartments are already 97% filled, explaining that there is a need for more housing in the Dover area.

Referring to concern relayed regarding the wooded portion of the parcel (north side adjacent to City drainage easement area), Ms. Swiski advised members that it is the intent of the developer to leave that portion of the property, which serves as a natural buffer, intact.

Mr. Jack Melvin, adjacent property owner - Landlord to Stock Building Supply, advised members that since 1992, to his knowledge, there has never been a complaint from any of the adjacent residents nor has there been any complaints against adjacent residents. He relayed no objections to the proposed project.

Ms. Carol White, 1254 S. Farmview Drive, advised members that the Woodmill development is one of the on-ground drainage experiments, explaining that between approximately every sixth house, there is a culvert (to carry water from the houses back to the drain ditch). She noted that these culverts also carry foot traffic and that there currently is limited foot traffic in this area. She stated her hope that if the housing is increased, there will be some kind of barrier or fence erected to keep these culverts from becoming foot, bicycle, and motorcycle paths. Ms. White also relayed concern regarding additional traffic on Woodmill and Independence Drives. Although she felt that these issues would not be of concern if the current zoning was maintained; however, if Council approves the proposed amendments, she requested that consideration be given to protect the residents of the Farmview Drive area.

Ms. Keira Potter, 1168 S. Farmview Drive, relayed opposition to the rezoning from an Industrial zone to a residential zone. In response to Mr. McGinnis' comments regarding the availability of affordable housing, she stated that Woodmill Apartments is owned by Vintage Apartments, which is a market property industry; therefore, it does not consist of affordable housing or accept individuals with low income levels. She clarified that the rent for the apartments begin in the $800's for one (1) bedroom up to almost $1,100. Ms. Potter advised members that she purchased her home three (3) years ago and if she would have been aware that there was a possibility of additional apartments in the area, she would have either remained as a resident of an apartment or would have searched for housing elsewhere. She indicated that the vacant warehouse located directly behind her property currently serves as a buffer. If the City approves the request, she suggested that the developers be required to install some type of fencing. Being in total opposition, she urged members of Council to consider the ramifications before approving the request.

There being no one else wishing to speak, Council President Hogan declared the hearing closed.

Responding to Mr. Ruane, Mrs. Townshend advised members that the rental fees for Woodmill Apartments range from $809 (1 bedroom) to $1,099 (3 bedrooms).

Mr. Ruane moved that the ordinance to amend the Comprehensive Plan and rezoning be denied, seconded by Mrs. Williams. The motion failed by a vote of six (6) no and three (3) yes (Mr. McGlumphy, Mrs. Williams, and Mr. Ruane).

Mr. McGlumphy explained that his opposition to the Planning Commission's recommendation for approval is due to concerns regarding economic development. He felt that high density housing creates additional problems and noted that there was no input provided by the Chief of Police. He also relayed concern regarding the testimony provided by adjacent property owners and stated that he has not obtained any information that would indicate that those problems would be mitigated. For these reasons, he voted in favor of denying the proposed amendments.

Mrs. Williams explained that her support to deny is based on concurring with those comments provided by PLUS and concerns regarding the intended use of the property.

Mr. Ruane explained his reasons for voting in favor to deny the proposed amendments are for those as previously stated as well as the concerns indicated by the PLUS, which supports staff's recommendation for denial. He also noted that there is a need for property zoned industrial and that changing the zoning classification would create an incompatible use in the area.

Mr. McGiffin moved for the adoption of the Rezoning and Comprehensive Plan Amendment as recommended by the Planning Commission, seconded by Mr. Leary and by a roll call vote of six (6) yes and three (3) no (Mr. McGlumphy, Mrs. Williams, and Mr. Ruane), Council adopted the following ordinance:

ORDINANCE #2008-08

AN ORDINANCE AMENDING THE CITY OF DOVER COMPREHENSIVE PLAN UPDATE, 2003, AS AMENDED IN MAY 2005, SEPTEMBER 2006, MARCH 2007, AND MARCH 2008 BY AMENDING LAND DEVELOPMENT MAP 11-1 AND AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER BY CHANGING THE ZONING DESIGNATION OF PROPERTY LOCATED ON THE NORTH SIDE OF COMMERCE WAY

WHEREAS, the City of Dover has adopted a Comprehensive Plan laying out land use policies within the City of Dover and has enacted a zoning ordinance regulating the use of property within the limits of the City of Dover; and

WHEREAS, it is deemed in the best interest of zoning and planning to change the land use classification of property described below from Industrial to Residential High Density and to change the zoning designation from IPM (Industrial Park Manufacturing) to RG-2 (General Residence).

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

1. That from and after the passage and approval of this ordinance the Comprehensive Plan Update, 2003, as Amended in May 2005, September 2006, March 2007, and March 2008 and the Zoning Map and Zoning Ordinance of the City of Dover have been amended by changing the land use classification from Industrial to Residential High Density and the zoning designation from IPM to RG-2 on a $13.967^{+/-}$ acre portion of the Lands of H & M Properties, LLC, located on the north side of Commerce Way, with the total parcel consisting of $22.967^{+/-}$ acres.

ADOPTED: MAY 27, 2008

SPECIAL LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE REPORT - MAY 5, 2008

A Special Legislative, Finance, and Administration Committee Meeting was held on May 5, 2008 with Chairman Slavin presiding.

Proposed Fee Increases and New Fees

During their meeting of March 10, 2008, members reviewed a presentation of proposed fee increases and new fees. In accordance with the Revenue Manual, members were reminded that staff is directed to review fees; however, it was noted that the review does not necessarily equate to an increase. Staff advised members that as a result of meetings with the business community, the proposed fees have been decreased from staff's initial presentation. Members were also provided ordinance amendments representing the proposed new fees and increases for consideration. After public testimony and much discussion, members tabled the matter.

Mr. DePrima reviewed an updated presentation which provided a general overview of the proposed fee increases and new fees. Members were also provided draft ordinances related to the proposed fee increases and new fees. Based on the comments made by the business community at the last meeting, he stated that the final fire inspection fee has been eliminated.

In response to Mr. McGlumphy, Mr. DePrima estimated that the proposed fee increases and new fees will generate $300,000. He stated that the fees will cover approximately 60% of the planning and inspection costs; however, in previous years, these fees would cover approximately 80%-90% of the costs.

Mr. DePrima advised members that the Revenue Manual currently suggests a review every three (3) to five (5) years. Staff recommended that the Revenue Manual be amended to require the review

of business license fees every five (5) years, rental license fees every four (4) years, and construction and planning permit fees every three (3) years.

Members suggested that staff review the possibility of including an automatic escalator clause, feeling that those subjected to the fees could plan accordingly.

Staff recommended approval of the new fees and fee increases and adoption of applicable ordinance amendments.

Mr. DePrima explained that action regarding this matter is required to provide guidance to staff in the preparation of the budget; therefore, he requested that the committee forward this matter to Council for action.

The committee forwarded this matter to Council without a recommendation.

Mr. Slavin noted that the committee felt that consideration of this matter should occur during the fiscal year 2009 Budget deliberations, which members of Council are currently conducting.

No further action was taken by Council. It was noted that the First Reading of the proposed ordinances is scheduled to occur during the latter part of the meeting.

Review of 2005 Charter Review Committee Recommendations - Article II (Continued)

During their meeting of September 10, 2007, members approved the schedule to complete a comprehensive review of the 2005 Charter Review Committee Recommendations, including public hearings in each election district, over the next six (6) months. Members began their review during their meeting on October 8, 2007.

During their meeting of March 3, 2008, Mr. Slavin noted that members would continue their review of the 2005 Charter Review Committee Recommendation at "Section 9 - Meetings of Mayor and Council-Generally (*Section 2.11 - Procedure, Model City Charter*)". As scheduled, members continued consideration of the recommendations to the Dover Charter, as follows:

Language Requested by Committee Related to Section 13 - Filling Vacancies for Council or Mayor

During the committee meeting of March 3, 2008, members reviewed Section 13 - Filling Vacancies for Council or Mayor (Section 2.06 - Vacancies; Forfeiture of Office; Filling of Vacancies, Subsection (c) - Filling of Vacancies, Model City Charter). Upon review, members suggested developing language that would authorize City Council, if reduced to less than five (5) members (majority), to appoint additional members, by majority action, to raise the number of members to seven (7). Staff provided members with sample language for their review.

Mrs. McDowell, City Clerk, advised members that upon Council approval, this request would be forwarded to the local legislators to be submitted to the General Assembly, explaining that amendments to the City Charter require the approval of the General Assembly.

Mr. Slavin suggested that members defer action regarding this matter to provide members the opportunity for further review.

Section 9 - Meetings of Mayor and Council-Generally (*Section 2.11 - Procedure, Subsection (a) - Meetings, Model City Charter*)

There being no comments of members regarding Section 9 - Meetings of Mayor and Council-Generally, Mr. Slavin stated that the record would indicate concurrence with the wording provided in the current City Charter.

Section 10 - Meetings of Mayor and Council-Procedures (*Section 2.11 - Procedure, Subsections (b) - Rules and Journal, and (c) - Voting, Model City Charter*)
The committee recommended maintaining the language in Section 10 - Meetings of Mayor and Council-Procedures, of the current City Charter, including the amendment to strike the word "may" and insert in lieu thereof "shall".

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

Mr. Ruane relayed concern regarding the requirement for the Mayor's written approval as indicated in the second paragraph of Section 10. He advised members of research conducted and requested the opportunity to submit the information for further consideration. Responding, Mr. Slavin suggested that the information be provided in the next packet and that Mr. Ruane be considered first on the agenda to address this issue during their next review.

Section 2.12 - Action Requiring an Ordinance, Model City Charter
The committee recommended including the language in Section 2.12 - Action Requiring an Ordinance, as stated in the *Model City Charter*.

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

Mr. Ruane noted the reference to "initiative power" in item #10 of Section 2.12. Mr. Slavin explained that once the committee's recommendations have been completed, he anticipates the requirement for an additional review of the amendments. At the request of Mr. Ruane, Mr. Slavin indicated that this matter will be further reviewed at the conclusion of the committee's recommendations of the 2005 Charter Review Committee Recommendations.

Section 2.15 - Codes of Technical Regulations, Model City Charter
The committee recommended including the language in Section 2.15 - Codes of Technical Regulations, with the amendments to Subsections (1) and (2) as submitted, as stated in the *Model City Charter*.

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

Article III - City Manager
Due to time constraints, Mr. Slavin stated that members will continue their review of the 2005 Charter Review Committee Recommendation at "Article III - City Manager" during their next meeting.

Mr. Slavin moved for acceptance of the Special Legislative, Finance, and Administration Committee Report, seconded by Mr. McGlumphy and unanimously carried.

UTILITY COMMITTEE REPORT - MAY 12, 2008

The Utility Committee met on May 12, 2008 with Chairman Ruane presiding.

PACE Wholesale Power Supply Review

During their review of the January 2008 PACE/NAES Monthly Reports at their meeting of March 24, 2008, staff was requested to provide a summary of major issues, both positive and negative, involving the electric utilities during the next committee meeting.

Mr. Francis Hotsell, PACE Global Asset Management, reviewed a presentation of the Dover Wholesale Power Supply Budget. He noted that for the 2008/2009 Budget, power supply costs increased 5.4% over last year's budget. This increase was primarily caused by extraordinary increases in wholesale energy prices and an increase in the net cost of capacity. He advised members that Dover is located in a high-priced capacity constrained region, which has exacerbated the general increases in energy costs. In addition, the landscape for environmental regulations is not only adding costs but also creating uncertainty, thereby limiting new generation. By pro-actively managing these challenges, Mr. Hotsell stated that the City of Dover has contained the cost increases to its ratepayers, explaining that without risk management, customers would be experiencing a 13% increase in power supply costs (budgeted market prices); however, risk management contained the cost increase to 5.4%.

Mr. Ruane thanked Mr. Hotsell for a very thorough presentation and relayed appreciation for the partnership.

Mr. Lunt, Public Utilities Director, provided members of City Council a presentation of the Dover Wholesale Power Supply Budget (***Exhibit #3***).

Electric Cost of Service Study by Burns & McDonnell

Mr. Ted Kelley, Principle with Burns & McDonnell, reminded members that the City recently authorized Burns & McDonnell to conduct an update to the Electric Cost of Service Study for the City of Dover. Therefore, he advised members that the information being provided is preliminary. Mr. Kelley reviewed a presentation of the Electric Cost of Service Study and Rate Adjustment Considerations, explaining the need for adjustments, net margins, cost of service considerations, and potential rate adjustments. He noted that the rate design analysis indicates the need for a seven percent (7%) rate adjustment on July 1, 2008, explaining that the rate adjustments by class may vary depending on the cost of service results.

Referring to the Financial Forecast, Mrs. Mitchell, Controller/Treasurer, stated that the negative net margin in FY2008 is attributed to the College Road Substation. She explained that prior to the construction of the Cartanza Substation, the College Road Substation was the City's tie to Connectiv. Since the College Road Substation is no longer used as a tie station, it is no longer a transmission substation. She advised members that the Electric Department is in the process of dismantling it and converting it to a distribution substation. Mrs. Mitchell stated that the transmission substation was not fully depreciation, which contributed to the $1.5M that is being written-off for the College Road Substation.

Mr. Ruane reiterated that the percentage increase for each class is not known at this time and that this information will be made available on May 27, 2008. In preparing for this meeting, Mr. Ruane requested that staff provide a breakdown depicting the average household and average customer, by class, using 1,000 kwh, which will indicate how competitive the City is with other buyers.

Rate Stabilization Reserve Funding

Mrs. Mitchell, Controller/Treasurer, reviewed a presentation of the Rate Stabilization Reserve Funding. She advised members that the City currently has a set of Financial Policies which includes the Rate Stabilization Reserve. She reminded members that the City used the reserve ($5M of the Stabilization Reserve Fund) to help manage the budget (included as revenue) the first year the City came off of the Duke Contract to help off-set the cost of power supply. Mrs. Mitchell advised members that Moody's had an issue with the manner in which this transfer was handled by the City because the money in the reserve came from actual revenue that the City received from either the Duke rebate, interest earnings, etc. By recording the funds originally received as revenue and again as a transfer to manage the budget, she stated that Moody's considered this as double counting revenue.

To resolve this issue, Mrs. Mitchell suggested changing from using revenue sources for managing the Rate Stabilization Reserve. She explained that the proposed amendment to the policy protects the customer from rate increases attributed to supply and generation cost fluctuations driven by market conditions, thus allowing the customer to better budget their energy bills. She stated that the proposed method of funding the Rate Stabilization Reserve will have no adverse impact on the operating budget. This method of managing the power supply cost is a more appropriate procedure and preferred by outside creditors and the rating agencies.

Responding to Mr. Ruane, Mrs. Mitchell stated that the Financial Policies are reviewed by the Legislative, Finance, and Administration Committee and that she will be forwarding recommended policy amendments to that committee. She felt that it would be beneficial if members accepted the concept of the amendment for the Rate Stabilization Reserve.

Referring to the wording in the proposed policy, Mr. McGiffin suggested that, for clarification, staff re-word the sentences to eliminate the use of "less/more" and "to/from".

The committee recommended acceptance of the amendments for the Rate Stabilization Reserve for consideration by the Legislative, Finance, and Administration Committee for review of the Financial Policies.

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

Amendment to Regulation 1146 Agreement

Members were provided a letter dated May 5, 2008, written to the State of Delaware Department of Natural Resources (DNREC), Air and Waste Management advising them of the City's withdrawal of the Regulation 1146 Compliance Plan for the McKee Run Generating Station Unit 3.

Mr. Vince Scire, Plant Manager at McKee Run, provided an update on the Regulation 1146 Agreement, reminding members that the regulations apply to coal and residual oil fired units, which would include McKee Run Generating Station Unit 3. Since the submission of the Regulation 1146 Compliance Plan to DNREC, the City has determined that the technology chosen would not provide the expected NOx reductions needed to comply with the Regulations. As a result, Mr. Scire advised members that the City reviewed the operational and financial implications of this finding and have determined that the appropriate action is to withdraw the City of Dover Regulation 1146 Compliance Plan and make the McKee Run Unit 3 exempt from complying with Regulation 1146 by converting

Unit 3 from firing residual oil and natural gas to firing distillate oil and natural gas effective January 1, 2009.

Responding to Mr. Ruane, Mr. DePrima stated that although a written response has not been received, he explained that the letter from the City is the result of several meetings with DNREC and assured members that there was an understanding of the City's intentions in this regard.

Mr. Scire also advised members that although the engineering design has not been completed, it is anticipated that there will be a significant decrease in the cost of the alternative plan over the original compliance plan. As requested by Mr. Ruane, Mr. DePrima assured members that staff would be kept abreast of this matter. He noted that information is also included in the monthly report received from PACE.

Mr. Ruane moved for acceptance of the Utility Committee Report, seconded by Mr. Leary and unanimously carried.

PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE REPORT - MAY 13, 2008

The Parks, Recreation, and Community Enhancement Committee met on May 13, 2008 with Chairwoman Russell presiding.

Proposed Zoning Text Amendment - Appendix B - Zoning, Article 3 - District Regulations, Section 27 - Corridor Overlay Zone 1 (COZ-1), Subsection 27.62 - Building Placement

During their Regular Meeting of April 28, 2008, City Council conducted a First Reading and referred a proposed zoning text amendment to Subsection 27.62 - Building Placement of Appendix B - Zoning, Article 3 - District Regulations, Section 27 - Corridor Overlay Zone 1 (COZ-1), of the Dover Code.

Mrs. Melson-Williams, City Planner, advised members that an amendment to the Zoning Ordinance, by adding a new Subsection 27.62(a), was requested by Mr. Constantine Malmberg. She explained that the proposed amendment would relieve applicants from any potential hardship imposed by the location of a corner lot with frontages on two (2) corridors subject to the COZ. Specifically, it limits the applicability of the parking location and setback requirements set forth in the COZ to only one (1) corridor.

Responding to Mrs. Russell, Mrs. Townshend, Director of Planning and Inspections, advised members that Mr. Malmberg represents the owners of the property located on the southeast corner of the intersection of Route 8 and Saulsbury Road (old Exxon Station). During the layout of the site, it was discovered that applying the COZ to both frontages created challenges. Mrs. Townshend advised members that the COZ requires the primary entrance to face the corridor and explained that this requirement, along with the setback requirements of a minimum of 20' and maximum of 30' would require a building to be located in close proximity to the streets, which would prevent them from providing a practicable location for parking. She advised members that staff agrees that corner properties with both frontages subject to the requirements of the COZ may experience a hardship in meeting the parking location and setback requirements of the COZ; therefore, staff supports the text amendment in concept. However, staff recommended that the proposed text amendment be located within a new Subsection 27.7. In addition, staff has recommended alternative language to accomplish the same results. Members were provided staff's proposal in addition to the applicant's version of the proposed amendment.

In response to Mr. Ruane, Mrs. Townshend advised members that there is only one intersection where both corridors are subject to the COZ, which is the intersection of Route 8 and Saulsbury Road.

Staff recommended approval of the Substitute Ordinance #2008-25, amending Appendix B - Zoning Ordinance, Article 3 - District Regulations, Section 27 Corridor Overlay Zone 1 (COZ-1) by adding a new Subsection 27.7.

The committee recommended adoption of the Substitute Ordinance #2008-25, with the understanding that staff and the Planning Commission will adhere strictly to the requirements that are contained elsewhere in the amended section related to what constitutes superior design.

By consent agenda, Mr. Leary moved for approval of the committee's recommendation, seconded by Mr. Slavin and carried by a unanimous roll call vote. (*The First Reading of the Ordinance took place during the Council Meeting of April 28, 2008 and a Public Hearing has been scheduled for June 9, 2008 at 7:30 p.m.*)

Update - Skate Park Committee

Mr. Carter, Parks and Recreation Director, reminded members that staff was recently requested to provide the committee with monthly updates of the Skate Park Committee. He indicated that the committee has been formed and have met twice. He introduced Mr. Dean Holden, Chairman of the Skate Park Committee.

Mr. Holden advised members that the committee has begun initial discussions regarding the type of skate park, design, size, parking, location, legal issues, public support, etc. He stated that discussions have been held with Mr. Hugg, Town of Smyrna, regarding their experience in the development of a skate park. He advised members that a comprehensive report will be presented to the City for their review and consideration in support of a skate park.

Mr. Ruane reminded members that in their support of a skate park, Council was specific regarding the requirement of a parent organization (citizen's group) that will continue beyond the planning of the park and be responsible for establishing the rules and assuring that the rules are followed by the users. He noted that any petition should include an actual mailing address (street and city).

Update - Planning and Funding for New Library

Mr. Carter, Parks and Recreation Director, provided an update on the planning and funding for the new library. He introduced Ms. Joan Stover, Acting Library Director.

Update - Puncheon Run Watershed Action Team Update

Mr. Koenig, Public Services Director, indicated that the Puncheon Run Watershed Action Team met and that the consultant has finalized the report, which will be forwarded to members this week. He anticipates that the Action Team will be meeting again to discuss the finalized report prior to July 1, 2008. Mr. Koenig noted that there are several recommendations included in the report for consideration.

Update - CDBG Program

Members were provided the status report on the FY 2007 Program Funds Spent for the CDBG Program. Mrs. Townshend, Director of Planning and Inspections, advised members that during their

Annual Meeting of May 12, 2008, City Council approved the 2008 CDBG Action Plan and Resolution.

Members requested clarification regarding the project details (furnishings) for Connections Community Support as well as further details regarding the unencumbered balances.

Update - Schutte Park Space - Boys and Girls Club/CDSA

There was no information to report on the Schutte Park Space for the Boys and Girls Club/CDSA.

State Eminent Domain Proposed Legislation

Mr. DePrima, City Manager, advised members that there are three (3) Bills in the legislature that call for changes in the way eminent domain is exercised. He explained that eminent domain is the right of the government to take property for public purposes, and requires the property owner to be fairly compensated. A recent U.S. Supreme Court decision that allows eminent domain to be used for "economic development" has caused many State established laws to prevent the practice. Members were provided information regarding the Bills: SB194, HB289, and SB245.

It was Mr. DePrima's opinion that such legislation is not necessary, and indicated his understanding that some of the legislation is in response to an eminent domain action by the City of Wilmington. Of the three Bills, he stated that HB289 seems to be reasonable and does not infringe on the City's right to eradicate public nuisances or re-develop blighted areas. He advised members that SB245 has more restrictive language regarding economic development in Section (a), but does allow eminent domain for removing blight and slum areas, structures beyond repair, and abandoned property. He noted that SB194 is vaguely written and that the lobbyists for the League of Local Governments has indicated that its "vagueness" would not meet a court test.

Mr. Ruane indicated that SB245 is a substitute Bill for SB194 and HB289 and explained that the provisions of SB194 and HB289 have been inserted into SB245. He provided members with a copy of a letter received from the City of Wilmington, indicating their opposition. He referred to a Resolution recently adopted (April 14, 2008) that is germane to this issue since it, in effect, designates the City as being responsible for slum and blight area clearance and encourages redevelopment in these areas. He advised members that SB245 could jeopardize these efforts.

The committee recommended that the Mayor, City Manager, and other appropriate parties be authorized to speak at the various hearings in opposition of this legislation.

Mr. Slavin relayed his concern, feeling that the City may be overacting. He noted that the City very rarely has exercised the right of eminent domain, nor is there an indication of a need to do so in the near future. He suggested that the City support the League of Local Government in their opposition; however, it was his opinion that the City should not take an active role lobbying for or against any legislation that does not pertain to City business.

As a member of the Legislative Committee for the League of Local Governments, Mr. Ruane expressed the importance of the Mayor, City Manager, and members of Council speaking before the legislators regarding these issues. He explained that when municipalities do not take this type of action, there is an assumption made by the General Assembly that such legislation does not affect municipalities. Although the League will address the General Assembly, he stated that they request that representatives of municipalities also do so, as well as contact their legislators. Otherwise, Mr. Ruane suggested that by being silent, it would indicate consent.

Mrs. Russell moved to approve the committee's recommendation that the Mayor, City Manager, and other appropriate parties be authorized to speak at the various hearings in opposition of this legislation, SB245. The motion was seconded by Mr. Ruane and carried with Mr. Slavin and Mrs. Williams voting no.

Comprehensive Plan Amendment Review

Mrs. Townshend, Director of Planning and Inspections, reviewed the update on the Comprehensive Plan Amendment. She noted that, based on input received during the workshops and directly from the various agencies, staff has begun to draft updated goals. In reviewing the information provided, she requested that members indicate whether the major topics have been addressed and, regarding the goals (Chapter 1) and recommendations, if staff is on the "right track".

Noting that the information was not included in the packet, Mr. Lewis indicated his inability to comment since he has not had adequate time to review the material provided. In addition, he reminded staff that members had previously requested that staff include page numbering when the documents were submitted to the committee.

Mr. Ruane suggested that staff provide some type of indication regarding new information to help differentiate it from information currently included in the Plan. He felt that inter-connectivity issues should be considered when there is linkage between chapters and suggested that each should reference the other. He also suggested that there be a recognition of the role that other service providers are playing in the specified areas (i.e. healthcare should recognize Bayhealth). Mr. Ruane stated that the 2030 Plan needs to be included and that other groups that have or are working on plans, should provide their text (at least summaries) to also be included.

In response to Mr. Tenusak, Mrs. Townshend stated that additional workshops will be held during the second and third weeks of June. She suggested that comments should be submitted directly to staff for inclusion in the Plan.

Referring to the goals, Mr. Ruane suggested that stormwater utility should be included as a goal. He noted that homeland security is not mentioned, public safety includes environmental issues, and he suggested that there be reference to the chemical cars sitting in or passing through the City, noting that new regulations have recently been issued. Responding to Mrs. Townshend, Mr. Ruane stated that he would provide additional suggestions directly to staff for inclusion.

Mr. Leary moved for acceptance of the Parks, Recreation, and Community Enhancement Committee Report, seconded by Mr. McGiffin and unanimously carried.

TAX APPEALS COMMITTEE REPORT - MAY 14, 2008

The Tax Appeals Committee met on May 14, 2008 with Chairman Ruane presiding.

Appeal - Beulah Gray Appeal # 2008-011

Location: 722 Forest Street (ED05-076.12-01-24.00). Appealed Value - $105,700; Requested Value - $102,000; Recommended Value - $105,700.

Staff recommended that the 2008 Appeal be denied.

Background and Analysis

Ms. Gray had demolished a portion of her home in 2005. At the same time, she applied for a permit to construct an addition (384 square feet) in the amount of $25,000; and applied for a permit in 2006 to construct a screen porch (87 square feet) in the amount of $4,500. Staff is in the process of clearing up old permits and collected the data for both permits at one time.

Ms. Gray's prior value for her property was $96,700 before demolishing the rear portion of her home and adding the new addition and the screen porch. Her final value, which is under appeal, was $105,700, which represents a $9,000 increase in value for the $29,500 value of permits taken out on the property.

The committee recommended denial of the appeal and acceptance of the property value in the amount of $105,700.

Ms. Russell, Acting City Assessor, advised members that on January 9, 2008, the City's Residential Technician arrived at the appellant's residence for inspection of the addition and porch and was denied access to the property. Approximately one month later, the Residential Technician utilized his judgement on the size of the improvements since being denied access. A letter was sent to the property owner indicating that the property value increased from $96,700 to $104,100. Upon its receipt, Ms. Gray contacted staff and granted permission to herself (Ms. Russell) to access the property for measuring and inspection of the improvements. Ms. Russell stated that she was able to measure and inspect the improvements within the week, after which time, the property was revalued to $105,700 since there was an additional 135 square feet that was not included in the judgment of the Residential Technician since he was not granted access to the property. Ms. Russell explained the increase to Ms. Gray and, on April 24, 2008, she submitted an appeal of the value in the amount of $105,700.

Ms. Russell advised members that appellants were requested to meet with staff informally on May 6, 2008 and to provide any documentation to support their appeal. Ms. Gray declined the informal meeting since she had already spoken to staff regarding the issue before filing the appeal. She stated that Ms. Gray's appeal was scheduled to be considered by the Tax Appeals Committee on May 14, 2008 at 9:45 a.m. On May 9, 2008, Ms. Gray contacted staff indicating that she would not be available at 9:45 a.m. due to existing daily doctor appointments. Since the agenda had been finalized, Ms. Russell suggested that she would discuss this matter with committee members. It was suggested that the appellant provide a doctor's note or something to indicate her unavailability to attend the meeting on May 14, 2008. Ms. Russell stated that when staff requested this information from Ms. Gray, her response was that the City was "out of line" and she would not be at the meeting nor would she submit any documentation to explain her absence.

Council President Hogan declared the public hearing open.

Ms. Gray referred to her letter dated May 27, 2008, which provides an explanation of her appeal (***Exhibit #4***).

Responding to Mr. Salters, Ms. Russell indicated that the difference between last year's versus this year's taxes would result in approximately a $56 increase and the difference between the requested value and recommended value would result in approximately a $12 increase.

There being no one else wishing to speak, Council President Hogan declared the public hearing closed.

Mr. Ruane moved to accept the committee's recommendation, seconded by Mr. Leary and carried by a roll call vote of eight (8) yes and one (1) no (Mr. Slavin).

Appeal - Karen Rose Appeal # 2008-009
Location: 29 N. Prestwick Court (ED05-067.13-01-36.00). Appealed Value - $220,800; Requested Value - $160,000; Recommended Value - $220,800.

Staff recommended that the 2008 Appeal be denied.

Background and Analysis:
Ms. Rose appealed her property value based on the fact that her crawl space is flooded; compromised foundation due to previously treated termites; area around home floods easily; 2 bedrooms are unable to be used for children due to size of sliding glass windows; the half bath has always been unusable because of lack of hot water.

Ms. Rose did not show up for her scheduled informal appeal, to which she was asked to bring any pertinent information that would support her appeal. Based on not receiving any supporting documentation or supporting evidence and keeping the properties equal and uniform within the neighborhood, we have not made any adjustments to the property value.

Ms. Rose did attend the Tax Appeal Committee meeting and was asked to speak on her behalf.

She had four items she wanted the committee to know about, as follows: 1) The yard floods which caused the patio to sink; 2) The crawlspace floods, and she cannot find anyone who will fix it; 3) The house has termites, which caused structural damage; and 4) Cracking of walls in the house due to the flooding.

Ms. Rose was asked if she had an appraisal or some kind of information which suggests that the property values in her neighborhood have decreased. Acting Assessor Cheryl Russell was asked if the house was valued equal to other properties in the neighborhood. Ms. Russell had researched the neighborhood for comparable properties and assured the Committee, that the property was uniform with other properties in her neighborhood. Members asked Ms. Russell to explain the grading system the Assessor's Office uses, which she did briefly.

Members asked why the claim about the termite problem would not change the assessment. Ms. Russell said that it might change the assessment, but that Ms. Rose had not provided the office with any proof of any of the problems she has with the property.

It was suggested that Ms. Rose be given an extension in order to provide her the opportunity to obtain the following:

1. Termite Inspection Report, with reference to structural damage;
2. Statement of Fact from Listing Real Estate Agency
   a. Offers Made?
   b. Length of Time on Market
   c. Asking Price
3. House Inspection

The committee recommended postponing the appeal to allow Ms. Rose some time to obtain the requested documentation.

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

Withdrawal - Dimple Enterprises LLC Appeal 2008-002
Location: 348 N. DuPont Hwy. (ED05-068.13-01-79.00)

Staff recommended that the withdrawal from the 2008 Appeal Process be acknowledged.

Background and Analysis
Mr. Sheth had originally appealed the property value based on the fact that he was demolishing a portion of the hotel. At the time the property owner filed for the demolition permit, he was unsure if the demolition would be complete and didn't want to be dissatisfied with his final value after the demolition.

The Assessor's Office revalued the property based on the demolition of the building and advised the property owner of his new value due to the demolition.

The property owner was satisfied, after discussion as to how the office came up with the number, and advised that he would withdraw his 2008 Appeal.

The committee recommend acceptance of the withdrawal.

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

Withdrawal - Emerald Pointe LLC Appeal # 2008-001
Location: Emerald Point Subdivision (multiple parcels). Open Space: ED-05-067.01-02-15.00; ED-05-067.01-02-14.00; ED-05-067.01-02-13.00; ED-05-067.01-01-97.00; ED-05-067.01-01-98.00; ED-05-067.01-01-96.00; ED-05-067.01-01-99.00. Parcels with Improvements: ED-05-067.01-01-16.00; ED-05-067.01-02-05.00

Staff recommended that the withdrawal from the 2008 Appeal Process be acknowledged.

Background and Analysis:
Emerald Pointe requested that the open space be exempt from *ad valorem* taxation. During their informal appeal on May 6, 2008, they were informed that the open space could not be considered exempt until such a time as the homeowner's association took over the ownership of the parcels. They accepted this information and withdrew the appeal for the open space.

Emerald Pointe was also advised that two of the parcels, they were requesting an exemption on, had improvements and were listed for sale. At this time, the Certificate of Occupancy has not been issued. Since the improvements were almost 100 % complete, staff advised them that they would not recommend a reduction for these two parcels. They agreed to withdraw the appeal for the two lots with improvements.

The committee recommended acceptance of the withdrawal from the 2008 Appeal Process.

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

Withdrawal - Heinz & Helga Wirger Appeal # 2008-008
Location: 186 Maple Glen Drive (ED05-056.20-01-32.00). Appealed Value $ 245,100.

Staff recommended that the withdrawal from the 2008 Appeal Process be acknowledged.

Background and Analysis:
Mr. & Mrs. Wirger had an informal appeal hearing in the Assessor's Office on May 06, 2008. Staff requested them to bring any information that they felt would be pertinent to defend a reduction of value for their property. The property owners brought an on-line HTE printout with their neighbor's information. The Assessor's Office produced two comparable properties to defend the City of Dover's value. One of the properties that the owners brought in reflected the $50,000 Senior Citizen Reduction. Once the owners realized that their values were similar to the other properties in their neighborhood and the fact that sales that occurred after the January 1, 2005 Base cannot be utilized, they decided to withdraw their 2008 Appeal.

The committee recommended acceptance of the withdrawal from the 2008 Appeal Process.

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

Administrative - Brian & Elaine Scanlan Appeal # 2008-010
Location: 6 Meadowlark Lane (LC05-068.08-01-10.00). Original Value - $291,200; Recommended Value - $278,200.

Staff recommended that the Administrative Changes be approved and the value be changed to reflect the changes.

Background and Analysis:
The above property had been measured incorrectly upon its completion in 2004. This error was made known to the office by the Kent County Assessor, who brought it to staff's attention within the last month. Staff revisited the property and re-measured the improvements. The Assessor's Office had too much square footage and has reduced the square footage based upon the re-measurement of the improvements.

The committee recommended acceptance of the Administrative Change to the property value.

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

Administrative - Calogero & Rosalie Guarraggi Appeal # 2008-007
Location: 14 Riverside Road (ED05-085.06-01-61.00). Original Value - $319,300; Recommended Value - $279,800.

Staff recommended that the Administrative Changes be approved and the value be changed to reflect the changes.

Background and Analysis:
The above property had been coded incorrectly upon its completion in 2005, and on a recent building permit for a roof over an existing patio. The property was coded as being an A-Grade, excellent condition, which is generally reserved for more custom built homes in the Fox Hall, Retreat and Baltray neighborhoods. After meeting with the appellants, staff had an area of their home coded as a two-story addition, when in fact, it was a one story area; staff also had 3 full baths instead of 2.5.

Staff originally had the home valued at $307,600 which the City based their property taxes on starting in October 2005 through the 2007 tax billing.

In staff's efforts to clear up old permits, a permit was added for a shed and roof over an existing patio. The roof over the existing patio should have been coded as a covered porch, but was coded as an open frame porch; which brought the value up to $319,300. When the property owner received their "New Value" notice, they chose to appeal the value on their property.

After meeting with the appellant, we made the administrative changes to correct the property records.

The committee recommended acceptance of the Administrative Changes made by the Assessor's Office.

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

Stipulation - Emerald Pointe LLC Appeal # 2008-001
Location: Emerald Pointe Subdivision (51 properties)

Parcels at 75% of Value

ED-05-067.01-01-18.00
ED-05-067.01-01-19.00
ED-05-067.01-01-20.00
ED-05-067.01-01-21.00
ED-05-067.01-01-23.00
ED-05-067.01-01-24.00
ED-05-067.01-01-25.00
ED-05-067.01-01-26.00
ED-05-067.01-01-27.00
ED-05-067.01-01-28.00
ED-05-067.01-01-29.00
ED-05-067.01-01-30.00
ED-05-067.01-01-31.00
ED-05-067.01-01-32.00
ED-05-067.01-01-33.00
ED-05-067.01-01-34.00
ED-05-067.01-01-40.00
ED-05-067.01-01-41.00
ED-05-067.01-01-42.00
ED-05-067.01-01-43.00
ED-05-067.01-01-44.00
ED-05-067.01-01-45.00
ED-05-067.01-01-46.00
ED-05-067.01-01-47.00
ED-05-067.01-01-50.00
ED-05-067.01-01-51.00
ED-05-067.01-01-54.00
ED-05-067.01-01-55.00
ED-05-067.01-01-63.00
ED-05-067.01-01-76.00
ED-05-067.01-01-77.00
ED-05-067.01-01-78.00
ED-05-067.01-01-79.00
ED-05-067.01-01-80.00
ED-05-067.01-01-81.00
ED-05-067.01-01-82.00
ED-05-067.01-01-83.00
ED-05-067.01-01-84.00
ED-05-067.01-01-85.00
ED-05-067.01-01-86.00
ED-05-067.01-01-87.00
ED-05-067.01-01-88.00
ED-05-067.01-01-89.00
ED-05-067.01-01-90.00
ED-05-067.01-02-09.00
ED-05-067.01-02-10.00

Parcels at 40% of Value

ED-05-067.01-01-35.00
ED-05-067.01-01-36.00
ED-05-067.01-01-37.00
ED-05-067.01-01-38.00
ED-05-067.01-01-39.00

Original Value - $ 4,601,700; Stipulated Value - $ 3,292,500

Staff recommended that stipulated values be approved.

Background and Analysis:
The Emerald Pointe Subdivision has been valued on the full price of the vacant lots in the Emerald Pointe Subdivision. Other subdivisions currently under construction within the City of Dover have been valued at 75% of value on the vacant lots until such a time as a Certificate of Occupancy has been issued. These lots should be receiving a 25% reduction in value, with the exception of five lots, as the road leading up to these lots has not been paved yet. These lots will be valued at 40% of value until such a time as the road has been paved.

Mr. Ruane wanted to make sure that a process is in place that prompts the Assessor's Office to check on the finishing of the road. Ms. Russell assured the Committee that the office will check on this road periodically.

The committee recommended that the negotiated and stipulated values of 75% for the 46 properties and the 5 properties listed at 40% value.

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

Mr. Ruane moved for acceptance of the Tax Appeals Committee Report, seconded by Mr. Leary and unanimously carried.

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE REPORT - MAY 27, 2008
The Legislative, Finance, and Administration Committee meeting was held on May 27, 2008 with Chairman Slavin presiding. Council President Hogan noted that, with the exception of the following time sensitive issue, the committee's report from May 27, 2008 will be presented to Council during the Regular Meeting of June 9, 2008 for their review and consideration.

Pay for Performance (PFP) Review - Consultant Revised Scope of Work
During the committee meeting of March 10, 2008, members recommended approval of the request to hire Management Advisory Group (MAG), at a cost of $34,965, to conduct a Review and Evaluation of the PFP Evaluation System, which was approved by City Council on March 24, 2008.

Mr. DePrima, City Manager, reminded members that during their meeting of April 14, 2008, members were provided information regarding the need to consider salary re-grading of non-bargaining employees. He had explained that the recent decision by City Council to use the PAS Position Factor Analysis Scoring for the Controller\Treasurer position "without adjustments" brought out the need to review several other positions that used the same scoring but were adjusted by City Council in the past. It was suggested that members consider amending the current contract with MAG to conduct a review and evaluation of the PFP Evaluation System to include the optional maintenance agreement.

Mr. DePrima stated that staff submitted a request to MAG for information regarding the costs involved to include a market study. As a result, MAG submitted a revised Scope of Work that will address the concerns expressed by members during their April 14th meeting. He advised members

that the added cost of the contract is $5,000, which can be covered in existing budgets, and reviewed a summary of the changes to the contract, as follows:

1. It has been reworked so that it identifies tasks to be completed before June 30, 2008 and after June 30, 2008. The task to be completed before June 30th related to the salary analysis for non-bargaining employees.

2. It reflects the databases and information that MAG requested at the May 13th meeting.

3. It introduces a process where employees can submit issues relative to current classification, title, grade, etc. Dr. Long confirmed that this process will also be open to Council members.

4. A complete review of non-bargaining primary duties and functions.

5. MAG will use their "compendium of compensation data" to evaluate and compare Dover salaries to the external market.

Mr. DePrima reviewed MAG's Revised Work Plan for the City of Dover. Staff recommended approval of the Management Advisory Group revised contract and scope of work in the amount of $39,965.

Mr. McGlumphy relayed concern regarding the database utilized by MAG and proposals to increase salaries much greater than what can be afforded by the City. If the increases occur, he requested that staff provide details regarding each pay increase for the 20 positions. He stated his opposition to providing the pay raises proposed for the upper management positions. Responding, Mr. DePrima explained that the 20 positions were included in the material provided for the April 14th meeting and that, at this time, he recommended withdrawing that proposal and that MAG be requested to review all (estimated 84) non-bargaining positions. For an additional $5,000, he explained that Council will be provided a much more thorough and comprehensive recommendation that what was originally recommended by staff. Mr. DePrima disagreed with the assumption that the review will result in recommendations for huge salary increases, explaining that this information will not be known until the study has been completed.

Responding to Mrs. Williams, Mr. DePrima reminded members that next year's budget includes contingency amounts to cover any proposed salary increases. If the results of the study require additional funds, he suggested that Council will make a determination regarding the proposed increases and/or budget reductions.

Mr. Ruane suggested that staff assured that MAG utilize the salary scale adopted by City Council in 2003 rather than the original salary scale submitted by MAG.

Mr. McGlumphy requested that staff encourage MAG to interview members of the community in conducting their study.

The committee recommended approval of the Management Advisory Group revised contract and scope of work in the amount of $39,965, as recommended by staff.

Mr. Slavin moved for approval of the committee's recommendation, seconded by Mr. Salters.

Mr. McGlumphy reiterated his opposition to the request, explaining his opinion that the scope of the work being requested is already within the original contract. He also relayed his concern regarding the excess of proposed salaries.

Mr. Ruane requested clarification as to which salary scale will be utilized by MAG: the salary scale adopted by City Council in 2003 or the original salary scale submitted by MAG. Responding, Mr. DePrima suggested that the determination of the salary scale should be made by MAG, explaining his opinion that, in accordance with their contract, MAG will be evaluating the salary scale to determine what would be most appropriate.

Concurring with the concerns mentioned by Mr. McGlumphy regarding the entire PFP system, Mr. Leary stated that although he supports revising the contract to increase the scope of the study, it should not be construed to indicate his approval of the PFP system.

The motion to approve the Management Advisory Group revised contract and scope of work in the amount of $39,965 was carried by a roll call vote of eight (8) yes and one (1) no (Mr. McGlumphy).

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

MONTHLY REPORTS - APRIL 2008

By motion of Mr. Leary, seconded by Mr. Slavin, the following monthly reports were accepted by consent agenda:

Budget Report
Chief of Police Report
City Assessor Report
City Manager's Report
Planning and Inspections Report
Dover Fire Department Report
CIP Report

DOWNTOWN DOVER PARTNERSHIP: BYLAWS AND ARTICLES OF INCORPORATION

Mr. DePrima, City Manager, introduced the Chairs of the Organizations involved in the Downtown Dover Partnership: Mr. Smith, Dover Parking Authority; Mr. Patterson, DDDC; and Mr. Lakeman, Dover Main Street. As a reminder, he stated that members have been considering the creation of the Downtown Dover Partnership for several months. He presented members with the Bylaws and Articles of Incorporation for the Downtown Dover Partnership for their consideration, to be effective July 1, 2008.

Responding to Mr. Ruane, Mr. DePrima stated that it is anticipated that Section 2 of Article VII of the Bylaws will be invoked on July 1, 2008, explaining that in lieu of an appointed Executive Director, the City Council will appoint the City Planner to serve as the Executive Director.

Mr. Slavin moved for acceptance of the Bylaws (*Exhibit #5*) and Articles of Incorporation (*Exhibit #6*) for the Downtown Dover Partnership, seconded by Mrs. Russell and carried by a unanimous roll call vote.

SET PUBLIC HEARING - ELECTRIC FUND BUDGET

A public hearing on the Electric Revenue Fund Budget is required for compliance with the 1985 Electric Revenue (Refunding) Bonds Resolution - Annual Budget Section (as amended by 1990 Bond Resolution) prior to adoption of the budget. Staff recommended that the public hearing be set for June 9, 2008 at 7:30 p.m.

Mr. Leary moved to set a public hearing for June 9, 2008 at 7:30 p.m. for the 2008/2009 City of Dover Electric Fund Budget, seconded by Mr. Slavin and unanimously carried.

EVALUATION OF BIDS - ST. JONES SWITCHGEAR

Mr. Lunt, Public Utility Director, advised members that the switchgear is a pre-manufactured building that contains the distribution breakers, relays, batteries, communication equipment and other components related to the substation. It receives the distribution voltage from the transformer and splits it to the six distribution circuits and contains relays and components that protect the transformer from overload and/or faults.

Mr. Lunt stated that bids were solicited for a switchgear and that a total of nine (9) proposals were received from four (4) vendors. One (1) proposal was incomplete and four (4) did not meet specifications and were rejected due to non-compliance. The four (4) responsive proposals received from NRP&S, HD Supply, National Electric Systems and Powersecure were evaluated. After evaluating these proposals, all were in compliance with the specifications and considered responsive.

Staff recommended awarding the proposal to the lowest responsive bidder, HD Supply, in the amount of $1,006,896, for the purchase of the St. Jones switchgear.

Mr. Slavin moved for approval of staff's recommendation, seconded by Mr. Leary and carried by a unanimous roll call vote.

APPOINTMENTS RECOMMENDED BY COUNCIL PRESIDENT HOGAN

Council President Hogan requested approval of the following appointments:

Safety Advisory and Transportation Committee - Terms to Expire May 2009
Thomas J. Leary, Chairman (*to fill expired term of Kenneth L. Hogan)*
Sophia R. Russell *(to fill expired term of Thomas J. Leary)*

Tax Appeals Committee - Term to Expire March 2009
Sophia R. Russell *(to fill unexpired term of Kenneth L. Hogan)*

Utility Committee - Term to Expire May 2009
Beverly Williams *(to fill unexpired term of Thomas J. Leary)*

City Chaplain - Wallace Dixon - Annual Appointment Expires June 2009
Wallace Dixon

By consent agenda, Mr. Leary moved for approval of the appointments as recommended by Council President Hogan, seconded by Mr. Slavin and carried by a unanimous roll call vote.

REAPPOINTMENTS RECOMMENDED BY MAYOR CAREY

Mayor Carey requested approval of the following reappointments:

Planning Commission - Three (3) Year Terms to Expire June 1, 2011
Francis C. Nichols - First District
Col. Robert D. Welsh - First District
Fred Tolbert - Third District

Dover Public Library Commission - Five (5) Year Term to Expire Jun 16, 2013
Gertrude Jackson

By consent agenda, Mr. Leary moved for approval of the reappointments as recommended by Mayor Carey, seconded by Mr. Slavin and carried by a unanimous roll call vote.

RECONSIDERATION OF REZONING/ONE YEAR LIMITATION EXPIRATION - FIRST READING

In accordance with Article 10, Section 5.183 of the Zoning Code, if construction has not started or a satisfactory explanation for the failure to commence construction has not been received within one year from the effective date of the amendment to the zoning map, an amendment to rezone the land to its prior classification shall be automatically placed on the agenda to be reconsidered by City Council.

Members were advised that property located on the north side of White Oak Road and northeast of the intersection of White Oak Road and Halsey Road, consisting of $1.1152^{+/-}$ acres, owned by Leon and Dorothy Hansen was rezoned from CPO (Commercial/Professional Office Development) to I/O (Institutional and Office) on September 11, 2006. A request for an extension was denied on September 24, 2007.

Prior to amending the zoning ordinances and zoning map of the City of Dover, a public hearing is required. Staff recommended referring the reconsideration of the rezoning to the Planning Commission on June 16, 2008 and that a public hearing be set for July 14, 2008 at 7:30 p.m.

By motion of Mrs. Williams, seconded by Mr. Leary, Council unanimously referred the request to the Planning Commission and set a public hearing for July 14, 2008 at 7:30 p.m.

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

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER BY CHANGING THE ZONING DESIGNATION OF PROPERTY LOCATED AT ON THE NORTH SIDE OF WHITE OAK ROAD AND NORTHEAST OF THE INTERSECTION OF WHITE OAK ROAD AND HALSEY ROAD.

REZONING REQUESTS/FIRST READINGS

Requests were received to rezone the following properties. Prior to amending the zoning ordinances and zoning map of the City of Dover, a public hearing is required.

Property Located at 1001 and 1003-1059 Walker Road, Owned by Hamlet Shopping Center Associates and 100 West Tenth Street Corporation

A rezoning request for property located at 1001 and 1003-1059 Walker Road, owned by Hamlet Shopping Center Associates and 100 West Tenth Street Corporation. The property is currently

zoned SC-1 (Neighborhood Shopping Center) and COZ-1 (Corridor Overlay Zone 1) and the requested zoning is C-2A (Limited Central Commercial), subject to COZ-1.

By motion of Mrs. Williams, seconded by Mr. Leary, Council unanimously referred the following rezoning requests to the Planning Commission for June 16, 2008 and set a public hearing for July 14, 2008 at 7:30 p.m.

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

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER BY CHANGING THE ZONING DESIGNATION OF PROPERTY LOCATED AT 1001 AND 1003-1059 WALKER ROAD.

Property Located at the Intersection of New Burton Road and Webbs Lane (429 Webbs Lane), Owned by Newbofox Properties, LLC

A rezoning request for property located at the intersection of New Burton Road and Webbs Lane (429 Webbs Lane), owned by Newbofox Properties, LLC. The property is currently zoned C-3 (Service Commercial) and the requested zoning is C-2A (Limited Central Commercial).

By motion of Mrs. Williams, seconded by Mr. Salters, Council unanimously referred the following rezoning requests to the Planning Commission for June 16, 2008 and set a public hearing for July 14, 2008 at 7:30 p.m.

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

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER BY CHANGING THE ZONING DESIGNATION OF PROPERTY LOCATED AT THE INTERSECTION OF NEW BURTON ROAD AND WEBBS LANE (429 WEBBS LANE).

FIRST READING - REZONING REQUEST/PROPOSED ORDINANCE - LAND DEVELOPMENT PLAN AMENDMENT TO COMPREHENSIVE PLAN UPDATE 2003, AS AMENDED IN MAY 2005, SEPTEMBER 2006, MARCH 2007, AND MARCH 2008

A request was received to rezone property located at 412 East Loockerman Street, consisting of $0.6276^{+/-}$ acres, owned by the Estate of Gary F. Dalton. The property is currently zoned R-10 (One Family Residential) and the applicant is requesting that the property be rezoned to C-PO (Commercial/Professional Office). The land use classification for this property is designated as Residential Medium Density on Map 11-1. The application received to rezone the property has been identified as being inconsistent with Map 11-1. The appropriate land use classification for the proposed zoning would be Office and Office Parks. Therefore, the applicant is requesting that the land use type be changed to Office and Office Parks.

Council President Hogan reminded the public that copies of the proposed ordinance are available at the entrance of the Council Chambers or can be obtained from the City Clerk's Office. Since the ordinance is an amendment to the Comprehensive Plan Update 2003, as Amended in May 2005, September 2006, March 2007, and March 2008 a public hearing is required. Staff recommended referral of the amendment to the Planning Commission on July 21, 2008, and that a public hearing

take place during the Council Meeting of July 28, 2008, at 7:30 p.m., at which time, final action by Council will take place.

Mrs. Townshend, Director of Planning and Inspections, explained that the applicant is proposing to use the site as a professional office in the existing building, which is not a permitted use in the R-10 zone.

Responding to Mr. Ruane, Mrs. Townshend stated that the cut-off date for Comprehensive Plan amendments was May 2, 2008 and that the application was received on that date. The current building is a vacant residence and it has been confirmed that there are no other offices along this area of the street. Mr. Ruane relayed his opposition to the consideration of the proposed amendment, explaining that the proposed amendment would create a change to a gateway into the City, by changing the nature of the area from residential to office.

By motion of Mr. Leary, seconded by Mr. Slavin, Council, by a roll call vote of seven (7) yes and two (2) no (Mr. McGlumphy and Mr. Ruane), referred the request to the Planning Commission for July 21, 2008 and set a public hearing for July 28, 2008 at 7:30 p.m.

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

AN ORDINANCE AMENDING THE CITY OF DOVER COMPREHENSIVE PLAN UPDATE, 2003, AS AMENDED IN MAY 2005, SEPTEMBER 2006, MARCH 2007, AND MARCH 2008 BY AMENDING LAND DEVELOPMENT MAP 11-1 AND AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER BY CHANGING THE ZONING DESIGNATION OF PROPERTY LOCATED AT 412 EAST LOOCKERMAN STREET

FIRST READING - PROPOSED ORDINANCES - PROPOSED FEE INCREASES AND NEW FEES

Council President Hogan reminded the public that copies of the proposed ordinance are available at the entrance of the Council Chambers or can be obtained from the City Clerk's Office. *City Clerk's Office Note: Earlier during the meeting, members of Council took no further action regarding the Legislative, Finance, and Committee's recommendation regarding the proposed fee increases and new fees.*

Mr. McGlumphy moved to table the consideration of the First Reading of the Ordinances relative to the Proposed Fee Increases and New Fees (Chapters 22, 26, 46, and 66, and Appendix A, Article IV). The motion was seconded by Mr. Slavin and unanimously carried.

FIRST READING - PROPOSED ZONING TEXT AMENDMENTS

Council President Hogan reminded the public that copies of the proposed ordinances are available at the entrance of the Council Chambers or can be obtained from the City Clerk's Office. Since the ordinances are amendments to the Zoning Code, a public hearing is required. Staff recommended referral of the amendments to the Planning Commission on June 16, 2008 and that a public hearing take place during the Council Meeting of June 23, 2008, at 7:30 p.m., at which time, final action by Council will take place. *City Clerk's Office Note: Earlier during the meeting, members of Council took no further action regarding the Legislative, Finance, and Committee's recommendation regarding the proposed fee increases and new fees.*

Mrs. Williams moved to table the consideration of the First Reading of the Zoning Text Amendments relative to the Proposed Fee Increases and New Fees (Appendix B, Articles 3, 8, 9, and 10). The motion was seconded by Mr. Leary and unanimously carried.

COUNCIL MEMBERS ANNOUNCEMENTS

Mr. Salters announced that the African American Festival is scheduled to be held on Saturday, June 28, 2008 and invited everyone to attend.

Mr. Hogan reminded members that Budget Hearings will be held on June 2, 2008 at 6:30 p.m. and that the Comprehensive Plan Update Workshops for the public, as follows:

Tuesday, June 10th from 3:00 pm - 6:00 pm at the Dover Park
Wednesday, June 11th from 6:00 pm - 9:00 pm at the Dover Police Assembly Room
Tuesday, June 17th from 6:00 pm - 9:00 pm at the Dover Elks Lodge
Wednesday, June 18th from 6:00 pm - 9:00 pm at the City Council Chambers

In celebration of his 79th birthday, Mrs. Russell, on behalf of the Mayor, City Council, and City Staff, presented Mr. Salters with a birthday card.

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

Meeting Adjourned at 10:01 P.M.

TRACI A. McDOWELL
CITY CLERK

All orders, ordinances, and resolutions adopted by City Council during their Regular Meeting of May 27, 2008, are hereby approved.

CARLETON E. CAREY, SR.
MAYOR

/TM/jg
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Exhibits Attached to Original Minutes and File Copy

Exhibit #1 - Presentation of Planning and Inspections Annual Report
Exhibit #2 - Rezoning Petition and Amendment to the Land Development Plan Map of the Comprehensive Plan - North Side of Commerce Way
Exhibit #3 - Wholesale Power Supply Review
Exhibit #4 - Letter Dated May 27, 2008 from Ms. Beulah Gray
Exhibit #5 - Bylaws - Downtown Dover Partnership
Exhibit #6 - Articles of Incorporation - Downtown Dover Partnership



GOVERNMENT FINANCE OFFICERS ASSOCIATION

Distinguished Budget Presentation Award

PRESENTED TO

City of Dover

Delaware

For the Fiscal Year Beginning

July 1, 2007

President

Executive Director

PROCLAMATION

***WHEREAS**, by Act of Congress of the United States dated June 14, 1777, the first official flag of the United States was adopted; and*

***WHEREAS,** by Act of Congress dated August 3, 1949, June 14 of each year was designated "NATIONAL FLAG DAY"; and*

***WHEREAS**, the Congress requested the President to annually issue a proclamation designating the week in which June 14 occurs as "NATIONAL FLAG WEEK"; and*

***WHEREAS**, on December 8, 1982, the National Flag Day Foundation was chartered to conduct educational programs and to encourage all Americans to PAUSE FOR THE PLEDGE OF ALLEGIANCE on Flag Day, June 14; and*

***WHEREAS**, by Act of Congress, Public Law 99-54 was passed to have the PAUSE FOR THE PLEDGE OF ALLEGIANCE as part of the celebration of National Flag Day throughout the nation; and*

***WHEREAS**, Flag Day celebrates our nation's symbol of unity, devotion to freedom, and the equal rights of all.*

***NOW, THEREFORE, I, CARLETON E. CAREY, SR., MAYOR OF THE CITY OF DOVER, DELAWARE** do hereby proclaim June 14, 2008 as*

FLAG DAY

in the City of Dover and urge all residents to PAUSE FOR THE PLEDGE OF ALLEGIANCE in honor of the Flag of the United States of America.

_____

CARLETON E. CAREY, SR.
Mayor

PROCLAMATION

WHEREAS, *the greatest challenge facing humanity is the recognition of the oneness of humankind; and*

WHEREAS, *any act which discriminates against or otherwise restricts the human rights of any person or group of persons demeans their dignity; and*

WHEREAS, *it is important that we uphold an equal standing of human rights for all persons; and*

WHEREAS, *we affirm our belief in the kinship of humankind, the equality of men and women, and that all persons are equal in their spiritual essence and human dignity; and*

WHEREAS, *the recognition that humankind belongs to one family brings with it the a responsibility to respect and to help one another in every way; and*

WHEREAS, *Race Unity Day was inaugurated in 1957 and has been recognized by the United Nations and by a resolution of the Delaware General Assembly; and*

WHEREAS, *the goals of Race Unity Day are consistent with the objectives of the Dover Human Relations Commission.*

NOW, THEREFORE, I, CARLETON E. CAREY, SR., MAYOR OF THE CITY OF DOVER, DELAWARE*, do hereby proclaim Sunday, June 10, 2008 as* ***Race Unity Day*** *in the City of Dover and urge all residents to promote in themselves and in their community, those qualities and attributes which will generate the recognition that humankind belongs to one family, to fight prejudice wherever it is found, and to ensure that all persons have an equal opportunity to develop their unique capacities.*

CARLETON E. CAREY, SR.
Mayor

Electric Rate Adjustment Considerations

June 9,2008

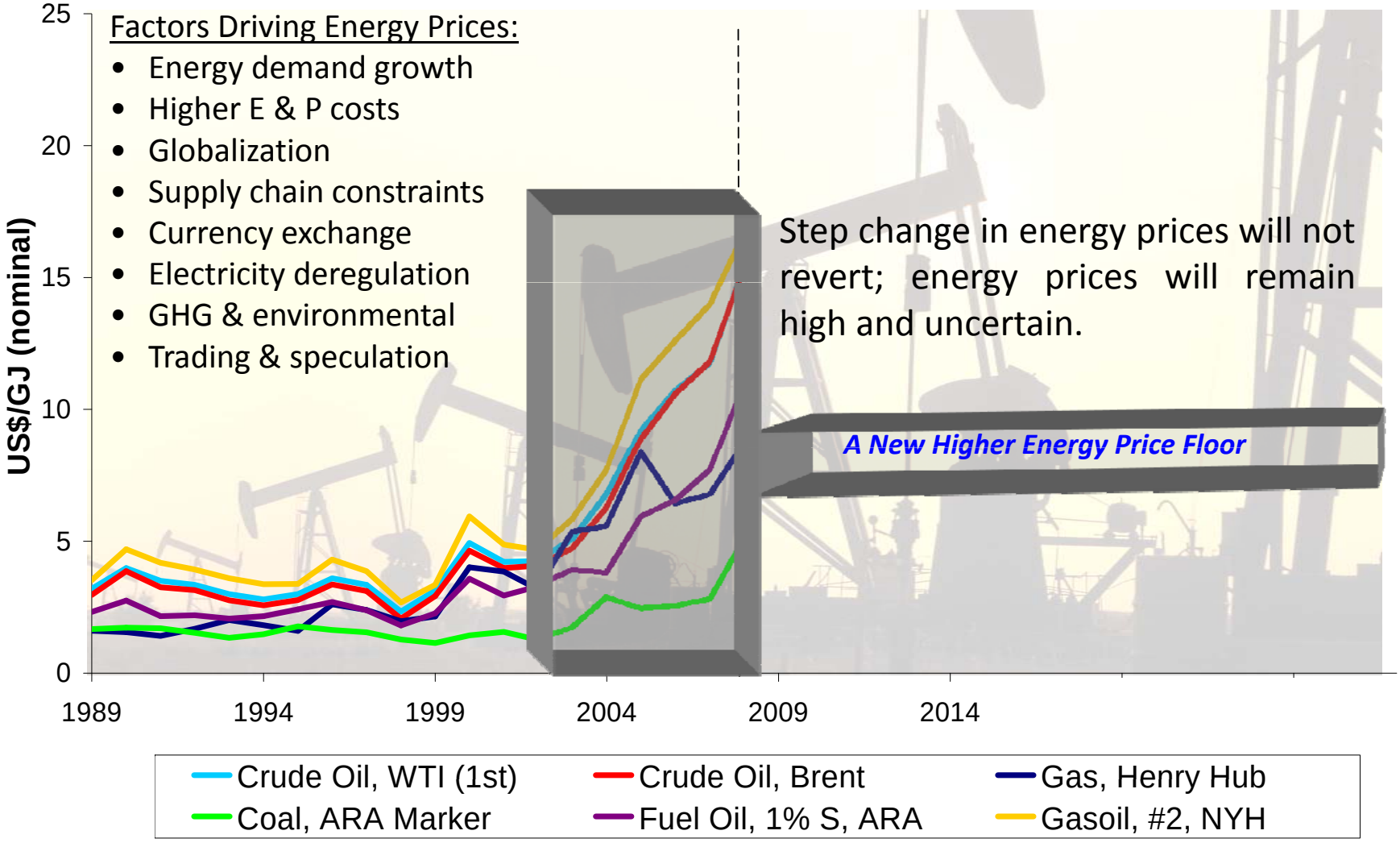
Presentation to City Council

Electric Rate Increase

Proposed July 1, 2008

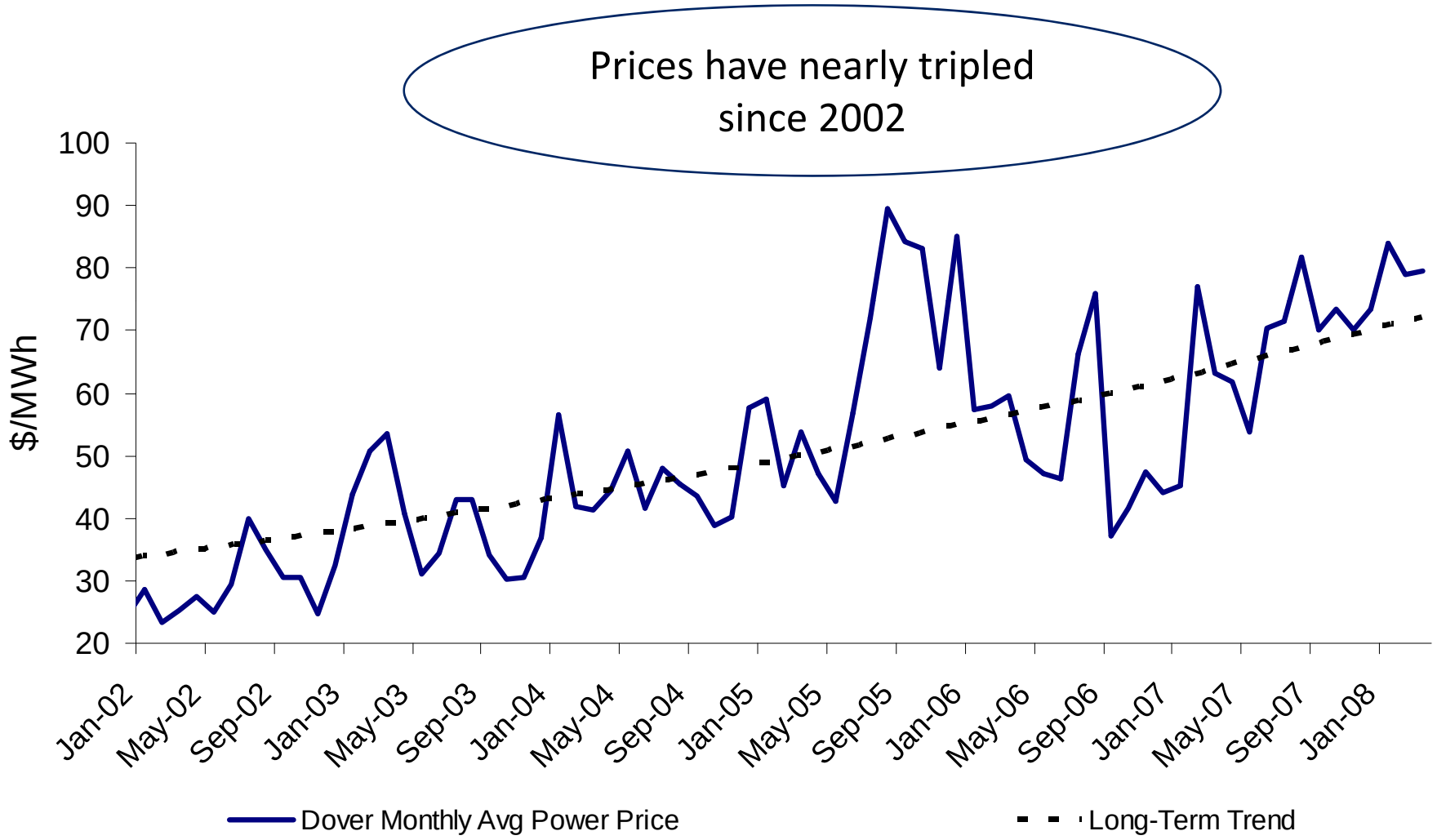
	Revenue Requirement $	Generated by Existing Rates $	Dollar Difference $	Rate Increase Required
Total System	98,529,079	92,081,400	6,447,679	7.0%

A New, Higher Price Floor for Energy



PACE

Wholesale Power Market Prices for Dover



PACE

Ratepayers facing steep increases across US & Region

State,
Constellation reach truce

[BG&E] 1.1 million residential customers, … will pay 85 percent more for electricity than in 2005

Baltimore Sun, March 30, 2008

Power co-op
raises rates

Delaware Electric Coop has raised electric rates by 8.86 percent

Delaware Online,
March 30, 2008

Dominion
Pursues 18 Percent … Hike

…largest one-time rate increase … since the 1970s … necessary to offset … fuel [purchases]

Washington Post,
May 7, 2008

Con Ed
Seeks to Increase … Up to 17%

…by 17 percent for … residential … and by 10.7 percent for … business

The New York Times,
May 5, 2007

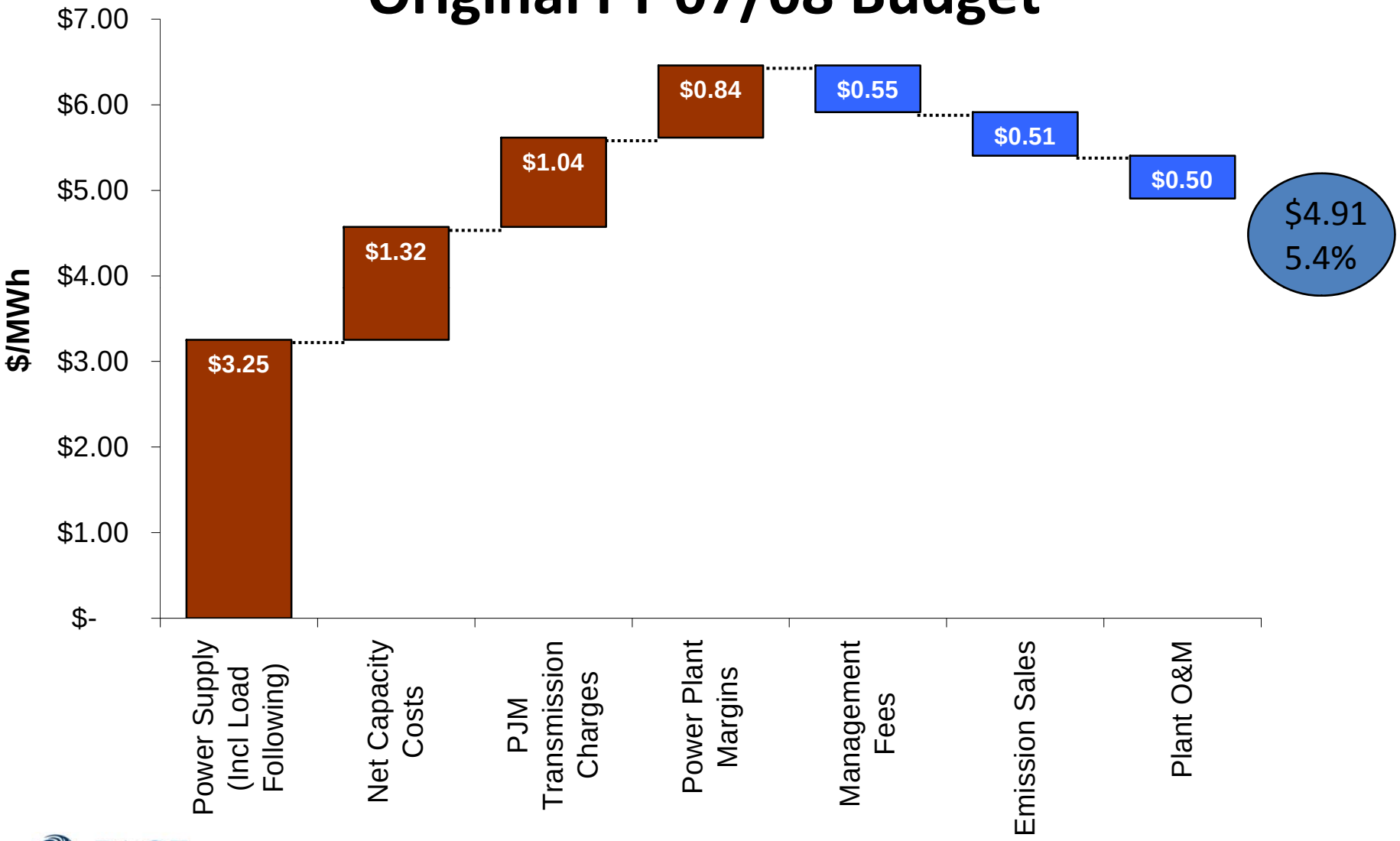
Ameren
requests 12.1% … rate increase

Ameren Corp., will file … for a 12.1 percent … rate increase

St. Louis Business Journal,
April 4, 2008

PACE

Budget Variances: FY 08/09 Budget Versus Original FY 07/08 Budget



PACE

Effect of Dover's Proactive Management on FY08/09 Rates

- Without risk management, customers would be experiencing a 13% increase in power supply costs (budgeted market prices) however, …
- … risk management contained cost increase to 5.4%.
- In aggregate, the hedge positions have saved the rate payers $5.2 million on a year over budget year basis.
- In addition, if generation assets were retired the rate payers would bear an additional $5 million cost and rates would have increased 20% on a year over budget year basis.
- In summary, Dover has been able to manage through extraordinary energy price increases through proactive management of risk, and the optimization of the plant values.

PACE

Need for Rate Adjustments

- Current Rates Implemented July 1, 2007.
- Additional Changes were Expected.
- Financial Forecast was Updated.
- Purchased Power Costs Adjusted.
- Capital Requirements Incorporated.

Cost Drivers

Projected Expenses Increasing:

- Purchased Power Expenses
  - Up 10.4 Percent
- Total Electric Operating Expenses
  - Up 7 Percent
- Major Capital Improvements
  - $22 Million in New Debt

Financial Forecast

- Results Reviewed
- Key Financial Targets
  - Debt Service Coverage
  - Positive Net Margins
- Determined Revenue Adjustment
  - FY 2009 – 7.0 Percent

Cost-of-Service Analysis

- Unbundled Revenue Requirements
  - Power Supply (Demand & Energy)
  - Transmission
  - Distribution
  - Customer
- Assigned Costs to Classes
  - Allocation Factors
- Summarized Results

Indicated Level of Adjustments

Total	Transmission	Small Commercial	Medium Commercial	Large Commercial	Primary	Residential
7%	**7%**	**5%**	**13%**	**11%**	**0%**	**8%**

Rate Design Analysis

- Address 7% Revenue Shortfall
- Rate Implementation Strategy
  - Implement July 1, 2008
  - Consider Cost of Service Results
  - Rate Adjustments by Class Vary

Current and Proposed Rates

Customer Class	Customer Charge ($/month)		Energy Charge ($/kWh)		Demand Charge ($/kW-month)	
	Current	Proposed	Current	Proposed	Current	Proposed
Residential	**5.00**	**5.00**	**0.1343**	**0.1450**	**-**	-
Small Commercial Single Phase	**5.00**	**5.00**	**0.1387**	**0.1465**	**-**	-
Small Commercial Three Phase	**15.00**	**15.00**	**0.1387**	**0.1465**	**-**	-
Medium Commerical Single Phase	**5.00**	**5.00**	**0.0950**	**0.0915**	**9.75**	**15.70**
Medium Commerical Three Phase	**15.00**	**15.00**	**0.0950**	**0.0915**	**9.75**	**15.70**
Large Commercial *	**15.00**	**15.00**	**0.0950**	**0.0915**	**9.75**	**15.70**
Primary *	**10.00**	**10.00**	**0.0935**	**0.0895**	**9.60**	**11.25**
Transmission *	**-**	**-**	**0.0886**	**0.0875**	**6.25**	**10.50**

* Large Commercial, Primary and Transmission customer classes have power factor adjustment.

Transmission Rate

Determination of Demand Adjustment

Power Factor Correction Change

Current	Proposed
90%	98.5%

Change Holds Transmission Customers to the Same Standard as the City

Burns & McDonnell
SINCE 1898

Taken May 23, 2008
Utility Committee Presentation

Typical Bill Comparisons

Residential

	July 1, 2007 Rate	July 1, 2008 Rate	Change Amount	Change Percent
Monthly Energy Usage of 1,000 kWh				
Customer Charge	$5.00	$5.00	$0.00	
Energy Charges	134.30	145.00	10.70	
Total Bill	$139.30	$150.00	$10.70	7.68%
Monthly Energy Usage of 750 kWh				
Customer Charge	$5.00	$5.00	$0.00	
Energy Charges	100.73	108.75	8.02	
Total Bill	$105.73	$113.75	$8.02	7.59%

Burns & McDonnell
SINCE 1898

Taken May 23, 2008
Utility Committee Presentation

Small Commercial – Rental Office

(Single Phase)

	July 1, 2007 Rate	July 1, 2008 Rate	Change Amount	Change Percent
Monthly Energy Usage of 2,226 kWh				
Customer Charge	$5.00	$5.00	$0.00	
Energy Charges	308.75	326.11	17.36	
Utility Tax	13.33	14.07	0.74	
Total Bill	$327.08	$345.18	$18.10	5.53%
Monthly Energy Usage of 3,220 kWh				
Customer Charge	$5.00	$5.00	$0.00	
Energy Charges	446.61	471.73	25.12	
Utility Tax	19.19	20.26	1.07	
Total Bill	$470.81	$496.99	$26.18	5.56%

Burns & McDonnell
SINCE 1898

Taken May 23, 2008
Utility Committee Presentation

Small Commercial – Bank

(Three Phase)

	July 1, 2007 Rate	July 1, 2008 Rate	Change Amount	Change Percent
Monthly Energy Usage of 2,507 kWh				
Customer Charge	$15.00	$15.00	$0.00	
Energy Charges	347.72	367.28	19.55	
Utility Tax	15.42	16.25	0.83	
Total Bill	$378.14	$398.52	$20.39	5.39%
Monthly Energy Usage of 3,510 kWh				
Customer Charge	$15.00	$15.00	$0.00	
Energy Charges	486.84	514.22	27.38	
Utility Tax	21.33	22.49	1.16	
Total Bill	$523.17	$551.71	$28.54	5.46%

Burns & McDonnell SINCE 1898

Taken May 23, 2008
Utility Committee Presentation

Medium Commercial – Bank

(Single Phase)

	July 1, 2007 Rate	July 1, 2008 Rate	Change Amount	Change Percent
Monthly Energy Usage of 6,240 kWh, Demand of 18.50 kW				
Customer Charge	$5.00	$5.00	$0.00	
Demand Charges	180.38	290.45	110.08	
Energy Charges	592.80	570.96	-21.84	
Utility Tax	33.07	36.82	3.75	
Total Bill	$811.25	$903.23	$91.98	11.34%
Monthly Energy Usage of 5,683 kWh, Demand of 25.50 kW				
Customer Charge	$5.00	$5.00	$0.00	
Demand Charges	248.63	400.35	151.73	
Energy Charges	539.89	519.99	-19.89	
Utility Tax	33.72	39.33	5.60	
Total Bill	$827.23	$964.67	$137.44	16.61%

Burns & McDonnell
SINCE 1898

Large Commercial – Car Dealer

	July 1, 2007 Rate	July 1, 2008 Rate	Change Amount	Change Percent
Monthly Energy Usage of 43,000 kWh, Demand of 133.60 kW				
Customer Charge	$15.00	$15.00	$0.00	
Demand Charges	1,302.60	2,097.52	794.92	
Energy Charges	4,085.00	3,934.50	-150.50	
Power Factor Adjustment	-16.25	-26.16	-9.92	
Utility Tax	229.61	257.00	27.39	
Total Bill	$5,615.96	$6,277.85	$661.89	11.79%
Monthly Energy Usage of 42,520 kWh, Demand of 146.80 kW				
Customer Charge	$15.00	$15.00	$0.00	
Demand Charges	1431.30	2304.76	873.46	
Energy Charges	4039.40	3890.58	-148.82	
Power Factor Adjustment	-36.56	-58.87	-22.31	
Utility Tax	233.14	263.94	30.80	
Total Bill	$5,682.29	$6,415.41	$733.13	12.90%

Burns & McDonnell
SINCE 1898

Taken May 23, 2008
Utility Committee Presentation

Primary – Insurance Company

	July 1, 2007 Rate	July 1, 2008 Rate	Change Amount	Change Percent
Monthly Energy Usage of 129,000 kWh, Demand of 330.01 kW				
Customer Charge	$10.00	$10.00	$0.00	
Demand Charges	3,168.10	3,712.61	544.52	
Energy Charges	12,061.50	11,545.50	-516.00	
Power Factor Adjustment	712.37	834.81	122.44	
Utility Tax	304.79	305.36	0.57	
Total Bill	$16,256.76	$16,408.29	$151.53	0.93%
Monthly Energy Usage of 77,000 kWh, Demand of 300.00 kW				
Customer Charge	$10.00	$10.00	$0.00	
Demand Charges	2,880.00	3,375.00	495.00	
Energy Charges	7,199.50	6,891.50	-308.00	
Power Factor Adjustment	0.00	0.00	0.00	
Utility Tax	201.79	205.53	3.74	
Total Bill	$10,291.29	$10,482.03	$190.74	1.85%

Burns & McDonnell SINCE 1898

Taken May 23, 2008
Utility Committee Presentation

Transmission

	July 1, 2007 Rate	July 1, 2008 Rate	Change Amount	Change Percent
Monthly Energy Usage of 1,674,000 kWh, Demand of 2,604.15 kW				
Demand Charges	16,275.94	27,343.58	11,067.64	
Energy Charges	148,316.40	146,475.00	-1,841.40	
Power Factor Adjustment	1,946.97	3,270.92	1,323.94	
Utility Tax	3,291.85	3,476.37	184.52	
Total Bill	$169,831.16	$180,565.86	$10,734.70	6.32%
Monthly Energy Usage of 1,458,000 kWh, Demand of 2,234.00 kW				
Demand Charges	13,964.06	23,459.63	9,495.56	
Energy Charges	129,178.80	127,575.00	-1,603.80	
Power Factor Adjustment	1,712.92	2,877.70	1,164.78	
Utility Tax	2,862.86	3,020.69	157.84	
Total Bill	$147,718.64	$156,933.02	$9,214.38	6.24%


Discussion & Questions

DOWNTOWN DOVER DEVELOPMENT CORPORATION
P.O. Box 475
Dover, DE 19903

June 2, 2008

Dover City Council
P.O. Box 475
Dover, DE 19903

RE: Extension of Capital Scrap Yard Rezoning

Dear Members of City Council:

On July 9, 2007, City Council voted in favor of rezoning property (8 parcels) on West Street owned by the Downtown Dover Development Corporation known as the Capital Scrap Yard from C-3 to C-2A. Since that time, the site has been under an environmental clean-up being performed by contractors in coordination with the Downtown Dover Development Corporation and the Department of Natural Resources and Environmental Control. This clean-up has recently been completed. The Development Corporation is under contract to complete a minor lot line adjustment to consolidate the parcels into two parcels. We expect to submit this to the Planning Office in June 2008. Once the minor lot line adjustment is complete, development plans for the site will follow shortly.

Because there has been significant progress in preparing the site for redevelopment, specifically a significant environmental clean-up effort, the Downtown Dover Development Corporation requests that City Council extend the rezoning approval for the site.

Sincerely,

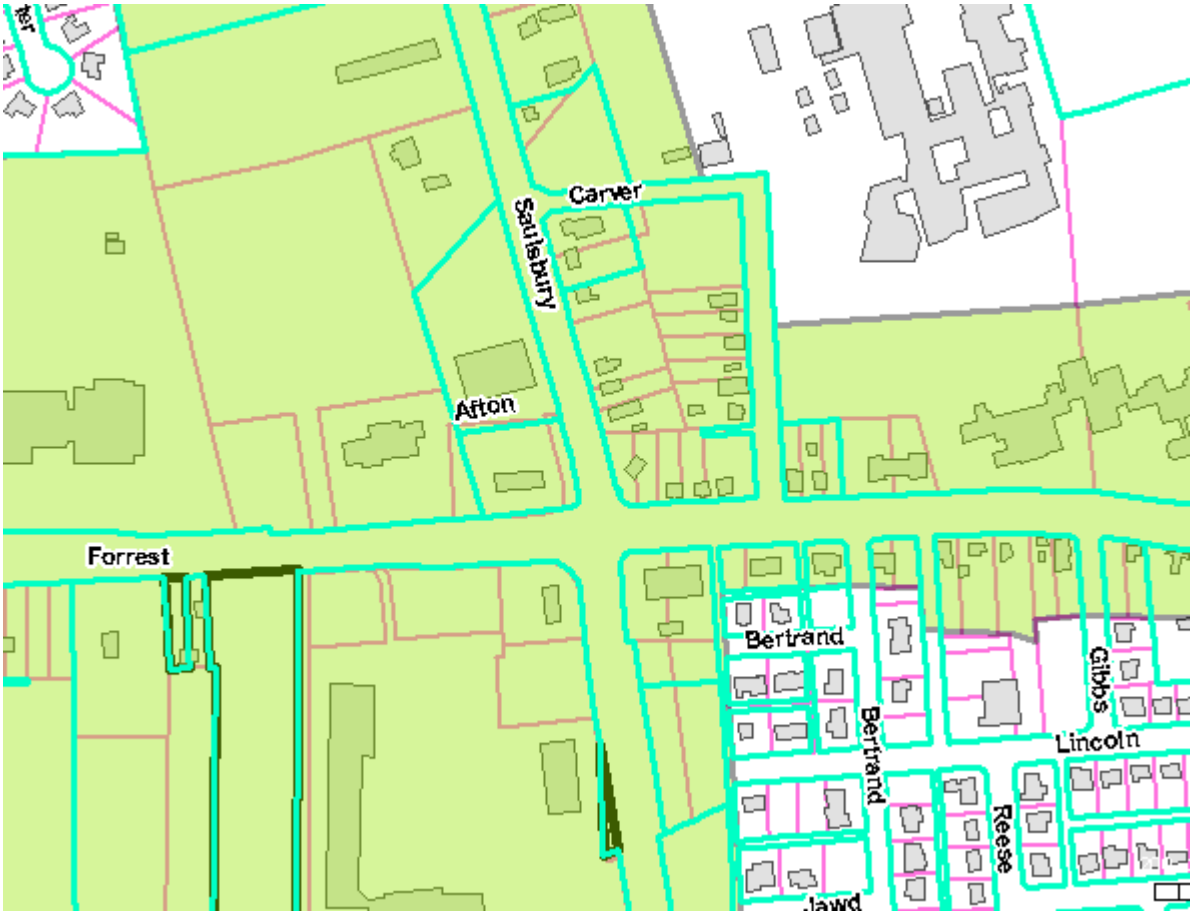
Gary Patterson
President
Downtown Dover Development Corporation

PETITION TO AMEND ZONING ORDINANCE TEXT
Before the Dover City Council
June 9, 2008

Applicants/Owners:	Constantine F. Malmberg, III
Proposed Zoning Change:	Amendment to *Zoning Ordinance*, Article 3 – District Regulations, Section 27 Corridor Overlay Zone 1 (COZ-1) to add a new subsection 27.62(a).
Summary of Amendment:	This Ordinance relieves applicants from any potential hardship imposed by the location of a corner lot with frontages on two corridors subject to the Corridor Overlay Zone. Specifically, it limits the applicability of the parking location and setback requirements set forth in the Corridor Overlay Zone to only one corridor.
Staff Recommendation:	Staff agrees that corner properties with both frontages subject to the requirements of the Corridor Overlay Zone may experience a hardship in meeting the parking location and setback requirements of the Corridor Overlay Zone. Therefore, staff supports the text amendment in concept. However, staff suggests that the proposed text amendment be located within a new subsection 27.7. Additionally, staff has recommended alternative language to accomplish the same end. The staff proposal is attached in addition to the applicant's version.
Planning Commission Recommendation:	Following a public hearing before the Planning Commission on May 19, 2008, in which nobody spoke in favor of or in opposition to the proposed text amendment, Planning Commission voted to recommend that City Council adopt the staff substitute ordinance.

Applicability:

There is only one intersection where both corridors are subject to the Corridor Overlay Zone: the intersection of Route 8 and Saulsbury Road. As written, this is the only area where this would apply. Staff reviewed the possibility of extending the proposal to all corner properties within the Corridor Overlay Zone; however, we found that flexibility exists on corners where one road is not within the Corridor Overlay Zone to adequately accommodate building placement and parking within the context of the current requirements. Below is a graphic showing the geographic application of the proposed amendment at the intersection of Route 8 and Saulsbury Road.



File Number: MI-08-08

FINAL READING

CITY OF DOVER ORDINANCE #2008-25 - SUBSTITUTE #1

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

That Chapter: Appendix B – Zoning Ordinance, Article 3 – District Regulations, Section 27 Corridor Overlay Zone 1 (COZ-1) be amended by adding a new subsection 27.7 as follows:

> Sec. 27.7 *Properties Located on a Corner Lot with Two Frontages within the Corridor Overlay Zone.* When a property is located on the corner of two corridors within the Corridor Overlay Zone, only one of the two corridors shall be subject to the requirements of Section 27.61 Setbacks and Section 27.63(a) Parking Location. The frontage of the property on which the identifiable front of the building is located shall be the frontage that is subject to the requirements of Section 27.61 and Section 27.63(a). In designing the site, in order to qualify for the relief under this subsection, the applicant must demonstrate to the satisfaction of the planning commission that the design incorporates the principles of superior urban design defined in Section 27.2.

ADOPTED *

SYNOPSIS

This Ordinance relieves applicants from any potential hardship imposed by the location of a corner lot with frontages on two corridors subject to the Corridor Overlay Zone. Specifically, it limits the applicability of the parking location and setback requirements set forth in the Corridor Overlay Zone to only one corridor.

Actions History: May 12, 2008 – Park, Recreation & Community Enhancement Committee
May 19, 2008 – Planning Commission

Draft

The text below shows the proposed text amendment in the context of the entire Corridor Overlay Zone. The proposed text is included in bold.

Section 27. Corridor overlay zone 1 (COZ-1).

27.1 *Purpose.* The corridor overlay zone (COZ) is established for the following reasons:

(a) To promote superior urban corridor development and the highest quality built environment;

(b) To foster coordination and linkage among corridor properties and with adjacent lands;

(c) To preserve the functionality and efficiency of the roadway for traffic movement; and

(d) To achieve a visually balanced streetscape environment which is friendly to the pedestrian and motorist alike.

27.2 *Superior urban design.* For the purposes of this ordinance the term "superior urban design" shall meet the following criteria:

(a) Superior urban design places a strict and primary importance on the pedestrian. The concept should lend itself to interconnectivity while presenting building structures as aspects of the street, not simply islands existing in the "sea of roads". The design should encourage fewer car-trips, as well as promote automobile trips on an interconnected local street system rather than trips that utilize the arterials. In demonstrating superior urban design, an applicant must show that the plan presented exceeds the requirements of the zoning ordinance in at least two of the following areas:

(i) Transportation amenities for bicycles, pedestrians and transit that exceed those required by the zoning ordinance;

(ii) Architectural features including, but not limited to: LEED-certified buildings; unique architecture not replicated in other locations; use of architectural elements such as entry porticos, porte-cocheres, colonnades, cornices, porch columns and balusters, band courses, coins, water tables and other trim that enhances visual quality and function of the structure; and use of the highest-quality construction materials.

(iii) Landscaping that exceeds the requirements of this section, including robust use of trees, shrubbery, and flowering plants to screen parked cars; water gardens and ponds; arboretums; tree preservation measures;

(iv) Public spaces and art including, but not limited to, sculpture, memorials, murals, public court yards and pocket parks, and fountains;

(v) Green technologies for stormwater management, as well as green energy technologies such as geothermal heating and cooling and solar energy supplies.

(b) The city planner shall develop policy guidance on how the concept of superior urban design will be evaluated.

27.3 *Zone boundaries.* The COZ encompasses the lands adjacent to the following roadways as outlined on the City of Dover Zoning Map as set forth in article 2, section 2 of this ordinance:

(a) *Delaware Route 8 (Forrest and Division Streets)* from the railroad tracks in a westerly direction to the city limit line.

Draft

(b) *McKee/Saulsbury Road (County Road 156)* from the intersection at Dennys Road (County Road 100) in a southerly direction to the terminal intersection with West North Street (County Road 73).

27.4 *Permitted uses.* Land use shall be governed by those provisions of this ordinance related to the specific zoning district designations of each property as depicted on the zoning map.

27.5 *Site development plan approval.* Site development plan approval in accordance with article 10, section 2 shall be required prior to the issuance of building permits for the erection or enlargement of all structures and prior to the issuance of certificates of occupancy for any change in use. When the zoning district regulations specify that a particular use requires conditional use approval in accordance with article 10, section 1, the provisions of that article shall apply. Site development plans and conditional use site plans for properties within the COZ shall reflect compliance with the development guidelines of this article, in addition to all other applicable codes and regulations.

27.6 *Development guidelines.*

27.61*Setbacks:*

a. Front yards.

	Residential	Nonresidential
	Min. Max.	Min. Max.
McKee/Saulsbury	60' to 80'	40' to 50' *
Route 8--Artis Drive to Mifflin Road	60' to 80'	None
Route 8--Mifflin Road to Saulsbury Road	40' to 60'	40' to 60' *
Route 8--Saulsbury Road to R.R. line	20' to 30'	20' to 30'
Subdivision streets	(Setback provisions of article 4 shall apply)	

* When the applicant can demonstrate to the satisfaction of the planning commission through the site plan review process that the proposal involves a superior urban design, the maximum setback may be increased to no more than 90 feet from the property line on Route 8 from Mifflin Road to Saulsbury Road and on McKee and Saulsbury Roads.

27.62 *Building placement.* Buildings shall be situated on the property so as to maximize the use of the frontage along the roadway and shall have the longest side of the building arranged parallel and square to the roadway. When the applicant can demonstrate to the satisfaction of the planning commission that, due to specific constraints related to lot configuration, alternative building placements may be permitted.

27.63 *Parking.*

(a) *Location.* Parking shall not be permitted to be situated within the front yard, nor between the right-of-way line and the building, except in the following instances:

(i) Automobile service stations;

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(ii) Properties in a shopping center (SC) zoning district, in which case, parking may be permitted between the building and the roadway, provided that such parking [shall] be limited to five rows of single parking spaces between the road and the storefront;

(iii) When the applicant can demonstrate to the satisfaction of the planning commission through the site plan review process that the design presented involves a superior urban design, parking may be permitted between the building and the street, provided that such parking within this area shall be adequately landscaped and screened from the roadway.

(b) *Required number of spaces.* See specific district requirements in article 4.

(c) *Layout.*

(i) Parking lots shall be arranged in such a manner so that not more than 20 parking spaces in a row shall be permitted without a landscaped island. No more than six rows of 20 spaces shall be provided without provision for a landscaped median. Parking islands shall be a minimum of ten feet wide and planting medians shall be no less than eight feet wide.

(ii) There shall be a landscaped buffer area of at least 12 feet in width between the building and parking lot and drive areas. The buffer area shall include provisions for a sidewalk of at least six feet and no greater than eight feet in width. The buffer area and sidewalk shall be grade separated from the parking lot by concrete curbing of at least six inches in height.

(d) *Landscaping.* Design shall be simple and easy to maintain and shall consist of a combination of hardy canopy trees, low evergreen shrubs and turf grass, and shall be designed in accordance with landscape guidelines set forth in article 5, section 15 of this ordinance and as follows:

(i) *Interior landscaping.* A minimum of five percent of the interior area of a parking lot shall be reserved for landscape purposes. This provision shall include the landscaping of all required parking islands and medians. Shade trees shall be incorporated within the landscaped islands whenever and wherever practicable.

(ii) *Parking lot screening adjacent to public right-of-way.* Low profile screening shall be required when parking spaces would result in vehicles facing onto the roadway. Screening may consist of a low wall, evergreen hedge with a minimum height of two feet at the time of planting, planted three feet apart on center, and a maximum height of three feet at maturity, or earth berm. Should a low wall be used, such wall shall be accompanied by evergreen shrub plantings on the roadway side of the wall and spaced ten feet apart on center.

(iii) *Reserved.*

27.64 *Site access.*

(a) *Entrance width and radii.* Site entrances shall have a minimum width of 24 feet. Entrances involving a median divider shall be at least 35 feet in width. Entrance radii shall be a minimum of 15 feet and a maximum of 25 feet.

(b) *Number of entrances and curb cut spacing.* One curb cut shall be permitted for each street which abuts a site. For sites with street frontage in excess of 300 linear feet, one additional curb cut may be permitted. For sites with street frontage in excess of 600 linear feet, two additional curb cuts may be permitted.

Draft

Multiple curb cuts on a property shall have a minimum spacing distance in accordance with the following schedule:

Speed Limit	Maximum Spacing (Ft.)
25	105
30	125
35	150
40	185
45	230
50	275

(c) [*Shared access.]* Shared access shall be provided, whenever possible, for entrances to adjoining uses, including residential driveways.

(d) [*Cross access.]* Cross access shall be provided among abutting uses of similar use categories, whenever possible, to provide linkage between properties as an alternative to re-entering the corridor to access both existing and future neighboring properties.

(e) *Entrance locations for adjoining properties.* Commercial site entrances shall be no closer than 25 feet to an adjoining property which is zoned residential and no closer than ten feet to an adjoining property which is in a nonresidential zoning category.

27.65 [*Signs.]* Signs shall meet the regulations found in article 5, section 4, supplementary sign regulations.

27.66 *Building height.*

(a) Buildings shall be limited in overall height to 35 feet and shall not exceed two stories.

27.67 *Open space and landscaping.*

(a) *Lot coverage.* Each lot shall have a minimum of 25 percent of the lot area dedicated to be landscaped open space. A lesser amount of landscaped open space may be permitted when it can be demonstrated to the satisfaction of the planning commission, through the site plan review process, that, due to lot configuration and existing built conditions, the required minimum is impractical.

(b) *Frontage.* Each lot shall have a landscaped open space of at least 25 feet in width, measured from the back of curb along the entire frontage of the lot, except at points of site access. Trees shall be provided along the frontage perimeter at a minimum rate of one tree for each 50 linear feet of frontage.

(c) *Side and rear yards.* A minimum of 15 feet of landscaped open space shall be provided along all side and rear lot lines when abutting a residential use and a minimum of five feet when abutting a nonresidential use. Tree plantings shall be provided along all nonfrontage perimeters at a minimum rate of one tree for each 75 linear feet.

(d) *Stormwater detention ponds.* Detention ponds may be counted toward the minimum 25 percent open space area, provided that such ponds are

Draft

designed to emulate natural features by incorporating irregular outline, gradual slopes (no greater than 1:4), and appropriate landscape plantings.

(e) *Landscaping.* Landscaped open spaces shall be designed in accordance with the provisions of this section, as well as the landscaping guidelines as set forth in article 5, section 9 of this ordinance.

(f) *Screening.* The following items shall be located so as to minimize visibility from the roadway, adjacent properties and other public areas, and shall be screened from public view:

(1) Service bays;
(2) Loading docks and platforms;
(3) Rooftop utilities;
(4) Satellite dishes;
(5) Dumpsters;
(6) Storage areas.

(g) *Standard for tree plantings.* Trees shall be of a high canopy variety and shall be limbed to a minimum height of 12 feet above grade at maturity.

(h) *Standards for shrubbery.* Shrubbery shall be of a low evergreen variety and shall be limited to use as foundation plantings and for screening purposes.

(i) *Standards for ground cover.* Ground cover shall be limited to turf and ornamental grasses and ornamental evergreen ground cover plantings within required landscape areas.

27.68 *Lot configuration.* All lots within the corridor overlay district created after the enactment of this section shall conform to the following:

(a) Minimum lot area [shall be] 10,000 square feet. Service stations [shall have a minimum lot area of] 20,000 square feet.

(b) Minimum lot depth shall be 100 feet. In the C-3 (service commercial) district, the minimum lot depth shall be 150 feet.

(c) Minimum road frontage shall be at least 100 feet. In the C-3 (service commercial) district, the minimum road frontage shall be 150 feet.

27.69 *Architectural review.* The side of any building which faces the corridor (or corridors) shall be referred to as the "corridor elevation." Buildings in the COZ-1 shall be designed to front on the corridor, and the corridor elevation shall contain architectural elements traditionally associated with the front of a building. Blank walls without functioning windows are prohibited along the corridor. Windows must be incorporated into the overall design concept of the corridor elevation. Providing one or several small windows on a large corridor elevation shall not constitute compliance with this ordinance.

A "functioning window" shall be defined as a window which lets light into the interior of the structure, and is integrated and related to the interior layout of the space. In addition to functioning windows, the corridor elevation shall have the following elements:

(a) A primary entrance door or doors (except for loading doors).

(b) A primary entrance feature, such as a porch, portico, awning, entrance walk, or other similar feature.

In addition, the corridor elevation shall have one of the following elements:

(a) Landscaping integrated into the building design concept.

Draft

(b) Architectural or urban design elements which link adjacent structures together, such as plazas, walkways, colonnades, or similar features.

(c) Architectural relief, such as vertical and horizontal offsets in exterior wall elevations, band courses, lintels and sill courses, cornices, and the like, to create shadow lines.

The applicant shall submit 12 copies of the corridor elevation at the time of application. The city planner or his/her designee shall determine whether compliance with the provisions of this ordinance has been achieved.

Sec. 27.7. ***Properties Located on a Corner Lot with Two Frontages within the Corridor Overlay Zone.*** **When a property is located on the corner of two corridors within the Corridor Overlay Zone, only one of the two corridors shall be subject to the requirements of Section 27.61 Setbacks and Section 27.63(a) Parking Location. The frontage of the property on which the identifiable front of the building is located shall be the frontage that is subject to the requirements of Section 27.61 and Section 27.63(a). In designing the site, in order to qualify for the relief under this subsection, the applicant must demonstrate to the satisfaction of the planning commission that the design incorporates the principles of superior urban design defined in Section 27.2.**

Draft

FINAL READING

CITY OF DOVER ORDINANCE #2008-25

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

That Appendix B - Zoning, Article 3 - District Regulations, Section 27.62 - Building Placement, be amended by inserting a new Section 27.62(a) as follows:

> Sec. 27.62(a). When an applicant has property bordering on two roads subject to the COZ and the applicant demonstrates to the satisfaction of the Planning Commission through the Site Plan Review process that the design presented involves superior urban design, then the setbacks set forth in Section 27.61(a) and the parking restriction set forth in 27.63 shall only apply to the side of the property designated by the applicant as the front.

ADOPTED: *

SYNOPSIS

This Ordinance relieves applicants from any hardship imposed by application of the COZ to two sides of a property when it is a corner lot.

Actions History
April 28, 2008 - First Reading
May 19, 2008 - Planning Commission

Draft

UTILITY COMMITTEE

The Utility Committee meeting was held on May 27, 2008 at 5:00 p.m. with Chairman Ruane presiding. Members present were Mr. McGiffin, Mr. Cregar, and Mr. Snaman. Mr. Leary was absent. Members of Council present were Mr. Slavin (arrived at 5:16 p.m.), Mrs. Williams, and Council President Hogan.

AGENDA ADDITIONS/DELETIONS

Mr. McGiffin moved for approval of the agenda, seconded by Mr. Cregar and unanimously carried.

2030 Power Plant Development

Mr. Lunt, Public Utilities Director, advised members that since May 2007, the Dover 2030 Energy Requirements Committee has been meeting approximately every month to review the PJM Market, evaluate the capacity/energy requirements of the City's system, and identify action plans to address the City's future energy needs. He stated that after extensive discussion on the market and capacity/energy shortfall, it was decided to solicit the energy development market to gain knowledge of what options are available to the City through a Request for Qualifications process. The goal was to gain information and knowledge from the potential developers and identify possible solutions to the City's requirements. This concept was outlined at the January 14, 2008 Utility Committee Meeting.

Mr. Lunt indicated that the second phase of this process is beginning, which is to evaluate the four (4) submissions to determine the most economical and feasible solution to the City's future needs. A summary of the four (4) responses was provided to members for information purposes. He explained that the recommended negotiated contract will be to compensate Pace Global Asset Management, LLC (PACE) for the expenses related to this evaluation. The authority to enter this partnership was outlined in the May 4, 2006 Energy Management Agreement whereby the City of Dover (City) and PACE contracted with PACE to assist the City with its energy procurement, energy sale, purchase of fuels, establishment and management of risk policies, operation of assets, develop and manage hedging protocols and related energy procurement challenges. Within this Agreement, Article 3 – Energy Manager Function, Section 3.1 (a) (iv) allows for other technical/consulting services at the disclosed hourly rate upon express written requests and instructions from Dover.

Mr. Lunt indicated that Dover has outlined the scope of work and reviewed the proposal received from PACE. He noted that, within the proposal, they anticipated that the second phase of this process would take approximately five (5) months with a cost of $30,000/month retainer fee, plus five percent (5%) G&A and travel reimbursement for a projected expense of $150,000 plus $7,500 G&A and $2,500 for travel, or a total estimate of $160,000. Mr. Lunt stated that there also is a true-up for the retainer fee where the final billing will be for the total actual hours expended during the second phase. If PACE expends less hours, the invoice will credit the City; however, if they expend more time than anticipated, the City will only be billed for the $30,000. This method will ensure that the City can control their expenses.

Staff recommended that the City Manager be authorized to execute the Pace Global Asset Management Generation RFP as presented for an estimated expense of $160,000.

Mr. Ruane advised members that he serves as a member of the 2030 Energy Requirements Committee.

Mr. McGiffin moved to recommend approval of staff's recommendation, seconded by Mr. Snaman and unanimously carried.

Final Electric Cost of Service Study by Burns & McDonnell

During their meeting of May 12, 2008, members reviewed a presentation of the Electric Cost of Service Study. Members were provided an explanation regarding the need for adjustments, net margins, cost of service considerations, and potential rate adjustments. It was noted that the rate design analysis indicates the need for a seven percent (7%) rate adjustment on July 1, 2008, and that the rate adjustments by class may vary depending on the cost of service results. As a result of the Study being completed, Mr. Ted Kelley, Principle with Burns & McDonnell, reviewed a presentation of the Electric Rate Adjustment Considerations (***Attachment #1***).

Referring to the Residential Rate Comparison of other utility providers, Mr. Ruane requested that members be provided an up-to-date list, as of a date certain, when this matter is presented to City Council for consideration (***Attachment #2***).

Mr. McGiffin moved to recommend acceptance of the rate adjustments as recommended, seconded by Mr. Snaman.

Mr. Cregar relayed concern that members were not provided ample opportunity to review the material, noting that receipt of the information was provided during the meeting rather than included in the committee's packet.

The motion recommending acceptance of the rate adjustments as recommended by Burns & McDonnell was unanimously carried.

2008 Comprehensive Plan Review: Utility Chapter

As directed, staff provided members with the Utility Chapter of the 2008 Comprehensive Plan for their review, which included Chapter 7 - Public Utilities and Infrastructure Plan.

Mr. Ruane suggested that staff include a section that would consist of a general outline of how the electric is brought to the City. He also suggested that if there is a goal statement, there should be a paragraph explaining why the goal is necessary (the problem or challenge).

PACE/NAES Monthly Report (*April*)

Mr. DePrima provided the PACE/NAES Monthly Report for April 2008. He reminded members that the reports are being provided to allow members the opportunity to monitor what is being sold in electric and the revenues received, which will give members a better understanding of any fluctuations and make improvements if deemed necessary. It was not his intention to make a presentation of the report; however, he welcomed any questions.

Mr. Snaman moved to recommend acceptance of the PACE/NAES Monthly Report for April 2008, seconded by Mr. McGiffin and unanimously carried.

Mr. Snaman moved for adjournment, seconded by Mr. McGiffin and unanimously carried.

Meeting Adjourned at 5:56 P.M.

Respectfully submitted,

Eugene B. Ruane
Chairman

EBR/TM/jg
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Attachments
Attachment #1 - Presentation by Burns & McDonnell - Rate Adjustments
Attachment #2 - Residential Rate Comparison of Other Utility Providers as of June 1, 2008

Burns & McDonnell
SINCE 1898

Electric Rate Adjustment Considerations

Presented to the
City of Dover, Delaware
May 27, 2008

ATTACHMENT #1
Utility Committee Meeting of 05/27/2008

Need for Rate Adjustments

- Current Rates Implemented July 1, 2007
- Additional Changes were Expected
- Financial Forecast was Updated
- Purchased Power Costs Adjusted
- Capital Requirements Incorporated

Cost Drivers

- Projected Expenses Increasing:
  - Purchased Power Expenses
    - Up 10.4 Percent
  - Total Electric Operating Expenses
    - Up 7 Percent
  - Major Capital Improvements
    - $22 Million in New Debt

Financial Forecast

- Results were Reviewed
- Key Financial Targets:
  - Debt Service Coverage
  - Positive Net Margins
- Determined Revenue Adjustment
  - FY 2009 – 7.0 Percent

Cost-of-Service Analysis

- Unbundled Revenue Requirements
  - Power Supply (Demand & Energy)
  - Transmission
  - Distribution
  - Customer
- Assigned Costs to Classes
  - Allocation Factors
- Summarized Results

Indicated Level of Adjustments

Total	Transmission	Small Commercial	Medum Commercial	Large Commercial	Primary	Residential
7%	7%	5%	13%	11%	0%	8%

Rate Design Analysis

- Address 7% Revenue Shortfall
- Rate Implementation Strategy
  - Implement July 1, 2008
  - Consider Cost of Service Results
  - Rate Adjustments by Class Vary

Current and Proposed Rates

Customer Class	Customer Charge ($/month)		Energy Charge ($/kWh)		Demand Charge ($/kW-month)	
	Current	Proposed	Current	Proposed	Current	Proposed
Residential	**5.00**	**5.00**	**0.1343**	**0.1450**	-	-
Small Commercial Single Phase	**5.00**	**5.00**	**0.1387**	**0.1465**	-	-
Small Commercial Three Phase	**15.00**	**15.00**	**0.1387**	**0.1465**	-	-
Medium Commerical Single Phase	**5.00**	**5.00**	**0.0950**	**0.0915**	**9.75**	**15.70**
Medium Commerical Three Phase	**15.00**	**15.00**	**0.0950**	**0.0915**	**9.75**	**15.70**
Large Commercial *	**15.00**	**15.00**	**0.0950**	**0.0915**	**9.75**	**15.70**
Primary *	**10.00**	**10.00**	**0.0935**	**0.0895**	**9.60**	**11.25**
Transmission *	-	-	**0.0886**	**0.0875**	**6.25**	**10.50**

* Large Commercial, Primary and Transmission customer classes have power factor adjustment.

Transmission Rate

Determination of Demand Adjustment

Power Factor Correction Change

Current	Proposed
90%	98.5%

Change Holds Transmission Customers to the Same Standard as the City

Typical Bill Comparisons

Residential

	July 1, 2007 Rate	July 1, 2008 Rate	Change Amount	Change Percent
Monthly Energy Usage of 1,000 kWh				
Customer Charge	$5.00	$5.00	$0.00	
Energy Charges	134.30	145.00	10.70	
Total Bill	$139.30	$150.00	$10.70	7.68%
Monthly Energy Usage of 750 kWh				
Customer Charge	$5.00	$5.00	$0.00	
Energy Charges	100.73	108.75	8.02	
Total Bill	$105.73	$113.75	$8.02	7.59%

Small Commercial – Rental Office
(Single Phase)

	July 1, 2007 Rate	July 1, 2008 Rate	Change Amount	Change Percent
Monthly Energy Usage of 2,226 kWh				
Customer Charge	$5.00	$5.00	$0.00	
Energy Charges	308.75	326.11	17.36	
Utility Tax	13.33	14.07	0.74	
Total Bill	$327.08	$345.18	$18.10	5.53%
Monthly Energy Usage of 3,220 kWh				
Customer Charge	$5.00	$5.00	$0.00	
Energy Charges	446.61	471.73	25.12	
Utility Tax	19.19	20.26	1.07	
Total Bill	$470.81	$496.99	$26.18	5.56%

Small Commercial – Bank

(Three Phase)

	July 1, 2007 Rate	July 1, 2008 Rate	Change Amount	Change Percent
Monthly Energy Usage of 2,507 kWh				
Customer Charge	$15.00	$15.00	$0.00	
Energy Charges	347.72	367.28	19.55	
Utility Tax	15.42	16.25	0.83	
Total Bill	$378.14	$398.52	$20.39	5.39%
Monthly Energy Usage of 3,510 kWh				
Customer Charge	$15.00	$15.00	$0.00	
Energy Charges	486.84	514.22	27.38	
Utility Tax	21.33	22.49	1.16	
Total Bill	$523.17	$551.71	$28.54	5.46%

Medium Commercial – Bank

(Single Phase)

	July 1, 2007 Rate	July 1, 2008 Rate	Change Amount	Change Percent
Monthly Energy Usage of 6,240 kWh, Demand of 18.50 kW				
Customer Charge	$5.00	$5.00	$0.00	
Demand Charges	180.38	290.45	110.08	
Energy Charges	592.80	570.96	-21.84	
Utility Tax	33.07	36.82	3.75	
Total Bill	$811.25	$903.23	$91.98	11.34%
Monthly Energy Usage of 5,683 kWh, Demand of 25.50 kW				
Customer Charge	$5.00	$5.00	$0.00	
Demand Charges	248.63	400.35	151.73	
Energy Charges	539.89	519.99	-19.89	
Utility Tax	33.72	39.33	5.60	
Total Bill	$827.23	$964.67	$137.44	16.61%

Large Commercial – Car Dealer

	July 1, 2007 Rate	July 1, 2008 Rate	Change Amount	Change Percent
Monthly Energy Usage of 43,000 kWh, Demand of 133.60 kW				
Customer Charge	$15.00	$15.00	$0.00	
Demand Charges	1,302.60	2,097.52	794.92	
Energy Charges	4,085.00	3,934.50	-150.50	
Power Factor Adjustment	-16.25	-26.16	-9.92	
Utility Tax	229.61	257.00	27.39	
Total Bill	$5,615.96	$6,277.85	$661.89	11.79%
Monthly Energy Usage of 42,520 kWh, Demand of 146.80 kW				
Customer Charge	$15.00	$15.00	$0.00	
Demand Charges	1431.30	2304.76	873.46	
Energy Charges	4039.40	3890.58	-148.82	
Power Factor Adjustment	-36.56	-58.87	-22.31	
Utility Tax	233.14	263.94	30.80	
Total Bill	$5,682.29	$6,415.41	$733.13	12.90%

Primary – Insurance Company

	July 1, 2007 Rate	July 1, 2008 Rate	Change Amount	Change Percent
Monthly Energy Usage of 129,000 kWh, Demand of 330.01 kW				
Customer Charge	$10.00	$10.00	$0.00	
Demand Charges	3,168.10	3,712.61	544.52	
Energy Charges	12,061.50	11,545.50	-516.00	
Power Factor Adjustment	712.37	834.81	122.44	
Utility Tax	304.79	305.36	0.57	
Total Bill	$16,256.76	$16,408.29	$151.53	0.93%
Monthly Energy Usage of 77,000 kWh, Demand of 300.00 kW				
Customer Charge	$10.00	$10.00	$0.00	
Demand Charges	2,880.00	3,375.00	495.00	
Energy Charges	7,199.50	6,891.50	-308.00	
Power Factor Adjustment	0.00	0.00	0.00	
Utility Tax	201.79	205.53	3.74	
Total Bill	$10,291.29	$10,482.03	$190.74	1.85%

Transmission

	July 1, 2007 Rate	July 1, 2008 Rate	Change Amount	Change Percent
Monthly Energy Usage of 1,674,000 kWh, Demand of 2,604.15 kW				
Demand Charges	16,275.94	27,343.58	11,067.64	
Energy Charges	148,316.40	146,475.00	-1,841.40	
Power Factor Adjustment	1,946.97	3,270.92	1,323.94	
Utility Tax	3,291.85	3,476.37	184.52	
Total Bill	$169,831.16	$180,565.86	$10,734.70	6.32%
Monthly Energy Usage of 1,458,000 kWh, Demand of 2,234.00 kW				
Demand Charges	13,964.06	23,459.63	9,495.56	
Energy Charges	129,178.80	127,575.00	-1,603.80	
Power Factor Adjustment	1,712.92	2,877.70	1,164.78	
Utility Tax	2,862.86	3,020.69	157.84	
Total Bill	$147,718.64	$156,933.02	$9,214.38	6.24%

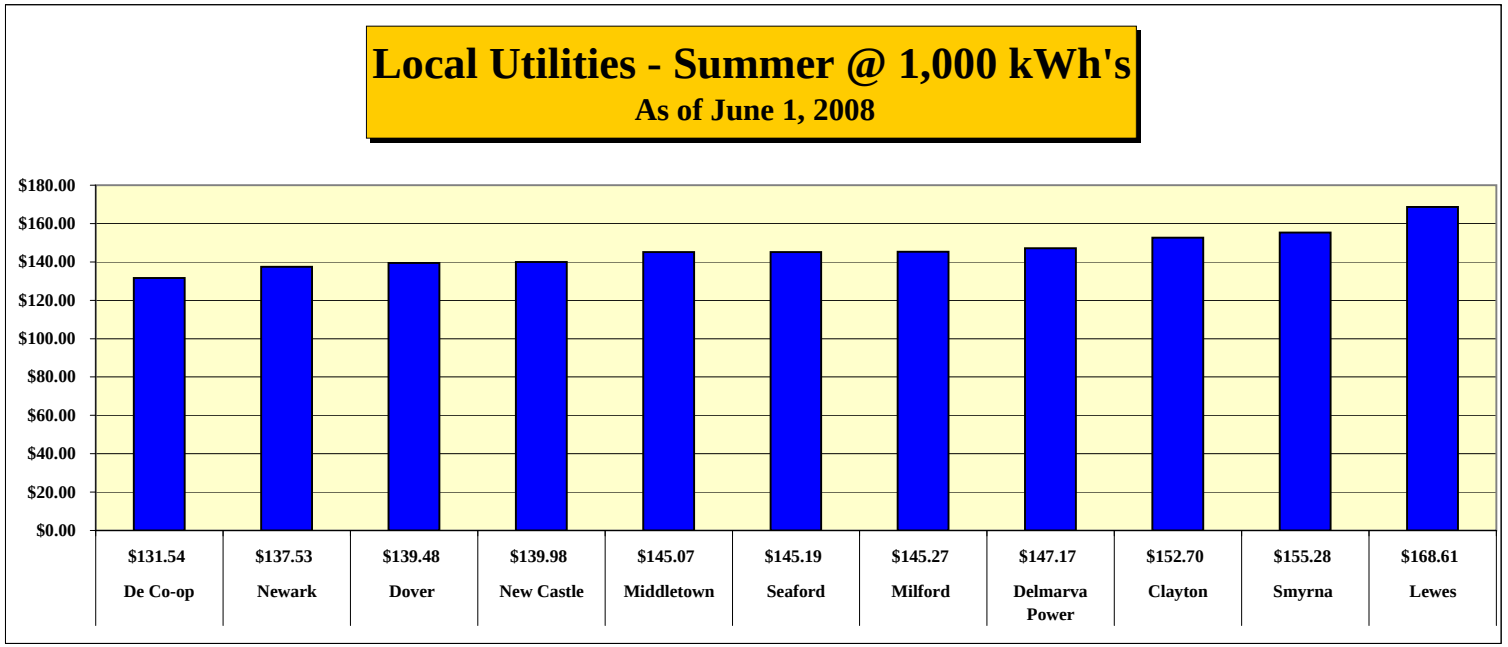
Electric Rate Adjustment Considerations

Discussion and Questions

RESIDENTIAL RATE COMPARISON @ 1,000 kWh

		% Difference	% Difference
De Co-op	**$131.54**	0%	-11%
Newark	**$137.53**	5%	-7%
Dover	**$139.48**	6%	-5%
New Castle	**$139.98**	6%	-5%
Middletown	**$145.07**	10%	-1%
Seaford	**$145.19**	10%	-1%
Milford	**$145.27**	10%	-1%
Delmarva Power	**$147.17**	12%	0%
Clayton	**$152.70**	16%	4%
Smyrna	**$155.28**	18%	6%
Lewes	**$168.61**	28%	15%

* Approximate. DP&L's new transmission capacity charge is based on each individual's Peak Load Contribution (PLC) to the overall transmission load. Each customer has a unique PLC that changes every January.



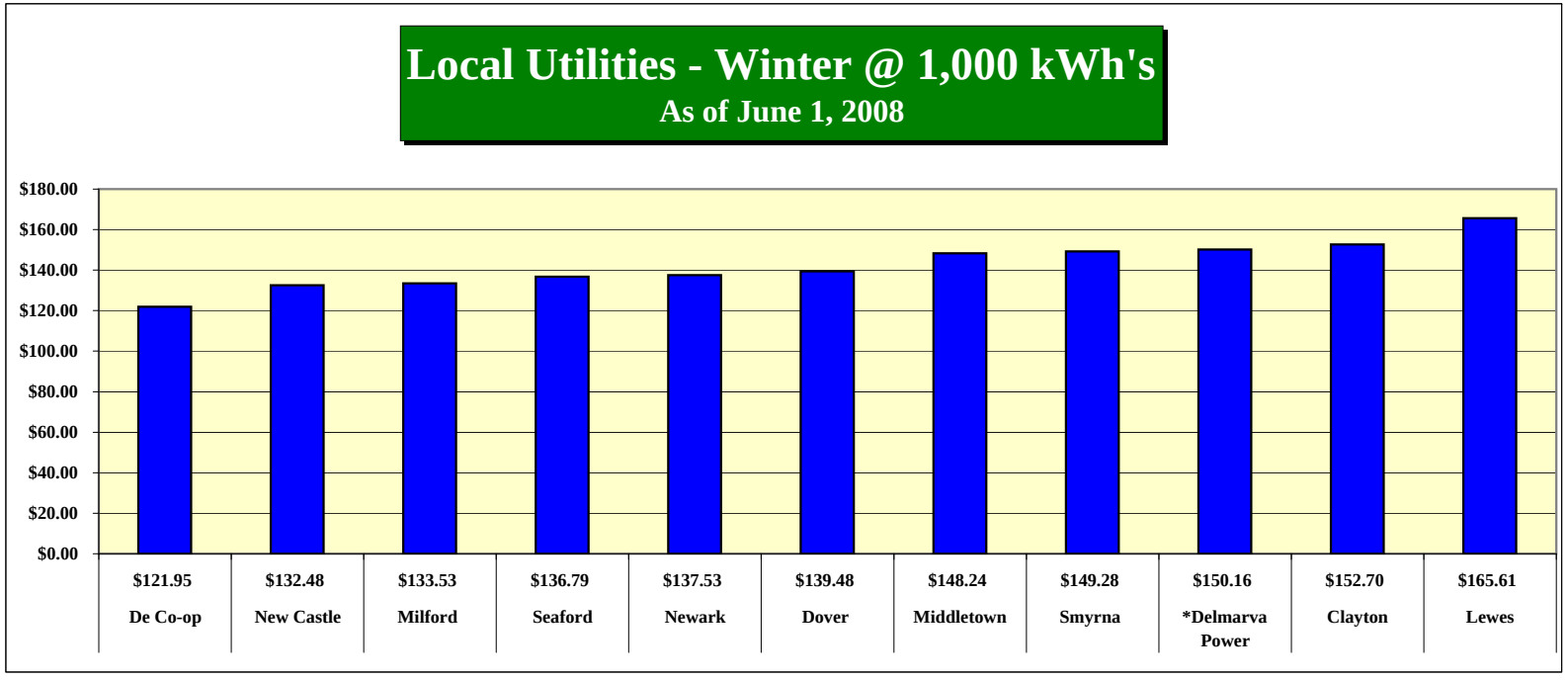
ATTACHMENT #2 (Page 1 of 2)
Utility Committee Meeting of 05/27/2008

Selected Area Utilities
Winter (Oct. - May)

RESIDENTIAL RATE COMPARISON @ 1,000 kWh

		% Difference	% Difference
De Co-op	$121.95	0%	-19%
New Castle	$132.48	9%	-12%
Milford	$133.53	9%	-11%
Seaford	$136.79	12%	-9%
Newark	$137.53	13%	-8%
Dover	$139.48	14%	-7%
Middletown	$148.24	22%	-1%
Smyrna	$149.28	22%	-1%
*Delmarva Power	$150.16	23%	0%
Clayton	$152.70	25%	2%
Lewes	$165.61	36%	10%

* Approximate. DP&L's new transmission capacity charge is based on each individual's Peak Load Contribution (PLC) to the overall transmission load. Each customer has a unique PLC that changes every January.



ATTACHMENT #2 (Page 2 of 2)
Utility Committee Meeting of 05/27/2008

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

The Legislative, Finance, and Administration Committee meeting was held on May 27, 2008 at 6:04 p.m. with Chairman Slavin presiding. Members present were Mr. McGlumphy, Mr. Salters, and Mr. Shevock. Dr. Jones was absent. Other members of Council present were Mr. Leary, Mr. McGiffin, Mrs. Williams, Mr. Ruane, Council President Hogan, and Mayor Carey.

AGENDA ADDITIONS/DELETIONS

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

Downtown Dover BID - Assessment (Tax) Rate for Fiscal Year 2008-2009

In accordance with Appendix D, Article III, Section 9(f) of the Dover Code, City Council must adopt a Business Improvement District (BID) budget and assessment every year. Members were provided the FY 2008-2009 budget showing BID tax revenue and the expenses charged against that revenue, as well as the following tax calculation worksheet with recommended rates:

JULY 1, 2008 TO JUNE 30, 2009

	ZONE 1	ZONE 2	ZONE 3	TOTAL
Aggregate Assessments	$32,361,100	$58,864,900	$29,621,700	$120,847,700
Assessment Tax Rate Per $100 Assessment	0.0822	0.0362	0.0180	---
Revenue Raised	$26,601	$21,309	$5,332	$53,242
% Revenue Raised	50%	40%	10%	100%
Number of Parcels	122	113	49	284
Average Assessment	$218	$189	$109	$187

It was noted that the revenue percentages by zone have been calculated in accordance with Section 9(e) of Appendix D, Article III of the Dover Code and that the amounts were estimated per the reassessed values.

Staff recommended approval of the Downtown Dover Business Improvement District (BID) - Assessment (Tax) Rate for FY 2008-2009 and adoption of the proposed budget ordinance.

Mr. Slavin requested that staff include a map depicting each of the zone areas when this matter is presented to City Council for consideration (***Attachment #1***).

Mr. Salters moved to recommend approval of staff's recommendation (*Attachment #2*), seconded by Mr. Shevock and carried with Mr. Slavin voting no.

Criminal Justice Council - Amendment to Title V Grant with Aid in Dover

Mrs. Townshend, Director of Planning and Inspections, reminded members that in the fall of 2007, the City of Dover, in cooperation with Aid in Dover, Inc., received a grant through the Criminal Justice Council for the Girls Circle Program. With the grant, Aid in Dover provides outreach and training aimed at fostering positive behavior in teenage girls. When presented to members for consideration, she stated that a budget was submitted with the grant.

Mrs. Townshend advised members that Aid in Dover has submitted a proposed amended grant budget. She assured members that the program will continue to offer the same service and meet the objective of the grant. She explained that Aid in Dover has proposed a modification to how the program is run, utilizing contractual certified teachers rather than a program facilitator, as initially proposed. Mrs. Townshend indicated that Aid in Dover has also proposed the addition of transportation, field trips, and additional funds for training materials.

Mr. McGlumphy moved to recommend approval of the amended grant budget as requested by Aid in Dover, seconded by Mr. Salters and unanimously carried.

Pay for Performance (PFP) Review - Consultant Revised Scope of Work

During the committee meeting of March 10, 2008, members recommended approval of the request to hire Management Advisory Group (MAG), at a cost of $34,965, to conduct a Review and Evaluation of the PFP Evaluation System, which was approved by City Council on March 24, 2008.

Mr. DePrima, City Manager, reminded members that during their meeting of April 14, 2008, members were provided information regarding the need to consider salary re-grading of non-bargaining employees. He had explained that the recent decision by City Council to use the PAS Position Factor Analysis Scoring for the Controller\Treasurer position "without adjustments" brought about the need to review several other positions that used the same scoring but were adjusted by City Council in the past. It was suggested that members consider amending the current contract with MAG to conduct a review and evaluation of the PFP Evaluation System to include the optional maintenance agreement.

Mr. DePrima stated that staff submitted a request to MAG for the information regarding the costs involved to include a market study. As a result, MAG submitted a revised Scope of Work that will address the concerns expressed by members during their April 14th meeting. He advised members that the added cost of the contract is $5,000, which can be covered in existing budgets, and reviewed a summary of the changes to the contract, as follows:

1. It has been reworked so that it identifies tasks to be completed before June 30, 2008 and after June 30, 2008. The task to be completed before June 30th relate to the salary analysis for non-bargaining employees.

2. It reflects the databases and information that MAG requested at the May 13th meeting.

3. It introduces a process where employees can submit issues relative to current classification, title, grade, etc. Dr. Long confirmed that this process will also be open to Council members.

4. A complete review of non-bargaining primary duties and functions.

5. MAG will use their "compendium of compensation data" to evaluate and compare Dover salaries to the external market.

Mr. DePrima reviewed MAG's Revised Work Plan for the City of Dover. Staff recommended approval of the Management Advisory Group revised contract and scope of work in the amount of $39,965.

Mr. McGlumphy relayed concern regarding the database utilized by MAG and proposals to increase salaries much greater than what can be afforded by the City. If the increases occur, he requested that staff provide details regarding each pay increase for the 20 positions. He stated his opposition to providing the pay raises proposed for the upper management positions. Responding, Mr. DePrima explained that the 20 positions were included in the material provided for the April 14th meeting and that, at this time, he recommended withdrawing that proposal and that MAG be requested to review all (estimated 84) non-bargaining positions. For an additional $5,000, he explained that Council will be provided a much more thorough and comprehensive recommendation than what was originally recommended by staff. Mr. DePrima disagreed with the assumption that the review will result in recommendations for huge salary increases, explaining that this information will not be known until the study has been completed.

Responding to Mrs. Williams, Mr. DePrima reminded members that next year's budget includes contingency amounts to cover any proposed salary increases. If the results of the study require additional funds, he suggested that Council will make a determination regarding the proposed increases and/or budget reductions.

Mr. Ruane suggested that staff assure that MAG utilize the salary scale adopted by City Council rather than the original salary scale submitted by MAG.

Mr. McGlumphy requested that staff encourage MAG to interview members of the community in conducting their study.

Mr. Salters moved to recommend approval of the Management Advisory Group revised contract and scope of work in the amount of $39,965, as recommended by staff. The motion was seconded by Mr. Shevock and carried with Mr. McGlumphy voting no. *Due to time constraints, this item was placed on the Council agenda for the meeting being held later in the evening.*

Donation of $10,000 for Vietnam War Memorial and Discussion of Donation Policy

During their meeting of March 31, 2008, members considered a letter from Mr. George Chabbott, President/Broker of Chabbott Petrosky Commercial Realtors, Ltd., requesting a donation in the amount of $10,000 to $60,000$^{+/-}$ for the purpose of building a monument to honor local service members killed and/or missing in action in Vietnam. For reference purposes, members were also provided with the City's Community Leader and Organization Recognition Policy. The committee recommended support of the Vietnam War Memorial with in-kind contribution not to exceed

$10,000 within the policies of the City; however, during their consideration of the committee's recommendation at their Regular Meeting of April 14, 2008, City Council tabled the matter for clarification of the committee's motion; therefore, the matter was referred back to the committee. Members of the committee reconsidered this matter during their meeting of April 28, 2008. In reviewing the committee's report during the Annual Council Meeting on May 12, 2008, members of City Council referred the issue of providing a donation for the Vietnam War Memorial back to the Legislative, Finance, and Administration Committee to allow for full discussion of the Community Leader and Organization Recognition Policy in an effort to assist in the completion of projects.

Due to the absence of the Controller/Treasurer, Mr. Slavin suggested that this matter be tabled.

Mr. McGlumphy moved to table the consideration of a donation in the amount of $10,000 for Vietnam War Memorial and the discussion of the Community Leader and Organization Recognition Policy, seconded by Mr. Salters and unanimously carried.

Mr. McGlumphy moved for adjournment, seconded by Mr. Shevock and unanimously carried.

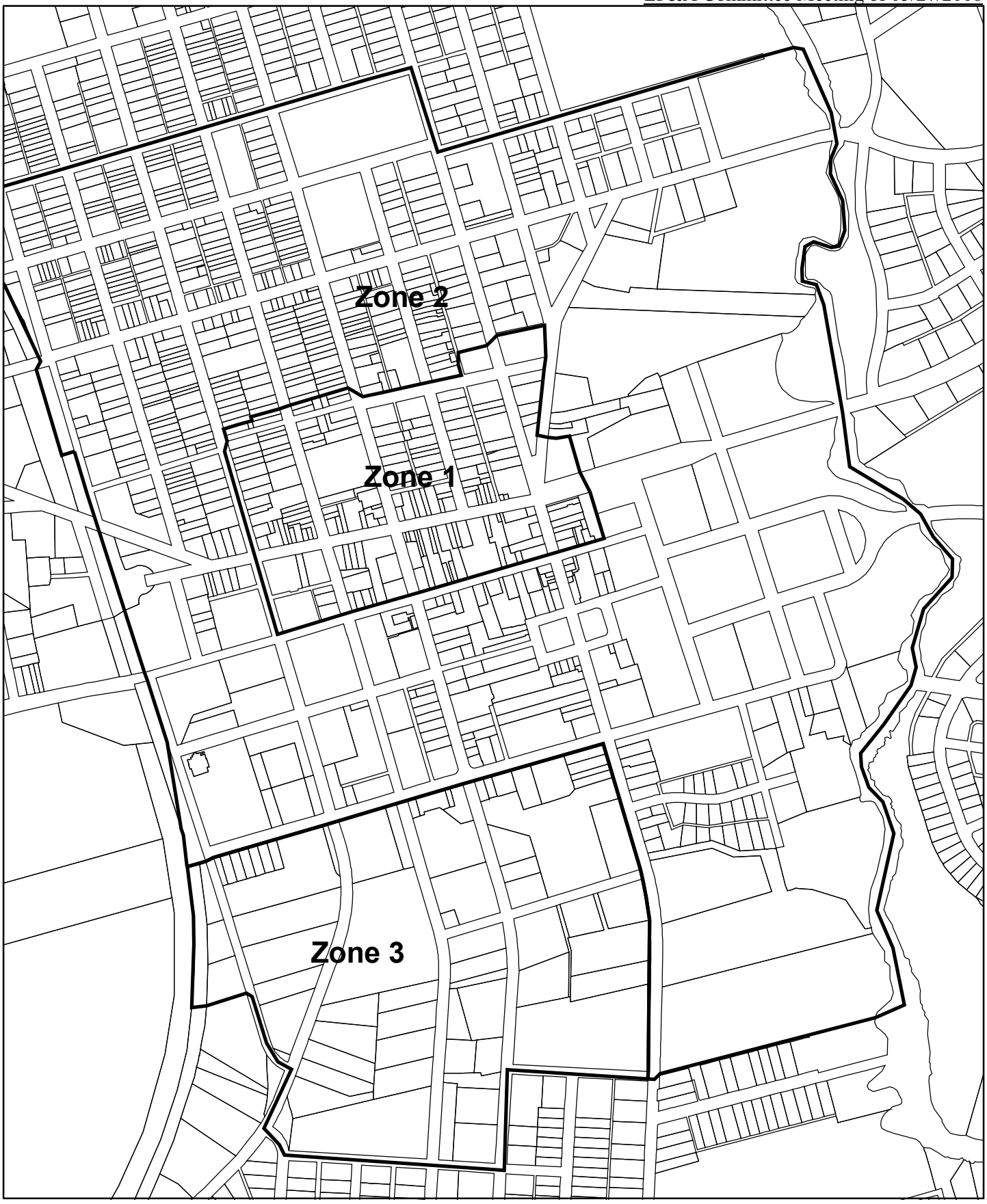
Meeting Adjourned at 6:44 P.M.

Respectfully submitted,

Timothy A. Slavin
Chairman

TAS/TM/jg
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Attachment
Attachment #1 - Map of Business Improvement District (BID) Zones
Attachment #2 - Downtown Dover Business Improvement District (BID) Budget Ordinance



City of Dover

Business Improvement District

Map Created by:
Department of Planning and Inspections
Date Map Created: 6-22-06

0 250 500 1,000 Feet

DOWNTOWN DOVER BUSINESS IMPROVEMENT DISTRICT

CASH RECEIPTS BUDGET FOR 2008-09

BID TAX REVENUE AND EXPENSES CHARGED AGAINST THIS REVENUE ADMINISTERED THROUGH MAIN STREET, INC.

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

1. The amount hereinafter named aggregating Fifty-three thousand, two hundred and forty-two dollars ($53,242) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by the City of Dover/Main Street, Inc. for the fiscal year beginning July 1, 2008, and ending June 30, 2009:

REVENUE	PROPOSED
Tax Revenue	$53,242
EXPENSES	
Personnel & Administration Expenses	$53,242

SPECIAL
PARKS, RECREATION, AND COMMUNITY ENHANCEMENT

A Special Parks, Recreation, and Community Enhancement Committee meeting was held on May 27, 2008, at 12:00 noon with Chairwoman Russell presiding. Members present were Mr. McGlumphy, Mr. Ruane, Mrs. Horsey, and Mr. Lewis.

AGENDA ADDITIONS/DELETIONS

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

Boys and Girls Club - Status of Proposed Schutte Park Facility Location

During the committee meeting of December 11, 2007, members recommended approval of the Wyoming Mill Road location for the magnet site for the Boys & Girls club, as presented, and requested that specific information be provided regarding the loss of space, what that loss would mean for the City of Dover and its commitment to outdoor recreation, specifically to the soccer and field hockey associations, and a plan of action to remedy the loss. Noting that these facilities are to serve regional population and not just the citizens of Dover, the committee felt a need to involve Kent County and suggested dialogue between the Boys & Girls Club, Kent County, and the City to work out the ideas for a dedication of space for outdoor recreation to supplement the loss of outdoor recreation space for the City.

In considering the committee's recommendation during their Regular Meeting of January 14, 2008, members of City Council were advised that the committee was not provided the schematic of the proposal submitted by the Boys & Girls Club when they forwarded their recommendation for approval of the Wyoming Mill Road location. It was noted that the recommendation referred to their desire that the proposal would not cause the loss of space; therefore, it was suggested that members agree to offer space at Schutte Park to allow for the magnet club for the Boys & Girls Club without identifying the specific location, that there be a stipulation that the fields currently assigned to CDSA remain, and that every effort be made for the final proposal to depict the use of the 14 acres of land west of Schutte Park that is proposed to be dedicated to the City by Stover Builders. As a result, City Council approved Schutte Park to be used as the location for the magnet site for the Boys & Girls Club, without being specific to its location at Schutte Park, and the stipulation that its use will not cause any current loss in field space for the CDSA.

Mr. Tingle, Executive Director of the Greater Dover Boys and Girls Club, advised members that upon Council's approval, the Task Force met with the Corporate Board Management Committee for the Boys and Girls Club of Delaware. The Task Force has been granted approval to move forward with schematic floor plans and development of projected costs. Once this phase is completed, the Task Force will present the information to the Corporate Board Management Committee for approval to move forward with the capital campaign and begin the process.

Responding to Mr. Lewis, Mr. Tingle stated that he anticipates that it will be approximately three (3) years following the final approval by the City for the completion of the facility.

In response to Mr. Ruane, Mr. Tingle indicated that the Boys and Girls Club of Delaware will conduct the capital campaign, to include obtaining funding from foundations and others, pledging to raise 70%-80% of the funds necessary for the project.

Mrs. Russell requested that security and lighting issues be seriously considered in the planning process to ensure safety.

Mr. DePrima noted that the exact location of the facility remains to be determined and suggested that staff of the Planning Department, as well as the Parks and Recreation Director, meet with the Task Force to make this final determination.

Mrs. Russell requested that members be provided a detailed update on this project every three (3) months and suggested that members also be provided material regarding the activities of the Boys and Girls Club.

Cost Benefit Analysis - Animal Control Officer (ACO)

As directed during the committee meeting of February 12, 2008, Mr. DePrima, City Manager, submitted an Animal Control Cost Benefit Analysis, which he explained depicts approximately a $14,000 yearly savings by utilizing the SPCA for Animal Control and noted that there are other advantages. Mr. DePrima advised members that he would also recommend the elimination of the "Lock Jock" service provided by the City's Police Department which he inadvertently omitted from the recommendations. He reviewed staff's recommendations, items #1 through #5, and requested the addition of item #6 to be for the Police Department to consider the elimination of providing lock jock services.

Mr. Ruane moved to recommend approval of staff's recommendation item #1, as follows: At a minimum the FY08/09 contract should be amended so that the SPCA is given ACO coverage responsibilities when the Dover ACO is off duty such as nights and weekends. This is a service that would be provided at no charge. It would free up Dover Police hours for other needs. It also would allow the Dover Police Department time to evaluate the strength of the program and its ability to work with the SPCA. The SPCA has also offered to work out some transport services that will relieve our ACO and Police the time and effort to travel to Camden. This should be explored. The approval is with the understanding that the cost savings inherent in that be utilized for the purpose of acquiring modern technology tranquilizer guns. The motion was seconded by Mrs. Horsey and unanimously carried.

Mr. Ruane moved to recommend approval of staff's recommendation item #2, as follows: The City of Dover is not in a position to pay for a seven day a week, 12 hour per day contract as proposed. The City should ask for a price and scope of work on a five day a week, eight hour day extra service contract. This should be requested in March in 2009 and priced for FY09/10. It would allow the Dover Police Department to evaluate the strength of the SPCA program and their ability to work closer with the SPCA. This will allow the City Council to re-evaluate the SPCA contract proposal with better information. The motion was seconded by Mrs. Horsey and unanimously carried.

Responding to Mr. Ruane, Mr. DePrima concurred that recommendation item #3, "If Dover pursues an extra services contract and eliminates the Dover ACO position it should seek to have the current Dover ACO absorbed in the SPCA staff" would be further considered in conjunction with recommendation item #2.

Mr. McGlumphy moved to recommend approval of staff's recommendation item #4, as follows: Change the Animal Control Ordinance so that the hold period for dogs is aligned with the state standard. The motion was seconded by Mrs. Horsey and unanimously carried. *(City Clerk's Office Note: Upon further review of the State Code, it has been determined that the City Code is in alignment with the State Code with respect to the holding period for dogs; therefore an amendment will not be necessary.)*

Mr. McGlumphy moved to recommend that staff's recommendation item #5 (The police procedure regarding use of a tranquilizer gun should be reexamined), be reworded as follows: That the ACO be authorized to use tranquilizer and/or Taser© guns and be provided any necessary training. The motion was seconded by Mr. Lewis and unanimously carried.

Mr. McGlumphy moved to recommend that staff's recommendation item #6 (The police department consider the elimination of providing lock jock services) be reworded as follows: That the ACO not be responsible for lock jock services. The motion was seconded by Mrs. Horsey and unanimously carried.

2008 Comprehensive Plan Review

During their meeting of May 13, 2008, members began their review of the update on the Comprehensive Plan Amendment.

Mrs. Townshend, Director of Planning and Inspections, provided members with additional Chapters to the Comprehensive Plan Amendment, as follows: Chapter 4 - Citizen Participation; and Chapter 8 - Community Service and Facilities Plan, as well as the schedule for the public workshops to be held in June 2008. She also distributed Chapter 10 - Economic Development, for members review.

At the request of Mr. Ruane and there being no objections, members deferred consideration of Chapter 10 - Economic Development.

Regarding the policy of discouraging development of land east of Route 1 as listed under the Land Use and Development, Mr. Ruane felt that the paragraph indicates that the respondents would encourage the development as long as the adequate infrastructure was in place. Mrs. Townshend assured members that staff would review the question asked for further clarification. In response to Mr. Ruane, Mrs. Townshend concurred that the 2nd paragraph should be split to create two (2) paragraphs by separating the issue regarding the development east of Route 1 from the criteria for new development. In reviewing the questionnaire provided to participants, Mr. Ruane urged staff to utilize the same wording in the paragraphs to explain the responses.

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

Meeting Adjourned at 1:08 P.M.

Respectfully submitted,

Sophia R. Russell
Chairwoman

SRR/ac/jg/tm
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ACTION FORM

PROCEEDING: City Council	**AGENDA ITEM NO.:** 06/09/2008
DEPARTMENT OF ORIGIN: Public Utilities, Elect. Eng.	**DATE SUBMITTED**: 05/30/2008
PREPARED BY: Ronald H. Lunt, Public Utilities Director	
SUBJECT: Evaluation of Bids – Steel poles for Feeders 3 & 4 Phase II	
REFERENCE: N/A	
RELATED PROJECT: 69 KV Feeders 3 & 4, Phase 1	
APPROVALS: City Manager, Controller	
EXHIBITS: N/A	
EXPENDITURE REQUIRED: **$342,222**	**AMOUNT BUDGETED**: $5,623,930*
FUNDING SOURCE (Dept./Page in CIP & Budget): Public Utilities – Electric Engineering, 69 Kv Feeders 3 and 4, CIP page 227R, Account 487-8300-563-90-26, Project EE0601 *FY 08 Revised Budget	
TIMETABLE: Materials to be ordered upon Council approval.	
RECOMMENDED ACTION: Staff recommends awarding the bid to the low bidder, Valmont/ PennSummit, for the amount of $342,222	

BACKGROUND AND ANALYSIS

The materials to be ordered are the tapered steel poles and caisson bases and will be used where self supporting poles are required for the construction of the transmission lines for Feeders 3 & 4, Phase II. This line will be constructed from St. Jones Substation to West Street. The specifications included using vibratory steel caissons as the below grade support structure for the corner poles. There will be a subsequent bid for the Laminated Wood poles for phase II.

Bids were advertised according to City Policy by the City's Purchasing Agent under Bid # 08-0091 DPU. The City received six (6) bid responses. Staff evaluated the bids and the low bidders' poles met the specifications.

This is a summary of the bids received:

Vendor Name	Bid Price
Valmont/PennSummit	$342,222
Pelco Structural	$405,502
M.D. Henry	$455,188
Trans America Power Products	$463,657
Saber Tubular Structures	$459,980
HD Supply Utilities	$484,189

TRACKING REPORT

PROJECT: 69 FEEDERS 3 & 4

Account Number - 487-8300-563.90-26

Project Number - EE0601

Budgeted Amount for FY 07/08	$5,623,930
Total CIP Budget	$9,580,750

2008-2012 Capital Investment Plan Page 227R

Date Approved	Council/Committee	Name of Action Form/ Vendor	Expenditure Amount
06/11/07	Approved by Council	**Authorization to Purchase Cartanza Right-of-Way** - Includes $17,649.28 for the easement and $32,350.72 for the woodland clearance and all future spraying. Remainder of $32,350.72 will be when the woodland area is cleared.	$17,649
08/13/07	Approved by Council	**Eval.of Bid - 69KV Underground Cable** - Purchased 3,732' of 69KV underground cable and 2,940' of 5KV underground cable. Awarded to HD Supply.	$240,950
		Engineering Service Fees & Project management incurred to date	$661,274
10/22/07	Approved by Council	**Eval. of Bid - Tapered Steel Structures** - To purchase poles and caisson bases in order to construct the transmission lines for Feeders 3 & 4. Staffs estimated cost for this item was $1,051,000. Bid awared to low bidder, Pelco Structual.	$1,078,747
10/22/07	Approved by Council	**Eval. of Bid - Cartanza Relay Panels** - To purchase (2) relay panels, misc. connecting materials, and freight expense. Relay cables have not yet been purchased which are estmated to be less than $10,000. Staffs estimated cost for these items was $65,000. Bid awarded to low bidder, Schweitzer Engineering Laboratories, Inc.	$33,654
11/13/07	Approved by Council	**Eval. Of Bid - 795 ACSR** - The purchase of 207,396' of aerial conductors for Phase I (Cartanza Sub. To St. Jones Sub.) Staff estimated the total cost of wire to be $607,000. An additional $12,358 was incurred via a purchase order. Recommendation is to award to low bidder, American Wire Group.	$310,679
11/13/07	Approved by Council	**Eval. Of Bid - Laminated Wood Poles** - Puchase thirty-three (33) wooden poles (N. Little Creek Rd. to St. Jones Substation) for Phase I. Staff estimated this cost at $272,000. Recommendation is to award to low bidder, Laminated Wood Systems.	$260,297
11/13/07	Approved by Council	**Eval. Of Bid - Insulators** - 126 Suspension Insulators and 528 Horizontal Post Insulators for Phase I. Recommendation is to award to low bidder, Paresuorces, Inc.	$98,880
12/10/07	Approved by Council	**Eval. Of Bid - Substation Structures** - Materials needed to modify the substation; structural steel, switches, breaker, buswork, and related ground materials.	$109,063
12/10/07	Approved by Council	**Eval. Of Bid - Line Hardware** - These are non-stock materials for Phase I and will be installed on the overhead & underground line from Cartanza Sub. to St. Jones Sub.	$289,305
02/25/07	Approved by Council	**Eval. Of Bid - Construction for Phase I** - This contract will provide the construction and remaining materials for the completion of the project. Budget of $2,800,000	$2,119,570
	Pending	**Eval. Of Bid - Tapered Steel Structures Phase II** - To purchase poles and cassions bases in order to construct the transmission line for phase II. Budget amount of $272,000.	$342,222
AMOUNT APPROVED FOR EXPENDITURE FOR 07/08			$5,562,291

DOWNTOWN DOVER PARTNERSHIP
STEERING COMMITTEE
RECOMMENDATIONS OF MAYOR CARLETON E. CAREY, SR.

The Board of Directors shall consist of fifteen (15) directors, appointed from two (2) categories.

First Category. Six (6) individuals, either elected or appointed, from within the government of the City of Dover or State government. These individuals shall include the City Manager, the City Planner, members of City Council and one representative from state government. Individuals in the first category shall be nominated by the Mayor and confirmed by City Council and will serve on the Board at the pleasure of the Mayor and Council. Vacancies in this category will be appointed by the Mayor and confirmed by City Council. Individuals in the first category shall remain as Board Members so long as deemed appropriate by the Mayor and City Council, and so long as they continue to be either elected or appointed officials within the government of the City of Dover. The individuals in the second category will be nominated, by the Mayor and confirmed by the City Council. Vacancies in this category will be nominated by the Mayor and confirmed by City Council.

1. Sophia R. Russell - City Council Member *(One Year Term to Expire May 2009)*
2. Reuben Salters - City Council Member *(One Year Term to Expire May 2009)*
3. Timothy A. Slavin - City Council Member *(One Year Term to Expire May 2009)*
4. Anthony J. DePrima - City Manager *(One Year Term to Expire May 2009)*
5. Anne Marie Townshend - City Planner *(One Year Term to Expire May 2009)*
6. Laura Simmons - State of Delaware Representative *(One Year Term to Expire May 2009)*

Second Category. Nine (9) individuals from the private sector with strong ties and commitment to revitalization of the downtown Dover area; these individuals should not now hold full-time elected or appointed public office. These individuals must include a resident of the downtown Dover area or an adjoining neighborhood, a downtown cultural arts representative, a downtown business owner, a downtown retailer, a real estate professional whose practice includes the downtown Dover area, a financial services professional whose practice includes the downtown Dover area, the chief executive officer of Bayhealth or his/her designee, and the president of Wesley College or his/her designee. Individuals in the second category shall serve a term of three (3) years. These members shall be eligible for reappointment to the Board. For the initial Board of Directors only, the individuals in the second category shall be divided into three classes of three individuals. The first class shall serve a term of one (1) year. The second class shall serve a term of two (2) years. The third class shall serve a term of three (3) years, after which each class will all serve three year terms.

1. Gary Patterson - Resident of the Downtown Dover Area *(Initial One-Year Term to Expire May 2009)*
2. Cindy Small - Downtown Cultural Arts Representative *(Initial One-Year Term to Expire May 2009)*
3. Gregg Moore - Downtown Business Owner *(Initial One-Year Term to Expire May 2009)*
4. Tom Smith - Downtown Retailer *(Initial Two-Year Term to Expire May 2010)*
5. Jim McGinnis - Real Estate Professional Whose Practice Includes the Downtown Dover Area *(Initial Two-Year Term to Expire May 2010)*
6. Joe McDaniel - Financial Services Professional Whose Practice Includes the Downtown Dover Area *(Initial Two-Year Term to Expire May 2010)*
7. Paul Lakeman - Chief Executive Officer of Bayhealth or His/Her Designee *(Initial Three-Year Term to Expire May 2011)*
8. Dr. William Johnston - President of Wesley College or His/Her Designee *(Initial Three-Year Term to Expire May 2011)*
9. Ami Sebastian-Hauer - Leader from the Dover Community *(Initial Three-Year Term to Expire May 2011)*

FIRST READING

2008-2009 BUDGET ORDINANCES

GENERAL FUND - CASH RECEIPTS AND BUDGET FOR 2009-2008

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

1. The amount hereinafter named aggregating Thirty Seven Million Five Hundred Seventy Three Thousand One Hundred Seven Dollars ($37,573,107) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by the several departments of the Municipal Government for the fiscal year beginning July 1, 2008, and ending June 30, 2009:

	2007-08 REVISED	2008-09 BUDGET
RECEIPTS		
PRIOR YEAR BALANCE	$ 4,051,979	$ 3,910,144
FINES AND POLICE REVENUE	671,000	671,000
911 FEE	64,000	64,000
INVESTMENT INCOME	355,850	234,000
LIBRARY REVENUES	58,699	59,873
KENT COUNTY BOOK REIMBURSEMENT	450,000	459,000
BUSINESS LICENSES	1,410,000	1,450,000
PERMITS AND OTHER LICENSES	1,306,000	1,120,000
DEMOLITION REVENUE	23,166	-
MISCELLANEOUS CHARGES	45,750	54,250
POLICE EXTRA DUTY	393,169	393,169
PROPERTY TAXES	9,523,080	10,042,473
BID REVENUE	-	53,264
RECREATION REVENUE	115,000	187,000
FRANCHISE FEE	422,000	426,220
TRASH FEES	1,191,411	1,246,411
DSWA TRASH FEE REBATE	167,559	170,000
RENT REVENUE - GARRISON FARM	35,533	41,535
COURT OF CHANCERY FEES	815,860	815,860
INTERNET REVENUE	1,894	-
CURBSIDE RECYCLING	-	-
RECEIPTS SUBTOTAL	**21,101,950**	**21,398,199**
INTERFUND SERVICE RECEIPTS		
INTRAFUND SERVICE RECEIPTS WATER/WASTEWATER	1,025,557	1,063,478
INTRAFUND SERVICE RECEIPTS ELECTRIC	3,590,913	3,725,512
INTERFUND SERVICE RECEIPTS SUBTOTAL	**4,616,470**	**4,788,990**
GRANTS:		
POLICE RELATED	40,000	40,000
STATE GRANT - TRAIL MAINTENANCE	-	-
CAPITAL SCHOOL DISTRICT REVENUE	37,440	37,440
RECREATION GRANTS	20,000	25,000
INSURANCE AGENCY FIRE SAFETY GRANT	-	-
MISC GRANT REVENUE	-	-
HOMELAND SECURITY GRANT	-	-
SALE OF ASSETS	500	-
GRANTS SUBTOTAL	**97,940**	**102,440**
TRANSFERS FROM:		
TRANSFER TAX	3,690,000	2,650,222
MUNICIPAL STREET AID	709,694	710,346
CIVIL TRAFFIC PENALTIES	500,000	500,000
WATER/WASTEWATER	565,000	564,810
ELECTRIC	6,601,269	6,758,100
PARKLAND RESERVE	-	-
LIBRARY RESERVE	41,780	-
CAPITAL ASSET RESERVE	-	-
WORKER'S COMP FUND	-	100,000
DELAWARE PREVENTION NETWORK	-	-
TRANSFERS FROM SUBTOTAL	**12,107,743**	**11,283,478**
TOTALS	**$ 37,924,103**	**$ 37,573,107**

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GENERAL FUND – CONTINUED

CASH RECEIPTS AND BUDGET FOR 2008-2009

	2007-08 REVISED	2008-09 BUDGET
DEPARTMENT EXPENSES:		
CITY CLERK	$ 252,508	$ 315,721
COUNCIL	125,399	137,190
TAX ASSESSOR	270,503	689,725
FIRE	676,760	716,000
GROUNDS MAINTENANCE	1,068,416	1,148,999
LIBRARY	1,145,983	1,180,307
RECREATION	636,609	937,716
LIFE SAFETY	-	325,511
CODE INFORCEMENT	-	383,218
PLANNING	426,227	486,786
INSPECTIONS	1,099,178	552,442
ECONOMIC DEVELOPMENT	-	315,331
POLICE	11,353,550	12,496,812
POLICE EXTRA DUTY	335,190	452,280
STREETS	795,075	861,436
SANITATION	2,061,082	2,225,611
CITY MANAGER	606,578	588,343
INFORMATION TECHNOLOGY	779,754	892,841
FINANCE	779,507	793,705
PUBLIC SERVICES - ADMINISTRATION	386,877	360,091
FACILITIES MANAGEMENT	1,029,017	1,134,369
PUBLIC WORKS - ENGINEERING	-	-
CENTRAL SERVICES	719,062	769,481
FLEET MAINTENANCE	634,648	702,775
CUSTOMER SERVICES	1,178,747	1,002,367
HUMAN RESOURCES	417,220	446,119
MAYOR	128,697	98,437
DEPARTMENT SUBTOTALS	**26,906,587**	**30,013,613**
OTHER EXPENSES:		
DEBT SERVICE	437,468	442,319
TRANSFER TO CONTINGENCY	34,500	-
DSWA RECYCLING PROGRAM	-	-
INSURANCE	472,000	500,000
RETIREES HEALTH CARE	755,741	853,987
RETIREES PAYMENTS	-	100,000
UNCOLLECTIBLES - TRASH AND OTHER	10,000	10,000
STREET LIGHTS	920,000	985,000
OTHER EXPENSE SUBTOTAL	**2,629,709**	**2,891,306**
GRANTS		
IT EMERGENCY PREPAREDNESS PLAN	-	-
GRANTS SUBTOTAL	**-**	**-**
TRANSFERS		
TRANSFER TO OPEB	-	-
TRANSFER TO PENSION UNFUNDED LIABILITY	89,850	-
TRANSFER TO PENSION COLA	44,925	-
TRANSFER TO CAPITAL ASSET RESERVE	-	-
TRANSFER TO CAPITAL FUND - PROJECTS	2,683,062	1,857,797
TRANSFER TO CAPITAL FUND - RESERVE	-	-
TRANSFER TO STREET PROGRAM	-	-
TRANSFER TO PARKLAND/RECREATION RESERVE	-	-
TRANSFER TO LIBRARY RESERVE	1,649,109	-
TRANSFER TO CDBG FUND	10,717	11,000
INVENTORY WRITE OFFS	-	-
TRANSFERS SUBTOTAL	**4,477,663**	**1,868,797**
CURRENT YEAR BALANCE	**3,910,144**	**2,799,391**
TOTALS	**$ 37,924,103**	**$ 37,573,107**

2. The City Manager is hereby authorized, without further approval of the City Council, to make inter-departmental transfers of up to five percent of the amount hereinafter appropriated to any department except that the City Manager shall not make any transfers prohibited by City Procedure #F306 and/or #F306ADD.

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2008-2009 BUDGET ORDINANCES - CONTINUED

GOVERNMENTAL CAPITAL PROJECTS FUND

CASH RECEIPTS/REVENUES AND BUDGET FOR 2008-2009

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

1. The amounts hereinafter named aggregating Three Million Seven Hundred Forty Seven Thousand Seven Hundred Ninety Seven Dollars ($3,747,797) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2008, and ending June 30, 2009:

CASH RECEIPTS

	2007-08 REVISED	2008-09 BUDGET
BEGINNING BALANCE - PROJECTS	$ -	$ 185,000
MISCELLANEOUS REVENUES	114,058	-
INTEREST EARNINGS	43,600	65,000
RECREATION GRANTS	-	440,000
TRANSFER FROM RESERVE	135,515	-
TRANSFER FROM GENERAL FUND FOR PROJECTS	2,683,062	1,857,797
TRANSFER FROM PARKLAND RESERVE (JWP CNTR)	2,132,369	-
TRANSFER FROM LIBRARY RESERVE	10,094	1,200,000
GIFTS/DONATIONS (JWP CNTR)	83,000	-
TRANSFER FROM GENERAL FUND FOR RESERVE	-	-
TOTALS	**$ 5,201,698**	**$ 3,747,797**

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GOVERNMENTAL CAPITAL PROJECTS FUND – CONTINUED

CASH RECEIPTS/REVENUES AND BUDGET FOR 2008-2009

EXPENSE SUMMARY

	2007-08 REVISED	2008-09 BUDGET
DEPARTMENT EXPENSES:		
CITY CLERK	$ -	$ -
COUNCIL	-	-
TAX ASSESSOR	61,030	-
FIRE	282,910	296,210
GROUNDS MAINTENANCE	129,913	109,500
LIBRARY	10,094	1,200,000
RECREATION	2,410,539	530,000
LIFE SAFETY	-	4,200
PLANNING	-	-
INSPECTIONS	96,000	-
ECONOMIC DEVELOPMENT	-	-
POLICE	343,720	266,126
STREETS	518,500	727,470
SANITATION	638,315	315,000
CITY MANAGER	-	-
INFORMATION TECHNOLOGY	256,000	110,915
FINANCE	-	-
PUBLIC SERVICES - ADMINISTRATION	40,100	38,380
FACILITIES MANAGEMENT	59,800	140,000
CENTRAL SERVICES	21,000	9,996
FLEET MAINTENANCE	34,719	-
CUSTOMER SERVICES	-	-
HUMAN RESOURCES	-	-
MAYOR	-	-
DEPARTMENT SUBTOTAL	4,902,640	3,747,797
	-	-
TRANSFERS		
TRANSFER TO CAPITAL ASSET RESERVE	6,092	-
TRANSFER TO PARKLAND RESERVE	107,966	-
TRANSFER TO GENERAL FUND	-	-
TRANSFER SUBTOTAL	114,058	-
CURRENT YEAR BALANCE	185,000	-
TOTALS	**$ 5,201,698**	**$ 3,747,797**

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2. The City Manager is hereby authorized without further approval of the City Council to make inter-departmental transfers of up to five percent of the amount hereinafter appropriated to any department except that the City Manager shall not make any transfers prohibited by City Procedure #F306 and/or #F306ADD.

2008-2009 BUDGET ORDINANCES - CONTINUED

GENERAL FUND CONTINGENCY

CASH RECEIPTS/REVENUES AND BUDGET FOR 2008-2009

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

1. The amounts hereinafter named aggregating Six Hundred Seventy Nine Thousand Seven Hundred Fifty Four Dollars ($679,754) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2008, and ending June 30, 2009:

CASH RECEIPTS

	2007-08 REVISED	2008-09 BUDGET
BEGINNING BALANCE	$ 645,254	$ 679,754
INTEREST EARNINGS		-
TRANSFER FROM GENERAL FUND	34,500	-
TOTALS	**$ 679,754**	**$ 679,754**

EXPENSE SUMMARY

	2007-08 REVISED	2008-09 BUDGET
TRANSFER TO GENERAL FUND	$ -	$ -
TRANSFER TO OPEB	-	-
TRANSFER TO LIBRARY FUND	-	-
CARRY FORWARD TO NEXT YEAR	679,754	679,754
TOTALS	**$ 679,754**	**$ 679,754**

2. The City Manager is hereby authorized without further approval of the City Council to make inter-departmental transfers of up to five percent of the amount hereinafter appropriated to any department except that the City Manager shall not make any transfers prohibited by City Procedure #F306 and/or #F306ADD.

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2008-2009 BUDGET ORDINANCES - CONTINUED

MUNICIPAL STREET AID FUND

CASH RECEIPTS/REVENUES AND BUDGET FOR 2008-2009

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

1. The amounts hereinafter named aggregating Seven Hundred Ten Thousand Four Hundred Forty Six Dollars ($710,446) so much as may be necessary are hereby appropriated from current revenues and other funds for the use by the several departments of the Municipal Government for the fiscal year beginning July 1, 2008, and ending June 30, 2009:

CASH RECEIPTS

	2007-08 REVISED	2008-09 BUDGET
BEGINNING BALANCE	$ 146	$ 446
STATE GRANT	709,694	710,000
INTEREST EARNED	300	-
TOTALS	**$ 710,140**	**$ 710,446**

BUDGET SUMMARY

	2007-08 REVISED	2008-09 BUDGET
TRANSFER TO GENERAL FUND	$ 709,694	$ 710,346
CURRENT YEAR BALANCE	446	100
TOTALS	**$ 710,140**	**$ 710,446**

2. The City Manager is hereby authorized without further approval of the City Council to make inter-departmental transfers of up to five percent of the amount hereinafter appropriated to any department except that the City Manager shall not make any transfers prohibited by City Procedure #F306 and/or #F306ADD.

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2008-2009 BUDGET ORDINANCES - CONTINUED

WATER/WASTEWATER FUND

REVENUE AND BUDGET FOR 2008-2009

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

1. The amounts hereinafter named aggregating Thirteen Million Four Hundred Eighty Thousand Five Hundred Dollars ($13,480,500) or so much as may be necessary are hereby appropriated from current revenues and other funds for the use by the several departments of the Municipal Government for the fiscal year beginning July 1, 2008, and ending June 30, 2009:

	2007-08 REVISED	2008-09 BUDGET
BASE REVENUE:		
PRIOR YEAR BALANCE - WATER	$ 2,220,461	$ 449,977
PRIOR YEAR BALANCE - WASTEWATER	1,092,732	643,949
PRIOR YEAR BALANCE - KCSA	(1,020,761)	(364,750)
WATER FEES	4,343,428	4,386,862
WASTEWATER FEES	2,508,600	2,533,686
WASTEWATER ADJUSTMENT FEES	4,264,357	4,307,001
WATER TANK SPACE LEASING	237,986	250,275
SEWER IMPACT FEES	746,500	712,500
WATER IMPACT FEES	25,200	196,000
INTEREST EARNINGS	104,000	104,000
INTEREST TRANSFERS	-	-
MISCELLANEOUS SERVICE FEE	61,800	61,000
REVENUE SUBTOTAL	**14,584,303**	**13,280,500**
GRANTS AND REIMBURSEMENTS:		
STATE REIMBURSEMENT	-	-
GRANT REVENUE	-	-
GRANTS AND REIMBURSEMENTS SUBTOTAL	**-**	**-**
TRANSFERS FROM:		
TRANSFER FROM CAPITAL ASSET RESERVE	-	200,000
TRANSFER FROM CONTINGENCY	-	-
TRANSFERS FROM SUBTOTAL	**-**	**200,000**
TOTALS	**$ 14,584,303**	**$ 13,480,500**

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WATER/WASTEWATER FUND - CONTINUED

REVENUE AND BUDGET FOR 2008-2009

	2007-08 REVISED	2008-09 BUDGET
DIRECT EXPENSES:		
ENGINEERING & INSPECTION	$ 615,632	$ 715,412
WATER CONSTRUCTION	504,419	516,094
WATER DEPARTMENT	895,259	524,512
WATER TREATMENT PLANT	963,602	1,379,878
WASTEWATER DEPARTMENT	907,826	1,250,484
METER READING	64,863	73,577
KENT COUNTY TREATMENT CHARGE	3,608,346	3,644,430
DIRECT EXPENDITURE SUBTOTAL	**7,559,947**	**8,104,387**
OTHER EXPENSES:		
DEBT SERVICE - WATER	79,060	501,360
DEBT SERVICE - WASTEWATER	101,817	334,240
RETIREES HEALTH CARE	113,730	128,515
INTRAFUND SERVICE FEES	1,324,490	1,327,876
OTHER EXPENSES SUBTOTAL	**1,619,097**	**2,291,991**
TRANSFER TO:		
GENERAL FUND FROM WATER	282,500	221,204
GENERAL FUND FROM WASTEWATER	282,500	343,606
WATER IMP AND EXT	2,660,500	500,000
WASTEWATER IMP AND EXT	775,300	200,000
TRANSFER TO OPEB	-	-
TRANSFER TO PENSION UNFUNDED LIABILITY	20,400	-
TRANSFER TO PENSION COLA	10,200	-
SEWER IMPACT FEE RESERVE	644,683	378,260
WATER IMPACT FEE RESERVE	-	-
CAPITAL ASSET RESERVE WATER	-	-
CAPITAL ASSET RESERVE WASTEWATER	-	-
TRANSFER TO SUBTOTAL	**4,676,083**	**1,643,070**
CURRENT YEAR BALANCES		
CURRENT YEAR BALANCE WATER	449,977	599,876
CURRENT YEAR BALANCE WASTEWATER	643,949	543,355
CURRENT YEAR BALANCE KCSA	(364,750)	297,821
CURRENT YEAR BALANCE SUBTOTALS	**729,176**	**1,441,052**
TOTALS	**$ 14,584,303**	**$ 13,480,500**

2. The City Manager is hereby authorized without further approval of the City Council to make inter-departmental transfers of up to five percent of the amount hereinafter appropriated to any department except that the City Manager shall not make any transfers prohibited by City Procedure #F306 and/or #F306ADD.

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2008-2009 BUDGET ORDINANCES - CONTINUED

WATER/WASTEWATER IMPROVEMENT & EXTENSION FUND

CASH RECEIPTS/REVENUES AND BUDGET FOR 2008-2009

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

1. The amounts hereinafter named aggregating Thirteen Million Eight Hundred Twenty Four Thousand One Hundred Fifty Three Dollars ($13,824,153) or so much as may be necessary are hereby appropriated from current revenues and other funds for the use by the several departments of the Municipal Government for the fiscal year beginning July 1, 2008, and ending June 30, 2009:

CASH RECEIPTS

	2007-08 REVISED	2008-09 BUDGET
PRIOR YEAR BALANCE - WATER	$ 275,134	$ 912,621
PRIOR YEAR BALANCE - WASTEWATER	284,969	915,232
PRIOR YEAR BOND PROCEED BALANCE SERIES 2009	-	-
PRIOR YEAR BOND PROCEEDS - WASTEWATER	-	-
BOND PROCEEDS - WATER	-	6,325,800
BOND PROCEEDS - WASTEWATER	-	4,934,500
TRANS FR WATER/WASTEWATER FOR WATER	2,660,500	500,000
TRANS FR WATER/WASTEWATER FOR WASTEWATER	775,300	200,000
TRANSFER FROM IMPACT FEE RESERVE	850,000	-
TRANSFER FROM CAPITAL ASSET RESERVE -WATER	-	-
TRANSFER FROM CAPITAL ASSET RESERVE -WASTEWATER	-	-
MISCELLANEOUS RECEIPTS	12,986	-
DEVELOPER CONTRIBUTIONS	20,000	-
STATE GRANTS/REIMBURSEMENTS	140,000	-
INTEREST INCOME	24,000	36,000
TOTALS	**$ 5,042,889**	**$ 13,824,153**

EXPENSE SUMMARY

	2007-08 REVISED	2008-09 BUDGET
WATER	$ 2,096,857	$ 3,058,450
WASTEWATER	1,006,481	4,632,150
WATER METER READING	5,648	
WATER TREATMENT PLANT	18,150	
WATER CONSTRUCTION	39,450	29,000
ENGINEERING & INSPECTION	48,450	15,445
TRANSFER TO IMPACT FEE RESERVE	-	-
CURRENT YEAR BALANCE - WATER BOND	-	3,848,800
CURRENT YEAR BALANCE - WASTEWATER BOND	-	1,067,700
CURRENT YEAR BALANCE - WATER	912,621	812,448
CURRENT YEAR BALANCE - WASTEWATER	915,232	360,160
TOTALS	**$ 5,042,889**	**$ 13,824,153**

2. The City Manager is hereby authorized without further approval of the City Council to make inter-departmental transfers of up to five percent of the amount hereinafter appropriated to any department except that the City Manager shall not make any transfers prohibited by City Procedure #F306 and/or #F306ADD.

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2008-2009 BUDGET ORDINANCES - CONTINUED

WATER/WASTEWATER CAPITAL ASSET RESERVE ACCOUNT

CASH RECEIPTS/REVENUES AND BUDGET FOR 2008-2009

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

1. The amounts hereinafter named aggregating One Million Seven Hundred Thirty Seven Thousand One Hundred Twenty Four Dollars ($1,737,124) or so much as may be necessary are hereby appropriated from current revenues and other funds for the use by the several departments of the Municipal Government for the fiscal year beginning July 1, 2008, and ending June 30, 2009:

CASH RECEIPTS

	2007-08 REVISED	2008-09 BUDGET
BEGINNING BALANCE	1,621,624	1,678,380
INTEREST EARNINGS	56,756	58,744
TRANSFER FROM WATER/WASTEWATER FUND	-	-
TRANSFER FROM WATER/WASTEWATER CONTINGENCY	-	-
TOTALS	**1,678,380**	**1,737,124**

EXPENSE SUMMARY

	2007-08 REVISED	2008-09 BUDGET
TRANSFER TO WATER/WASTEWATER I &E FUND	-	-
TRANSFER TO WATER/WASTEWATER	-	200,000
CARRY FORWARD TO NEXT YEAR	1,678,380	1,537,124
TOTALS	**1,678,380**	**1,737,124**

2. The City Manager is hereby authorized without further approval of the City Council to make inter-departmental transfers of up to five percent of the amount hereinafter appropriated to any department except that the City Manager shall not make any transfers prohibited by City Procedure #F306 and/or #F306ADD.

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2008-2009 BUDGET ORDINANCES - CONTINUED

WATER/WASTEWATER CONTINGENCY RESERVE ACCOUNT

CASH RECEIPTS/REVENUES AND BUDGET FOR 2008-2009

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

1. The amounts hereinafter named aggregating Two Hundred Forty Five Thousand Eight Hundred Thirty Two Dollars ($245,832) or so much as may be necessary are hereby appropriated from current revenues and other funds for the use by the several departments of the Municipal Government for the fiscal year beginning July 1, 2008, and ending June 30, 2009:

CASH RECEIPTS

	2007-08 REVISED	2008-09 BUDGET
PRIOR YEAR BALANCE	$ 229,487	$ 237,519
INTEREST EARNINGS	8,032	8,313
TRANSFER FROM WATER/WASTEWATER		
TOTALS	**$ 237,519**	**$ 245,832**

BUDGET SUMMARY

	2007-08 REVISED	2008-09 BUDGET
TRANSFER TO WATER	$ -	$ -
TRANSFER TO WASTEWATER	-	-
TRANSFER TO CAPITAL ASSET RESERVE	-	-
CURRENT YEAR BALANCE	237,519	245,832
TOTALS	**$ 237,519**	**$ 245,832**

2. The City Manager is hereby authorized without further approval of the City Council to make inter-departmental transfers of up to five percent of the amount hereinafter appropriated to any department except that the City Manager shall not make any transfers prohibited by City Procedure #F306 and/or #F306ADD.

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2008-2009 BUDGET ORDINANCES

ELECTRIC REVENUE FUND

REVENUE AND BUDGET FOR 2008-2009

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

1. The amounts hereinafter named aggregating One Hundred Ten Million Seven Hundred Eighty Seven Thousand Twenty Three Dollars ($110,787,023) or so much as may be necessary are hereby appropriated from current revenues and other funds for the use by the several departments of the Municipal Government for the fiscal year beginning July 1, 2008, and ending June 30, 2009:

	2007-08 REVISED	2008-09 BUDGET
BASE REVENUE:		
PRIOR YEAR BALANCE	$ 8,281,653	$ 6,816,609
DIRECT SALES TO CUSTOMER	91,239,700	92,081,400
PURCHASE POWER ADJUSTMENT	-	6,445,700
UTILITY TAX	1,633,100	1,763,500
GREEN ENERGY	134,350	137,600
MISCELLANEOUS REVENUE	1,183,030	1,041,000
RENT REVENUE	186,816	186,816
DUKE CONTRACT REVENUE	-	-
EMISSION CREDIT SALES	1,068,190	1,632,000
TRANSFER FROM RATE STABILIZATION	-	-
INTRAFUND SERVICE RECEIPTS WATER/WASTEWATER	298,933	264,398
INTEREST EARNINGS	470,000	418,000
TOTALS	**$ 104,495,772**	**$ 110,787,023**

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2008-2009 BUDGET ORDINANCES - CONTINUED

ELECTRIC REVENUE FUND - CONTINUED

REVENUE AND BUDGET FOR 2008-2009

	2007-08 REVISED	2008-09 BUDGET
EXPENSES:		
POWER SUPPLY	$ 57,431,472	$ 63,410,077
POWER SUPPLY MANAGEMENT	3,009,240	3,088,808
PJM CHARGES - LOAD	3,383,494	3,510,195
CAPACITY CHARGES	12,163,918	10,692,738
SUB-TOTAL POWER SUPPLY	**75,988,124**	**80,701,818**
PLANT OPERATIONS	5,879,263	5,921,646
GENERATIONS FUELS	2,374,594	2,382,179
PJM CREDITS	(2,472,013)	(2,552,753)
CAPACITY CREDITS	(11,417,244)	(9,265,997)
GENERATION SUBTOTAL	**(5,635,400)**	**(3,514,925)**
POWER SUPPLY & GENERATION SUBTOTAL	**70,352,724**	**77,186,893**
TRANSITION COSTS		
TRANSMISSION/DISTRIBUTION	3,490,597	3,681,080
ELECTRICAL ENGINEERING	1,574,607	1,672,387
ADMINISTRATION	786,998	666,745
METER READING	311,493	295,656
SYSTEMS OPERATIONS	545,809	553,954
UTILITY TAX	1,633,100	1,763,500
DIRECT EXPENDITURE SUBTOTALS	**78,695,328**	**85,820,215**
OTHER EXPENSES:		
ALLOW FOR UNCOLLECTIBLES	125,000	135,000
RETIREES HEALTH CARE	497,895	557,727
GREEN ENERGY PAYMENT TO DEMEC	134,350	137,600
INTRAFUND SERVICE FEES	3,590,913	3,725,512
INTEREST ON DEPOSITS	40,000	42,000
INVENTORY WRITE OFFS	175,000	175,000
DEBT SERVICE	2,804,104	3,431,323
OTHER EXPENSES SUBTOTAL	**7,367,262**	**8,204,162**
TRANSFER TO:		
IMPROVEMENT & EXTENSION	2,925,000	1,684,000
GENERAL FUND	6,601,269	6,758,100
TRANSFER TO OPEB	-	-
TRANSFER TO PENSION UNFUNDED LIABILITY	39,750	-
TRANSFER TO PENSION COLA	19,875	-
RATE STABILIZATION RESERVE	2,030,679	-
TRANSFER TO SUBTOTAL	**11,616,573**	**8,442,100**
CURRENT YEAR BALANCE	**6,816,609**	**8,320,546**
TOTALS	**$ 104,495,772**	**$ 110,787,023**

2. The City Manager is hereby authorized without further approval of the City Council to make inter-departmental transfers of up to five percent of the amount hereinafter appropriated to any department except that the City Manager shall not make any transfers prohibited by City Procedure #F306 and/or #F306ADD.

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2008-2009 BUDGET ORDINANCES - CONTINUED

ELECTRIC UTILITY IMPROVEMENT & EXTENSTION FUND

CASH RECEIPTS/REVENUES AND BUDGET FOR 2008-2009

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

1. The amounts hereinafter named aggregating Eighteen Million Five Hundred Seventy Six Thousand Three Hundred Seven Dollars ($18,576,307) or so much as may be necessary are hereby appropriated from current revenues and other funds for the use by the several departments of the Municipal Government for the fiscal year beginning July 1, 2008, and ending June 30, 2009:

CASH RECEIPTS

	2007-08 REVISED	2008-09 BUDGET
PRIOR YEAR BALANCE	$ 1,366,983	$ 229,629
PRIOR YEAR BALANCE BOND	-	10,694,083
INTEREST EARNINGS	160,000	113,037
INTEREST TRUSTEE	-	-
ELECTRIC NEW SERVICE FEES		-
RECEIPT FROM DEPRECIATION RESERVE	4,699,579	2,000,000
RECEIPT FROM FUTURE CAPACITY RESERVE	1,000,000	3,000,000
TRANSPORTATION ENHANCEMENT GRANT	-	-
STATE REIMBURSEMENT FOR PROJECTS	-	805,558
GREEN ENERGY GRANT	-	50,000
BOND ISSUE 2008	19,500,000	-
TRANSFER FROM ELECTRIC	2,925,000	1,684,000
TOTALS	**$ 29,651,562**	**$ 18,576,307**

EXPENSE SUMMARY

	2007-08 REVISED	2008-09 BUDGET
ELECTRIC GENERATION	$ 777,000	$ 2,690,000
TRANSMISSION AND DISTRIBUTION	1,515,803	933,500
ELECTRICAL ENGINEERING	16,389,149	9,556,887
ADMINISTRATION	25,498	-
METER READING	20,400	-
SYSTEMS OPERATIONS	-	-
CURRENT YEAR BALANCE	229,629	5,395,920
CURRENT YEAR BALANCE -BOND	10,694,083	-
TOTALS	**$ 29,651,562**	**$ 18,576,307**

2. The City Manager is hereby authorized without further approval of the City Council to make inter-departmental transfers of up to five percent of the amount hereinafter appropriated to any department except that the City Manager shall not make any transfers prohibited by City Procedure #F306 and/or #F306ADD.

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2008-2009 BUDGET ORDINANCES - CONTINUED

ELECTRIC UTILITY CONTINGENCY RESERVE ACCOUNT

CASH RECEIPTS/REVENUES AND BUDGET FOR 2008-2009

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

1. The amounts hereinafter named aggregating Nine Hundred Seven Thousand Three Hundred Thirty Two Dollars ($907,332) or so much as may be necessary are hereby appropriated from current revenues and other funds for the use by the several departments of the Municipal Government for the fiscal year beginning July 1, 2008, and ending June 30, 2009:

CASH RECEIPTS

	2007-08 REVISED	2008-09 BUDGET
BEGINNING BALANCE	$ 847,032	$ 876,632
INTEREST EARNINGS	29,600	30,700
TRANSFER FROM INSURANCE STABILIZATION	-	-
TRANSFER FROM ELECTRIC REVENUE	-	-
TOTALS	**$ 876,632**	**$ 907,332**

EXPENSE SUMMARY

	2007-08 REVISED	2008-09 BUDGET
TRANSFER TO ELECTRIC FUND	$ -	$ -
TRANSFER TO RATE STABILIZATION FUND	-	-
CARRY FORWARD TO NEXT YEAR	876,632	907,332
TOTALS	**$ 876,632**	**$ 907,332**

2. The City Manager is hereby authorized without further approval of the City Council to make inter-departmental transfers of up to five percent of the amount hereinafter appropriated to any department except that the City Manager shall not make any transfers prohibited by City Procedure #F306 and/or #F306ADD.

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2008-2009 BUDGET ORDINANCES - CONTINUED

ELECTRIC UTILITY DEPRECIATION RESERVE ACCOUNT

SOURCES AND USES OF FUNDS FOR 2008-2009

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

1. The amounts hereinafter named aggregating Nine Million Three Hundred Ninety Four Thousand Nine Hundred Four Dollars ($9,394,904) or so much as may be necessary are hereby appropriated from current revenues and other funds for the use by the several departments of the Municipal Government for the fiscal year beginning July 1, 2008, and ending June 30, 2009:

CASH RECEIPTS

	2007-08 REVISED	2008-09 BUDGET
PRIOR YEAR BALANCE	$ 13,535,183	$ 9,144,804
RECEIPT FROM ELECTRIC REVENUE FUND		
INTEREST EARNINGS	309,200	250,100
TOTALS	**$ 13,844,383**	**$ 9,394,904**

BUDGET SUMMARY

	2007-08 REVISED	2008-09 BUDGET
TRANSFER TO IMPROVEMENT AND EXTENSION	$ 4,699,579	$ 2,000,000
TRANSFER TO INSURANCE STABILIZATION FOR CAPITAL ITEMS	-	-
CURRENT YEAR BALANCE	9,144,804	7,394,904
TOTALS	**$ 13,844,383**	**$ 9,394,904**

2. The City Manager is hereby authorized without further approval of the City Council to make inter-departmental transfers of up to five percent of the amount hereinafter appropriated to any department except that the City Manager shall not make any transfers prohibited by City Procedure #F306 and/or #F306ADD.

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2008-2009 BUDGET ORDINANCES - CONTINUED

ELECTRIC UTILITY FUTURE CAPACITY ACCOUNT

SOURCES AND USES OF FUNDS FOR 2008-2009

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

1. The amounts hereinafter named aggregating Eight Million Four Hundred Twenty Thousand Six Hundred Ninety Two Dollars ($8,420,692) or so much as may be necessary are hereby appropriated from current revenues and other funds for the use by the several departments of the Municipal Government for the fiscal year beginning July 1, 2008, and ending June 30, 2009:

CASH RECEIPTS

	2007-08 REVISED	2008-09 BUDGET
PRIOR YEAR BALANCE	$ 8,958,792	$ 8,237,392
RECEIPT FROM ELECTRIC REVENUE FUND	-	-
INTEREST EARNINGS	278,600	183,300
TOTALS	**$ 9,237,392**	**$ 8,420,692**

BUDGET SUMMARY

	2007-08 REVISED	2008-09 BUDGET
TRANSFER TO IMPROVEMENT AND EXTENSION	$ 1,000,000	$ 3,000,000
CURRENT YEAR BALANCE	8,237,392	5,420,692
TOTALS	**$ 9,237,392**	**$ 8,420,692**

2. The City Manager is hereby authorized without further approval of the City Council to make inter-departmental transfers of up to five percent of the amount hereinafter appropriated to any department except that the City Manager shall not make any transfers prohibited by City Procedure #F306 and/or #F306ADD.

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2008-2009 BUDGET ORDINANCES - CONTINUED

ELECTRIC UTILITY INSURANCE STABILIZATION ACCOUNT

SOURCES AND USES OF FUNDS FOR 2008-2009

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

1. The amounts hereinafter named aggregating Three Hundred Seventy Six Thousand Two Hundred Fifty Five Dollars ($376,255) or so much as may be necessary are hereby appropriated from current revenues and other funds for the use by the several departments of the Municipal Government for the fiscal year beginning July 1, 2008, and ending June 30, 2009:

CASH RECEIPTS

	2007-08 REVISED	2008-09 BUDGET
PRIOR YEAR BALANCE	$ 351,255	$ 363,555
RECEIPT FROM ELECTRIC DEPRECIATION RESERVE FUND	-	-
INTEREST EARNINGS	12,300	12,700
TOTALS	**$ 363,555**	**$ 376,255**

BUDGET SUMMARY

	2007-08 REVISED	2008-09 BUDGET
TRANSFER TO ELECTRIC REVENUE CONTINGENCY	$ -	$ -
CURRENT YEAR BALANCE	363,555	376,255
TOTALS	**$ 363,555**	**$ 376,255**

2. The City Manager is hereby authorized without further approval of the City Council to make inter-departmental transfers of up to five percent of the amount hereinafter appropriated to any department except that the City Manager shall not make any transfers prohibited by City Procedure #F306 and/or #F306ADD.

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2008-2009 BUDGET ORDINANCES - CONTINUED

ELECTRIC UTILITY RATE STABILIZATION ACCOUNT

SOURCES AND USES OF FUNDS FOR 2008-2009

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

1. The amounts hereinafter named aggregating Two Million Five Hundred Eight Thousand Five Hundred Sixty Two Dollars ($2,508,562) or so much as may be necessary are hereby appropriated from current revenues and other funds for the use by the several departments of the Municipal Government for the fiscal year beginning July 1, 2008, and ending June 30, 2009:

CASH RECEIPTS

	2007-08 REVISED	2008-09 BUDGET
PRIOR YEAR BALANCE	$ 379,783	$ 2,423,762
RECEIPT FROM ELECTRIC REVENUE FUND	2,030,679	-
RECEIPT FROM ELECTRIC CONTINGENCY	-	-
INTEREST EARNINGS	13,300	84,800
TOTALS	**$ 2,423,762**	**$ 2,508,562**

BUDGET SUMMARY

	2007-08 REVISED	2008-09 BUDGET
TRANSFER TO ELECTRIC	$ -	$ -
CURRENT YEAR BALANCE	2,423,762	2,508,562
TOTALS	**$ 2,423,762**	**$ 2,508,562**

2. The City Manager is hereby authorized without further approval of the City Council to make inter-departmental transfers of up to five percent of the amount hereinafter appropriated to any department except that the City Manager shall not make any transfers prohibited by City Procedure #F306 and/or #F306ADD.

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2008-2009 BUDGET ORDINANCES - CONTINUED

WORKERS COMPENSATION FUND

CASH RECEIPTS/REVENUES AND BUDGET FOR 2008-2009

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

1. The amounts hereinafter named aggregating One Million Nine Hundred Thirty Eight Thousand Twenty Dollars ($1,938,020) or so much as may be necessary are hereby appropriated from current revenues and other funds for the use by the several departments of the Municipal Government for the fiscal year beginning July 1, 2008, and ending June 30, 2009:

OPERATING REVENUES

	2007-08 REVISED	2008-09 BUDGET
PRIOR YEAR BALANCE	$ 1,403,393	$ 1,236,346
INTEREST INCOME	78,000	37,000
PREMIUM FROM CITY	514,703	664,674
INSURANCE REFUND	-	-
TRANSFER FROM GENERAL	-	-
TRANSFER FROM WATER/WASTEWATER	-	-
TRANSFER FROM ELECTRIC	-	-
TOTALS	**$ 1,996,096**	**$ 1,938,020**

OPERATING EXPENSES

	2007-08 REVISED	2008-09 BUDGET
PROGRAM EXPENSES/SUPPLIES - CLAIMS	$ 294,800	$ 400,000
INSURANCE	87,000	93,400
BANK FEES	1,600	1,600
STATE OF DEL - SELF INSURANCE TAX	47,000	50,000
CONTRACTUAL SERVICES	29,350	32,000
TRANSFER TO PENSION FUND	300,000	-
TRANSFER TO GENERAL FUND FOR RETIREES	-	100,000
TOTAL EXPENSES	**759,750**	**677,000**
CURRENT YEAR BALANCE	1,236,346	1,261,020
TOTALS	**$ 1,996,096**	**$ 1,938,020**

2. The City Manager is hereby authorized without further approval of the City Council to make inter-departmental transfers of up to five percent of the amount hereinafter appropriated to any department except that the City Manager shall not make any transfers prohibited by City Procedure #F306 and/or #F306ADD.

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2008-2009 BUDGET ORDINANCES - CONTINUED

COMMUNITY TRANSPORTATION IMPROVEMENT FUND

CASH RECEIPTS/REVENUES AND BUDGET FOR 2008-2009

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

1. The amounts hereinafter named aggregating One Million Two Hundred Twenty Seven Thousand Four Hundred Fourteen Dollars ($1,227,414) or so much as may be necessary are hereby appropriated from current revenues and other funds for the use by the several departments of the Municipal Government for the fiscal year beginning July 1, 2008, and ending June 30, 2009:

OPERATING REVENUES

	2007-08 REVISED	2008-09 BUDGET
PRIOR YEAR BALANCE	$ 308,414	$ 308,414
GRANTS REVENUE	1,055,000	500,000
TRANSFER FROM GENERAL	350,000	400,000
INTEREST INCOME	-	19,000
TOTALS	**$ 1,713,414**	**$ 1,227,414**

OPERATING EXPENSES

	2007-08 REVISED	2008-09 BUDGET
PROGRAM EXPENSES	$ 1,405,000	$ 900,000
OPERATING TRANSFERS OUT	-	-
CURRENT YEAR BALANCE	308,414	327,414
TOTALS	**$ 1,713,414**	**$ 1,227,414**

2. The City Manager is hereby authorized without further approval of the City Council to make inter-departmental transfers of up to five percent of the amount hereinafter appropriated to any department except that the City Manager shall not make any transfers prohibited by City Procedure #F306 and/or #F306ADD.

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2008-2009 BUDGET ORDINANCES - CONTINUED

OPEB (POST-RETIREMENT BENEFITS) RESERVE ACCOUNT

CASH RECEIPTS/REVENUES AND BUDGET FOR 2008-2009

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

1. The amounts hereinafter named aggregating Four Million Nine Hundred Seventy One Thousand Five Hundred Fifty Two Dollars ($4,971,552) or so much as may be necessary are hereby appropriated from current revenues and other funds for the use by the several departments of the Municipal Government for the fiscal year beginning July 1, 2008, and ending June 30, 2009:

OPERATING REVENUES

	2007-08 REVISED	2008-09 BUDGET
PRIOR YEAR BALANCE	$ 4,204,000	$ 4,354,000
INTEREST INCOME	150,000	118,000
TRANSFER FROM GENERAL	-	380,440
TRANSFER FROM GENERAL CONTINGENCY	-	-
TRANSFER FROM WATER/WASTEWATER	-	44,027
TRANSFER FROM ELECTRIC	-	75,085
TOTALS	**$ 4,354,000**	**$ 4,971,552**

OPERATING EXPENSES

	2007-08 REVISED	2008-09 BUDGET
CURRENT YEAR BALANCE	$ 4,354,000	$ 4,971,552
TOTALS	**$ 4,354,000**	**$ 4,971,552**

2. The City Manager is hereby authorized without further approval of the City Council to make inter-departmental transfers of up to five percent of the amount hereinafter appropriated to any department except that the City Manager shall not make any transfers prohibited by City Procedure #F306 and/or #F306ADD.

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2008-2009 BUDGET ORDINANCES - CONTINUED

PARKLAND/RECREATION RESERVE ACCOUNT

CASH RECEIPTS/REVENUES AND BUDGET FOR 2008-2009

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

1. The amounts hereinafter named aggregating One Hundred Thirteen Thousand One Hundred Sixty Two Dollars ($113,162) or so much as may be necessary are hereby appropriated from current revenues and other funds for the use by the several departments of the Municipal Government for the fiscal year beginning July 1, 2008, and ending June 30, 2009:

OPERATING REVENUES

	2007-08 REVISED	2008-09 BUDGET
PRIOR YEAR BALANCE	$ 1,774,531	$ 113,162
GENERAL FUND APPROPRIATION	-	-
PAYMENT IN LIEU OF PARKLAND	107,000	-
TRANSFER FROM LIBRARY RESERVE	334,000	-
TRANSFER FROM CTF	-	-
INTEREST INCOME	30,000	-
TOTALS	**$ 2,245,531**	**$ 113,162**

OPERATING EXPENSES

	2007-08 REVISED	2008-09 BUDGET
TRANSFER TO GENERAL CAPITAL PROJECTS FUND	$ 2,132,369	$ -
CURRENT YEAR BALANCE	113,162	113,162
TOTALS	**$ 2,245,531**	**$ 113,162**

2. The City Manager is hereby authorized without further approval of the City Council to make inter-departmental transfers of up to five percent of the amount hereinafter appropriated to any department except that the City Manager shall not make any transfers prohibited by City Procedure #F306 and/or #F306ADD.

Draft

2008-2009 BUDGET ORDINANCES - CONTINUED

LIBRARY RESERVE ACCOUNT

CASH RECEIPTS/REVENUES AND BUDGET FOR 2008-2009

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

1. The amounts hereinafter named aggregating Three Million Eight Hundred Ninety One Thousand Two Hundred Fifty Dollars ($3,891,250) or so much as may be necessary are hereby appropriated from current revenues and other funds for the use by the several departments of the Municipal Government for the fiscal year beginning July 1, 2008, and ending June 30, 2009:

OPERATING REVENUES

	2007-08 REVISED	2008-09 BUDGET
PRIOR YEAR BALANCE	$ 2,373,776	$ 3,760,000
GENERAL FUND APPROPRIATION	1,649,109	-
TRANSFER FROM GENERAL CONTINGENCY	-	-
INTEREST INCOME	122,989	131,250
TOTALS	**$ 4,145,874**	**$ 3,891,250**

OPERATING EXPENSES

	2007-08 REVISED	2008-09 BUDGET
TRANSFER TO PARKLAND RESERVE	$ 334,000	$ -
TRANSFER TO CAPITAL PROJECT FUND	10,094	1,200,000
TRANSFER TO GENERAL FUND	41,780	-
CURRENT YEAR BALANCE	3,760,000	2,691,250
TOTALS	**$ 4,145,874**	**$ 3,891,250**

2. The City Manager is hereby authorized without further approval of the City Council to make inter-departmental transfers of up to five percent of the amount hereinafter appropriated to any department except that the City Manager shall not make any transfers prohibited by City Procedure #F306 and/or #F306ADD.

Draft

PAY FOR PERFORMANCE CALCULATION WORKSHEET/NON-BARGAINING EMPLOYEES

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

1. That the Pay for Performance Calculation Worksheet hereinafter is hereby adopted for the Fiscal Year Beginning July 1, 2008, and ending June 30, 2009:

PERFORMANCE SCORES					
PFP SCORE		ADJUSTMENT			
From	To	Employee Above Maximum	Employee Above Market	Employee At Market	Employee Below Market
0	19	-	-	-	-
20	29	-	1.75%	2.50%	3.00%
30	35	2.00%	2.50%	3.25%	4.25%
36	41	2.75%	3.25%	4.00%	6.00%
42	50	3.50%	4.00%	4.75%	6.50%

ADOPTED:

Draft

FIRST READING

CITY OF DOVER ORDINANCE #2008-30

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

The amount hereinafter named aggregating Fifty-three thousand, two hundred and forty-two dollars ($53,242) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by the City of Dover/Main Street, Inc. for the fiscal year beginning July 1, 2008, and ending June 30, 2009:

DOWNTOWN DOVER BUSINESS IMPROVEMENT DISTRICT
CASH RECEIPTS BUDGET FOR 2008-09
BID TAX REVENUE AND EXPENSES CHARGED AGAINST THIS REVENUE
ADMINISTERED THROUGH MAIN STREET, INC.

REVENUE	PROPOSED
Tax Revenue	$53,242
EXPENSES	
Personnel & Administration Expenses	$53,242

ADOPTED: *

Actions History:
May 27, 2008 - Introduced at Legislative, Finance and Administration Committee

Draft

DOWNTOWN DOVER BUSINESS IMPROVEMENT DISTRICT

TAX CALCULATION WORKSHEET

JULY 1, 2008 TO JUNE 30, 2009

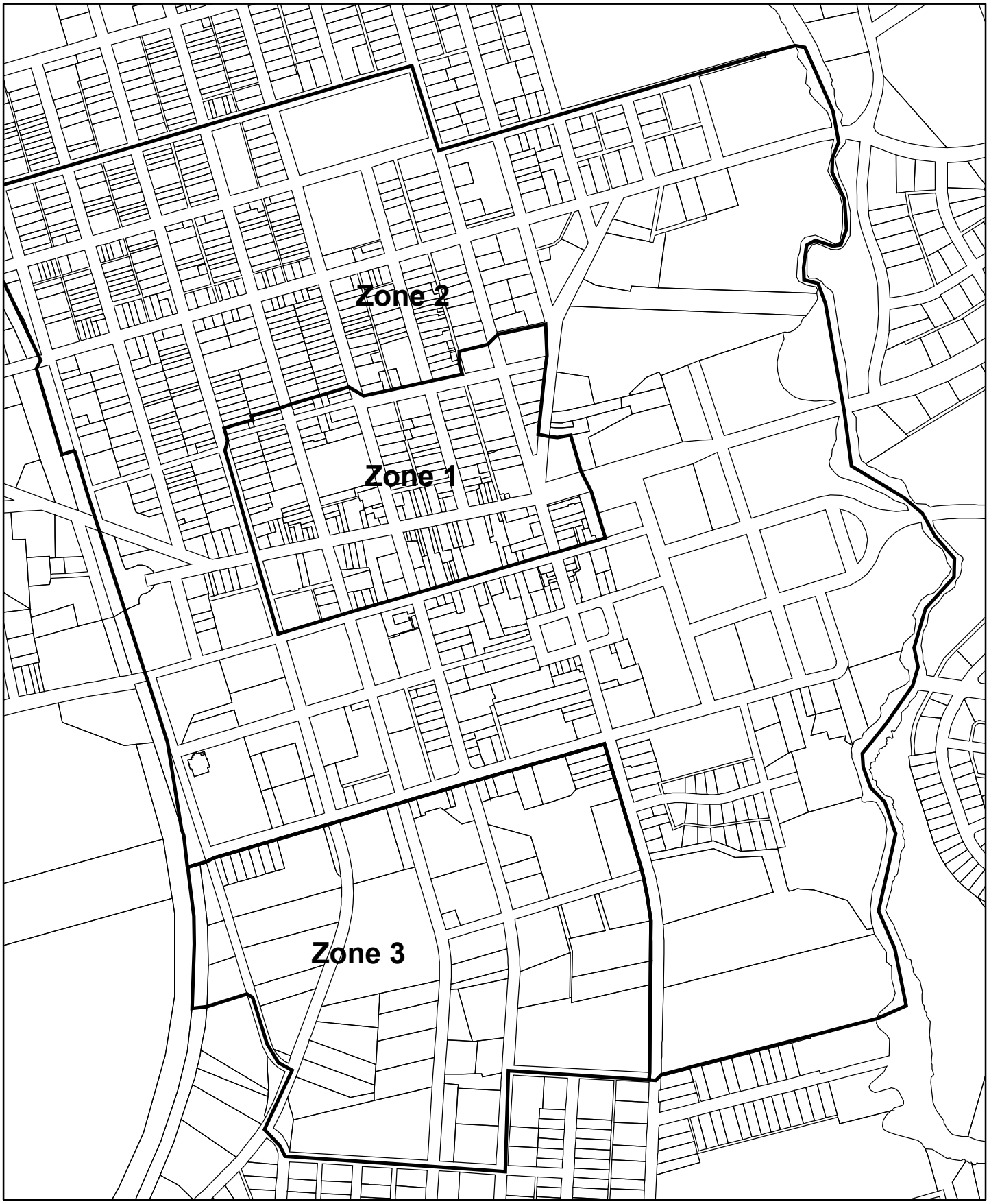
	ZONE 1	ZONE 2	ZONE 3	TOTAL
Aggregate Assessments	$32,361,100	$58,864,900	$29,621,700	$120,847,700
Assessment Tax Rate per $100	0.0822	0.0362	0.0180	---
Revenue Raised	$26,601	$21,309	$5,332	$53,242
% Revenue Raised	50%	40%	10%	100%
Number of Parcels	122	113	49	284
Average Assessment	$218	$189	$109	$187

NOTE: These figures were estimated per the reassessed values. The revenue percentages by Zone are per the City of Dover Code Appendix D-Article III, Section 9(e).

JULY 1, 2007 TO JUNE 30, 2008

	ZONE 1	ZONE 2	ZONE 3	TOTAL
Aggregate Assessments	$32,561,600	$58,496,500	$29,621,700	$120,679,800
Assessment Tax Rate per $100	0.0849	0.0362	0.0150	---
Revenue Raised	$27,645	$21,176	$4,443	$53,264
% Revenue Raised	52%	40%	8%	100%
Number of Parcels	122	113	49	284
Average Assessment	$227	$187	$91	$188

NOTE: These figures were estimated per the reassessed values. The revenue percentages by Zone are per the City of Dover Code Appendix D-Article III, Section 9(e).



City of Dover

Business Improvement District

Map Created by:
Department of Planning and Inspections
Date Map Created: 6-22-06

0 250 500 1,000 Feet

FIRST READING

CITY OF DOVER ORDINANCE # 2008-11

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

That Chapter 22 – Buildings and Building Regulations, Article III - Building Code, be amended by inserting the text indicated in bold, red and deleting the text indicated in red strikeout as follows:

Sec. 22-65. Permit fees.

(a) *Building permits.* Each applicant for a building permit shall pay unto the city a permit fee computed as follows before such permit shall be issued: The sum of $25.00 for the first $1,000.00 of costs and ~~$8.00~~ **$9.00** for each additional $1,000.00 of costs or multiple thereof up to $10,000,000.00 of costs, ~~$6.00~~ **$7.00** for each additional $1,000.00 of costs or multiple thereof up to $20,000,000.00, and ~~$5.00~~ **$5.50** for each additional $1,000.00 of costs or multiple thereof above $20,000,000.00.

(b) *Fence permits.* Each applicant for a fence permit shall pay unto the city a permit fee computed as follows before such permit is issued: The sum of $25.00 for the first $1,000.00 of costs and ~~$8.00~~ **$9.00** for each additional $1,000.00 of costs or multiple thereof.

c) *Sign permits.* Each applicant for a sign permit shall pay unto the city, before such permit is issued, the sum of $0.50 per square foot of sign area; provided, however, that the minimum fee for each permit shall be ~~$15.00~~ **$25.00**.

(d) *Swimming pool permits.* Each applicant for a swimming pool permit shall pay unto the city a permit fee computed as follows before such permit is issued: The sum of $25.00 for the first $1,000.00 of cost and ~~$8.00~~ **$9.00** for each additional $1,000.00 of cost or multiple thereof.

(e) *Demolition permits.* Each applicant for a demolition permit shall pay unto the city, before such permit is issued, the sum of $50.00 for any building which is being demolished for the purpose of vacating the land for future development or construction upon the same, provided that no fee shall be charged for buildings condemned and required to be demolished by the city or any public entity.

(f) *Moving permits.* Each applicant for a moving permit shall pay unto the city, before such permit is issued, the sum of $250.00 for each building.

(g) *Construction plan reviews.* Each applicant requesting review of nonresidential construction plans shall pay the sum of $20.00 per set of plans.

(h) *Reinspections.* There will be no charge for the first reinspection of a permit. The applicant shall pay the sum of $25.00 for the second reinspection, $50.00 for the third reinspection and $100.00 for any subsequent reinspection.

Draft

(i) *Doubling fees.* Fees established in subsections (a)--(f) of this section shall double in the event that a permit is applied for after construction has commenced without the permission of the building inspector. The building inspector may waive the doubling of fees in cases where the building permit applicant is not a professional contractor, and the work is not being done by a professional contractor.

BE IT FURTHER ORDAINED:

That Chapter 22 – Buildings and Building Regulations, Article V - Mechanical Code, be amended by inserting the text indicated in bold, red and deleting the text indicated in red strikeout as follows:

Sec. 22-145. Heating, air conditioning, and heat pump permit fees.

(a) *Enumerated.* Each applicant for a heating, air conditioning, or heat pump permit shall pay unto the city a permit fee, computed as follows, before such permit is issued:

(1) *Heating permit.* The sum of ~~$30.00~~ **$33.00** for the first 10,000 BTUs and the sum of ~~$5.00~~ **$5.50** for each additional 10,000 BTUs or multiple thereof.

(2) *Air conditioning permit.* The sum of ~~$30.00~~ **$33.00** per ton for the first five tons and the sum of ~~$5.00~~ **$5.50** per ton for over five tons or multiple thereof.

(3)*Heat pump permit.* The sum of ~~$15.00~~ **$17.00** for the first 10,000 BTUs and the sum of ~~$2.50~~ **$2.75** for each additional 10,000 BTUs or multiple thereof and an additional ~~$15.00~~ **$17.00** for the first five tons and the sum of ~~$2.50~~ **$2.75** per ton for over five tons or multiple thereof.

(b) *Doubling of fees.* Fees established in subsection (a)(1)--(3) of this section shall double in the event that a permit is applied for after construction has commenced without the permission of the building inspector. The building inspector may waive the doubling of fees in cases where the building permit applicant is not a professional contractor, and the work is not being done by a professional contractor.

BE IT FURTHER ORDAINED:

That Chapter 22 – Buildings and Building Regulations, Article VI - Plumbing Code, be amended by inserting the text indicated in bold, red and deleting the text indicated in red strikeout as follows:

Sec. 22-185. Permit fees.

(a) *Enumerated.* Each applicant for a plumbing permit shall pay unto the city a permit fee, computed as follows, before such permit is issued:

(1) *Fixtures.* The sum of ~~$25.00~~ **$27.00** for the first five fixtures and the sum of $2.00 for each additional fixture.

(2) *Garbage disposals and hot water heaters.* A minimum fee of ~~$25.00~~ **$27.00**.

Draft

(3) *Gas, water and sewer inspection underground.* The sum of $20.00 for the first 150 feet and $0.50 for each additional ten feet or multiple thereof.

(b) *Doubling of fees.* Fees established in subsections (a)(1)--(3) of this section shall double in the event that a permit is applied for after construction has commenced without the permission of the building inspector. The building inspector may waive the doubling of fees in cases where the building permit applicant is not a professional contractor, and the work is not being done by a professional contractor.

BE IT FURTHER ORDAINED:

That Chapter 22 – Buildings and Building Regulations, Article IX - Lodging Houses, be amended by inserting the text indicated in bold, red and deleting the text indicated in red strikeout as follows:

Sec. 22-301. Generally.

(a) *Required.* It shall be unlawful for any person to let, or offer to let, space in any lodginghouse by advertisement, without first obtaining a permit from the licensing division of the department of planning and inspections in order to determine compliance with the provisions of this chapter.

(b) *Expiration; fee.* The permit shall expire annually on January 31, and the fee for the annual permit shall be ~~$50.00~~ **$75.00** for the first ten rooms and ~~$5.00~~ **$7.00** for each additional room. The fee for dormitories shall be ~~$50.00~~ **$75.00** for the first ten rooms, and ~~$2.50~~ **$4.00** for each room thereafter.

c) *Failure to pay on due date.* In the event that the permit fee set forth herein is not paid on the date due, then the permittee shall incur a penalty fee in the amount of ten percent per month of the amount of the license fee until the same is paid.

(d) *Reimbursement fee.* An owner whose permit has been suspended in accordance with section 22-303 shall pay a $100.00 reinstatement fee.

(e) *Lien.* In the event that the property owner fails to pay said fees within 30 days from the date a notice thereof is mailed to the owner, then such fees may be entered into the municipal lien docket as a lien owing the city, and the same may be turned over to the city solicitor for collection.

(f) *Utilities.* The owner or occupant of any lodginghouse shall not be entitled to receive city utilities until the permit fee required in this section is paid in full and city personnel shall refuse to provide sewage, water and electricity to the property until satisfactory proof is furnished that such permit fee has been paid.

BE IT FURTHER ORDAINED:

That Chapter 22 – Buildings and Building Regulations, Article X - Rental Dwellings, be amended by inserting the text indicated in bold, red and deleting the text indicated in red strikeout as follows:

Sec. 22-351. Generally.

(a) *Single-family dwellings.* It shall be unlawful for any person to operate any single-family rental dwelling without obtaining a permit from the licensing division of the department of planning and inspections in order to determine compliance with the appropriate provisions

Draft

of this article. The permit shall expire annually on January 31. The fee for the annual permit shall be ~~$90.00~~ **$102.00** for each single-family detached dwelling, and ~~$70.00~~ **$82.00** for each single-family attached dwelling.

(b) *Multiple-family dwellings.* It shall be unlawful for any person to operate any multiple dwelling without first obtaining an annual permit therefore from the licensing division of the department of planning and inspections in order to determine compliance with the appropriate provisions of this article. The permit shall expire annually on January 31, and the fee for the annual permit shall be ~~$90.00~~ **$102.00** for multiple dwellings consisting of three or less dwelling units, ~~$90.00~~ **$102.00** for the first three dwelling units of a multiple dwelling with four or more dwelling units, and ~~$30.00~~ **$36.00** for each additional dwelling unit in excess of three. The fee for condominium units and accessory apartments located within structures principally used for owner occupancy shall be ~~$30.00~~ **$36.00**.

c) *Late payment penalty.* In the event that the permit fee set forth herein is not paid on the date due, then the permittee shall incur a penalty fee in the amount of ten percent per month of the amount of the license fee until the same is paid.

(d) *Reinstatement fee.* An owner whose permit has been suspended in accordance with section 22-352 shall pay a $100.00 reinstatement fee.

(e) *Lien.* In the event that the property owner fails to pay said fees within 30 days from the date a notice thereof is mailed to the owner, then such fees shall be entered in the municipal lien docket as a lien owing the city; and the same may be turned over to the city solicitor for collection.

(f) *Utilities.* The owner or occupant of any rental unit shall not be entitled to receive city utilities until the permit fee required in this section is paid in full and city personnel shall refuse to provide sewage, water and electricity to the property until satisfactory proof is furnished that such permit fee has been paid.

ADOPTED: *

SYNOPSIS

The proposed ordinance would update the fees in the Building Code in accordance with the recommendations of the Revenue Manual. This includes building permits, plumbing permits, heating and air conditioning permits, lodginghouse permits, and rental permits.

Actions History

May 27, 2008 - Tabled at Council
May 5, 2008 - Legislative, Finance, and Administration Committee
Mar 10, 2008 - Legislative, Finance, and Administration Committee

Draft

FIRST READING

CITY OF DOVER ORDINANCE #2008-12

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

That Chapter 26 - Businesses, Article II Licenses, Section 26-35 - License Required; Fees be amended by inserting the text indicated in bold, red and deleting the text indicated in red strikeout as follows:

Sec. 26-35. License required; fees.

(a) *Nonprofessional service businesses.* Except where expressed by definition in section 26-31, nonprofessional service businesses shall pay an annual license fee for each store, place of business or vehicle from which the licensee conducts the business operated within the city.

(b) *Professional services.* Persons engaged in professional services, such as accountants, certified or public, landscape architects, architects, optometrists, lawyers, dentists, physicians and surgeons, psychologists, physical therapists, podiatrists, professional engineers, and veterinarians shall pay an annual license fee for engaging in such professional services within the city.

c) *Corporate employees.* No license shall be required of any individual practicing a profession or trade who is in the employ of any corporation licensed under any other provision of this article and who does not practice his profession, except in his capacity as an employee of such corporation and, provided further, that no attorney in the employ of any such corporation shall be required to obtain a license under this section so as to fulfill assignments made to him by any state court.

(d) *Businesses licensed.*

(1) No person shall conduct or engage in any of the following trades, businesses, or occupations within the city without a license and paying the appropriate fee as follows:

Advertising agency . . . ~~$ 92.00~~ **$101.00**
Amusement operator . . . ~~152.00~~ **167.00**
Architect . . . ~~242.00~~ **266.00**
Attorney-at-law . . . ~~303.00~~ **333.00**
Auctioneer . . . ~~152.00~~ **167.00**
Automobile race operator . . . ~~363.00~~ **399.00**
Bank, or loan and trust company . . . ~~303.00~~ **333.00**
Bank, off premise ATM . . . 49.00
Barber . . . ~~61.00~~ **67.00**

Draft

Each additional chair over two . . . 4.00
Beautician . . . ~~61.00~~ **67.00**
Each additional chair over two . . . 4.00
Bowling alley operator . . . ~~182.00~~ **200.00**
Broadcasting station . . . ~~303.00~~ **333.00**
Broker . . . ~~152.00~~ **167.00**
Car wash . . . ~~182.00~~ **200.00**
Certified public accountant . . . ~~242.00~~ **266.00**
Cesspool cleaner . . . ~~121.00~~ **133.00**
Chiropractor . . . ~~303.00~~ **333.00**
Clinical social worker . . . ~~93.00~~ **102.00**
Coin-operated amusement machine owner, per machine . . . 3.00
Coin-operated vending machine owner, per machine . . . 3.00
Coin-operated electronic video machine, per machine . . . ~~121.00~~ **133.00**
Commercial sign business . . . ~~121.00~~ **133.00**
Computer related services . . . ~~121.00~~ **133.00**
Consultant . . . ~~49.00~~ **54.00**
Day care operator:
Home based provider with six or fewer children . . . ~~0.00~~ **25.00**
Center or home provider with greater than six children . . . ~~49.00~~ **54.00**
Dental lab . . . ~~182.00~~ **200.00**
Dentist . . . ~~303.00~~ **333.00**
Distributor . . . ~~61.00~~ **67.00**
Drayperson or mover . . . ~~121.00~~ **133.00**
Eating establishment and/or eating establishment operator . . . ~~121.00~~ **133.00**
Employment agent . . . ~~121.00~~ **133.00**
Entertainer:
One--three entertainers per group . . . ~~49.00~~ **54.00**
Four--nine entertainers per group . . . ~~92.00~~ **101.00**
Ten or more . . . ~~121.00~~ **133.00**
Entertainment agent . . . ~~182.00~~ **200.00**
Finance or small loan agency . . . ~~242.00~~**266.00**
Fitness Trainer . . . 67.00
Funeral director . . . ~~242.00~~**266.00**
Gas, light, power, cable TV and telephone company . . . ~~908.00~~ **999.00**
General repairman . . . ~~61.00~~ **67.00**
Health spa or health club . . . ~~182.00~~ **200.00**
Hotel:
Per room . . . ~~9.00~~ **10.00**

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Per suite . . . ~~12.00~~ **13.00**

Income tax consultant . . . ~~182.00~~ **200.00**

Incorporator . . . ~~121.00~~ **133.00**

Insurance adjustor office . . . ~~121.00~~ **133.00**

Itinerant merchant, per event . . . ~~40.00~~ **44.00**

Janitorial and cleaning service:

One--three employees . . . ~~49.00~~ **54.00**

Four--nine employees . . . ~~92.00~~**101.00**

Ten or more employees . . . ~~121.00~~ **133.00**

Landscape service company:

One--three employees . . . ~~49.00~~ **54.00**

Four--nine employees . . . ~~92.00~~**101.00**

Ten or more employees . . . ~~121.00~~ **133.00**

Laundry service operator:

Primary facility . . . ~~121.00~~ **133.00**

Additional drop-off locations . . . ~~49.00~~ **54.00**

Linen supplier . . . ~~121.00~~ **133.00**

Manicurist . . . ~~31.00~~ **34.00**

Manufacturer's agent or representative . . . ~~121.00~~ **133.00**

Mercantile agency or collection agency . . . ~~121.00~~ **133.00**

Mobile home park, per space . . . ~~7.00~~ **8.00**

Motel, per room . . . ~~7.00~~ **8.00**

Motion picture theater . . . ~~182.00~~ **200.00**

Motor vehicle serviceman . . . ~~92.00~~**101.00**

Nursing, rest or convalescent home . . . ~~182.00~~ **200.00**

Open market operator:

First 20 spaces, per rented space . . . ~~22.00~~ **24.00**

21st--50th space, per rented space . . . ~~11.00~~ **12.00**

Each space over 50, per rented space . . . ~~6.00~~ **7.00**

Outdoor tables, per table . . . ~~6.00~~**7.00**

Optometrist . . . ~~303.00~~ **333.00**

Outdoor music festival promoter . . . ~~1,210.00~~ **1,331.00**

Parking lot or garage operator . . . ~~61.00~~ **67.00**

Pawnbroker . . . ~~182.00~~ **200.00**

Pest control services . . . ~~92.00~~**101.00**

Pharmacist . . . ~~182.00~~ **200.00**

Photographer . . . ~~121.00~~ **133.00**

Physical therapist . . . ~~182.00~~ **200.00**

Physician and/or surgeon . . . ~~303.00~~ **333.00**

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Plant nursery and florist . . . ~~92.00~~**101.00**

Podiatrist . . . ~~303.00~~ **333.00**

Pool table operator, per table . . . ~~61.00~~ **67.00**

Maximum fee . . . ~~183.00~~ **201.00**

Printer . . . ~~121.00~~**133.00**

Private investigator agency . . . ~~182.00~~ **200.00**

Professional counselor . . . ~~61.00~~ **67.00**

Professional engineer . . . ~~242.00~~**266.00**

Professional land surveyor . . . ~~242.00~~**266.00**

Psychologist . . . ~~303.00~~ **333.00**

Public accountant . . . ~~182.00~~ **200.00**

Public stenographer . . . ~~37.00~~ **41.00**

Publisher . . . ~~303.00~~ **333.00**

Real estate broker, appraiser, and manager . . . ~~152.00~~ **167.00**

Real estate development corporation . . . 333.00

Real estate property manager:

One--three units managed . . . ~~49.00~~ **54.00**

Four--ten units managed . . . ~~121.00~~ **133.00**

Ten+ units managed . . . ~~121.00~~ **133.00**

Real estate salesperson or associated broker . . . ~~49.00~~ **54.00**

Rental service . . . ~~121.00~~ **133.00**

Sales representative . . . ~~49.00~~ **54.00**

School and educational service (nonvocational) . . . ~~61.00~~ **67.00**

School and educational service (vocational) . . . ~~121.00~~ **133.00**

Scientific laboratory . . . ~~242.00~~**266.00**

Scrap and waste material service . . . ~~121.00~~ **133.00**

Secondhand dealer of precious metals . . . ~~121.00~~ **133.00**

Security service . . . ~~182.00~~ **200.00**

Self-service laundry or dry cleaner . . . ~~121.00~~ **133.00**

Shoe repairman . . . ~~49.00~~ **54.00**

Sound truck, per hour . . . ~~31.00~~ **34.00**

Tailor and garment service . . . ~~49.00~~ **54.00**

Taxicab or bus operator:

First vehicle . . . 25.00

Each additional vehicle . . . ~~25.00~~ **28.00**

Taxidermist . . . ~~121.00~~ **133.00**

Telephone answering service . . . ~~121.00~~ **133.00**

Television repairman . . . ~~92.00~~**101.00**

Tourist home, per room . . . ~~7.00~~ **8.00**

Draft

Trailer park, per space . . . ~~7.00~~ **8.00**

Travel agency . . . ~~121.00~~ **133.00**

Veterinarian . . . ~~303.00~~ **333.00**

Warehouseman . . . ~~242.00~~**266.00**

Wholesale news agency . . . ~~61.00~~ **67.00**

All other businesses not listed:

One--three employees . . . ~~49.00~~ **54.00**

Four--nine employees . . . ~~92.00~~**101.00**

Ten--50 employees . . . ~~121.00~~ **133.00**

51--100 employees . . . ~~303.00~~ **333.00**

(2)Manufacturers and contractors shall pay a license fee at the rate of $0.00046 of the aggregate gross receipts; provided, however, that the minimum license shall be ~~$121.00~~ **133.00**.

(3) Merchants and bottlers shall pay a license fee at the rate of $0.00046 of the aggregate gross purchases for resale; provided, however, that the minimum license fee shall be ~~$61.00~~ **67.00.**

ADOPTED: *

SYNOPSIS

This proposed ordinance updates business license fees in accordance with the Revenue Manual. This includes a 10% increase in business license fees, as well as the addition of three license categories.

Actions History

May 27, 2008 - Tabled at Council

May 5, 2008 - Legislative, Finance, and Administration Committee

Mar 10, 2008 - Legislative, Finance, and Administration Committee

Draft

FIRST READING

CITY OF DOVER ORDINANCE #2008-13

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

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

(e) *Final Inspections Fee.* A fee of $50.00 shall be paid unto the city for all final inspections conducted by the Fire Marshals Office for Certificate of Occupancy Inspections, Final Building Inspections and Final Fire Protection acceptance tests. Fee is to be paid prior to the inspection.

BE IT FURTHER ORDAINED:

That Chapter 46 – Fire Prevention and Protection, Article IV - Public Occupancies, Section 46-164 - Fees be amended by inserting the text indicated in bold, red and deleting the text indicated in red strikeout as follows:

Sec. 46-164. Fees.

A person desiring the permit required by the provisions of this article shall pay the following appropriate permit fee:

(1) Churches, ~~$25.00~~ **$50.00**;

(2) Civic auditoriums, ~~$25.00~~ **$50.00**;

(3) Clubhouses, $50.00;

(4) Commercial auditoriums, ~~$25.00~~ **$50.00** for the first 200 seats and $2.50 for each additional 50 seats;

(5) Day care facilities **(Including home day care facilities)**, ~~$25.00~~ **$50.00**;

(6) Hospitals, nursing homes or rest homes, $~~5.00~~ **$10.00** for the first ten rooms and $1.25 for each additional room;

(7) Mercantile (10,000 square feet of area or greater), ~~$25.00~~ **$50.00**;

(8) Outdoor public events, including but not limited to firework displays, carnivals, and outdoor music concerts, ~~$25.00~~ **$50.00 (Fireworks Displays $100.00)**;

~~(9) Public office buildings, $25.00;~~

~~(10) Schools, $25.00;~~

~~(11) Theaters, $25.00 for the first 200 seats and $2.50 for each additional 50 seats.~~

(9) Business Occupancies (10,000 square feet or greater) $50.00

(10) Educational Occupancies $50.00

(11) Assembly Occupancies (Occupant loads over 150 people) $50.00

(12) Hotels, Motels, and Dormitories $50.000

(13) Multi -Multi- Residential with more the 6 units, $10.00 for the first 5 units and $1.25 for each additional room

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(14) Storage Occupancies (Over 10,000 square feet) $50.00

(15) Lodging and Rooming House $50.00

(B) Fire Protection Inspection Fee

(1) Fire Signaling System Inspection Fee. For each inspection of a fire alarm signaling system located within the jurisdiction of the City of Dover, and conducted by a licensed company pursuant to Delaware State Fire Prevention Regulations, Part III Chapter 4, Section 4-8, 4-9, and 4-10, the licensed company shall submit a copy of the certificate of inspection to the City of Dover Fire Marshals Office, along with a non-refundable fee of $25.00.

(2) Fire Suppression System Inspection Fee. For each inspection of a fire suppression system located within the jurisdiction of the City of Dover Fire Marshals Office, and conducted by a licensed company pursuant to Delaware State Fire Prevention Regulations, Part III, Chapter 5, sections 5-8, 5-9, and 5-10, the licensed company shall submit a copy of the certificate of inspection to the City of Dover Fire Marshals Office, along with a non-refundable fee of $25.00.

BE IT FURTHER ORDAINED THAT

That Chapter 46 – Fire Prevention and Protection, Article IV - Public Occupancies, Section 46-168 - Reinspection Fee be amended by inserting the text indicated in bold, red and deleting the text indicated in red strikeout as follows:

(a) *Amount.* There is hereby created a reinspection fee of ~~$25.00~~ $50.00 that shall be charged for any repeated violation cited by the fire marshal, determined to be a violation and which requires a followup inspection to confirm the correction of the violation.

ADOPTED: *

SYNOPSIS

This proposed ordinance updates the fees charged under the City's fire code. Specifically, it creates a new final inspection fee fire protection inspection fee and updates the public occupancy permit fees and reinspection fees.

Actions History

May 27, 2008 - Tabled at Council
May 5, 2008 - Legislative, Finance, & Administration Committee
Mar 10, 2008 - Legislative, Finance, & Administration Committee

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FIRST READING

CITY OF DOVER ORDINANCE #2008-14

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

That Chapter 66 –Manufactured Homes and Trailers, be amended by inserting the text indicated in bold, red and deleting the text indicated in red strikeout as follows:

Sec. 66-2. License.

(a) *Required fee.* The owner of a mobile home shall obtain an annual license for it and shall pay a fee of ~~$45.00~~ **$50.00** for such license.

(b) *Payment; penalties.* Such license shall be obtained and the license fee paid by July 1 of each year and if such fee is not paid before August 1 of such year, then, in addition to any penalty incurred pursuant to section 1-17, a penalty fee of ten percent per month shall accrue on the unpaid balance of the license fee.

c) *Moving into city.* Upon the moving of a mobile home into the city, such license shall be obtained and the license fee paid within seven days. Payment of such license fee shall be prorated on a quarterly basis for each fractional part of a year during which the mobile home is in the city.

(d) *Sticker; where placed.* Once the annual license fee has been paid by the owner of a mobile home, he shall be issued a sticker or other evidence of payment by the city manager or his authorized agent. This sticker or other evidence of payment must be placed upon the mobile home on the front of the mobile home facing the street on the righthand side when facing said mobile home one foot up from the bottom of the skirting and one foot over from the side of the mobile home.

ADOPTED: *

SYNOPSIS

The proposed ordinance amends the manufactured home license fee in accordance with the recommendations of the Revenue Manual.

Actions History

May 27, 2008 - Tabled at Council
May 5, 2008 - Legislative, Finance, and Administration Committee
Mar 10, 2008 - Legislative, Finance, and Administration Committee

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FIRST READING

CITY OF DOVER ORDINANCE #2008-15

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

That Appendix A - Subdivisions, Article IV, Section A - Pre Application be amended by inserting the text indicated in bold, red and deleting the text indicated in red strikeout as follows:

1. Following this step, the subdivider shall submit to the commission pre-application plans and data as specified in Article V, Section A, with a filing fee of ~~$200.00~~ **$225.00**.

BE IT FURTHER ORDAINED:

That Appendix A - Subdivisions, Article IV, Section B - Preliminary Layout be amended by inserting the text indicated in bold, red and deleting the text indicated in red strikeout as follows:

2. Application for conditional approval of the preliminary layout shall be submitted in writing for a filing fee of ~~$325.00~~ **$400 plus $15 per acre** by the subdivider to the commission, together with the original and 20 prints of the preliminary layout, and other specified documents at least 30 days prior to the meeting at which it is to be considered.

BE IT FURTHER ORDAINED:

That Appendix A - Subdivisions, Article IV, Section C - Plat be amended by inserting the text indicated in bold, red and deleting the text indicated in red strikeout as follows:

3. Application for approval of the plat shall be submitted in writing by the subdivider to the city planner, together with three prints of the plat and the plat review fee of ~~$150.00~~ **$165.00**, plus ~~$65.00~~ **$72.00** per acre for the first ten acres, ~~$40.00~~ **$44.00** per acre for the next ten acres and ~~$25.00~~ per acre for each acre thereafter. Plats for minor lot line adjustments shall require a review fee of ~~$100.00~~ **$110.00**. Plats for minor subdivisions shall require a review fee of ~~$100.00~~ **$150.00**.

ADOPTED: *

SYNOPSIS

The proposed ordinance amends the fees associated with the Subdivision Ordinance, in accordance with the recommendations of the Revenue Manual.

Actions History

May 27, 2008 - Tabled at Council
May 5, 2008 - Legislative, Finance, and Administration Committee
Mar 10, 2008 - Legislative, Finance, and Administration Committee

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FIRST READING

CITY OF DOVER ORDINANCE #2008-16

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

That Appendix B - Zoning Ordinance, Article 3 - District Regulations, Section 24 - Planned Neighborhood Design Option, be amended by inserting the text indicated in bold, red and deleting the text indicated in red strikeout as follows:

24.2 *Review process.* The planned neighborhood design option shall involve a three-step review and approval process. In the first step, the developer shall meet with the city council and present a general sketch plan and a statement documenting the project's compliance with the goals of the comprehensive plan for review. The general sketch plan shall reflect the general layout of streets, open space, and housing areas and types. Each application for a general sketch plan review shall be accompanied by a fee of ~~$100.00~~ **$110.00**. The city council shall determine whether the proposed project is of such a design and type that it warrants further review by the planning commission. If the city council determines that further review is warranted, the second step shall be the conditional use review process which involves the submission of a conceptual plan which conforms in content to the design standards and requirements specified in subsections 24.5 and 24.6 of this section, as well as the plan submission requirements of subsection 24.8 of this section and article 10, section 1.6 of the zoning ordinance [this appendix]. Depending upon the type of development proposed, the following additional requirements shall apply:

BE IT FURTHER ORDAINED:

That Appendix B - Zoning Ordinance, Article 3 - District Regulations, Section 24 - Planned Neighborhood Design Option, be amended by inserting the text indicated in bold, red and deleting the text indicated in red strikeout as follows:

24.81 Each application for a conditional use plan approval shall be accompanied by a fee of ~~$200.00~~ **$225.00**, plus ~~$10.00~~ **$12.00** per acre.

BE IT FURTHER ORDAINED:

That Appendix B - Zoning Ordinance, Article 3 - District Regulations, Section 24 - Planned Neighborhood Design Option, be amended by inserting the text indicated in bold, red and deleting the text indicated in red strikeout as follows:

24.91 Each application for a preliminary plan approval shall be accompanied by a fee of ~~$325.00~~ **$400.00**, plus $20.00 per acre.

BE IT FURTHER ORDAINED:

That Appendix B - Zoning Ordinance, Article 3 - District Regulations, Section 24 - Planned Neighborhood Design Option, be amended by inserting the text indicated in bold, red and deleting the text indicated in red strikeout as follows:

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24.101 Each application for a preliminary plan approval shall be accompanied by a fee of ~~$250.00~~ **$300.00**.

BE IT FURTHER ORDAINED:

That Appendix B - Zoning Ordinance, Article 8 - Enforcement and Penalties, Section 2 - Certificates of Occupancy, be amended by inserting the text indicated in bold, red and deleting the text indicated in red strikeout as follows:

2.4 Every application for a certificate of occupancy or a temporary certificate of occupancy shall be accompanied by a fee, payable to the City of Dover, computed as follows: For all properties zoned single-family residential, the fee shall be ~~$40.00~~ **$50.00**; for all other property in other zoning classifications, other than single-family residential, the fee shall be ~~$40.00~~ **$50.00** for the first 20,000 square feet of building area, plus the sum of ~~$10.00~~ **$12.50** for each additional 10,000 square feet of building area in excess of the first 20,000 square feet or multiple thereof.

BE IT FURTHER ORDAINED THAT:

That Appendix B - Zoning Ordinance, Article 9 - Board of Adjustment, Section 3 - Procedure, be amended by inserting the text indicated in bold, red and deleting the text indicated in red strikeout as follows:

3.5 All appeals and applications made to the board of adjustment shall be in writing, on forms prescribed by the board and approved by the planning commission. All variance requests for residential uses shall be accompanied by a fee of $200.00. All variance requests for nonresidential uses shall be accompanied by a fee of ~~$300.00~~ **$500.00**. All appeals from an order, requirement, decision or determination made by an administrative official, board or agency of the city shall be accompanied by a fee of $200.00.The board of adjustment may, in its discretion, return to the applicant part or all of the fee paid by him in the event that his appeal under section 2.1 (interpretation) hereof is partially or wholly successful. The fees filed in connection with applications under section 2.2 (variances) shall not be returnable, regardless of disposition of the case by the board. **An additional fee of $200.00 shall be applicable for applications postponed at the applicant request.**

BE IT FURTHER ORDAINED THAT:

That Appendix B - Zoning Ordinance, Article 10 - Planning Commission, Section 1 - Approval of Conditional Uses, be amended by inserting the text indicated in bold, red and deleting the text indicated in red strikeout as follows:

1.52 Each application for a conditional use permit shall be accompanied by a fee of ~~$325.00~~ **$400.00**, plus $15.00 per acre of the area or multiple thereof involved in the application.

BE IT FURTHER ORDAINED THAT:

That Appendix B - Zoning Ordinance, Article 10 - Planning Commission, Section 2 - Site Development Plan Approval, be amended by inserting the text indicated in bold, red and deleting the text indicated in red strikeout as follows:

2.45*[Fees.]* If, as a result of the presubmission conference as described in

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[sub]section 2.41 of this ordinance, it is determined that the proposed uses or development is of a type that would be reviewed by the planning commission and approval or disapproval of the application given by that body, the application for site development plan approval shall be submitted, in triplicate, to the building inspector, on forms approved by the planning commission, at least 30 days prior to the planning commission meeting at which approval is to be requested. The application for site development plan approval shall be accompanied by a fee of ~~$325.00~~ **$400.00 plus $15.00 per acre**. Applications for administrative site plans shall be accompanied by a fee of ~~$125.00~~ **$150.00**.

ADOPTED: *

SYNOPSIS

The proposed ordinance would update the fees in the Zoning Ordinance in accordance with the recommendations of the Revenue Manual. This includes the fees for conditional use applications, site development plan applications, Board of Adjustment applications, and certificates of occupancies.

Actions History

May 27, 2008 - Tabled at Council
May 5, 2008 - Legislative, Finance, & Administration Committee
Mar 10, 2008 - Legislative, Finance, & Administration Committee

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