REGULAR COUNCIL MEETING

A G E N D A

July 24, 2006 - 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 July 10, 2006

2. Annexation/Rezoning Public Hearing/Final Reading - Property Located on the South Side of Forrest Avenue, Approximately 1,425.5 Feet West of Mifflin Road, Containing 101.55+/- Acres, Owned by Donald M. Carey, Ruth E. Carey and Nancy Baker
   A. Annexation Referendum Results (07/13/06): 3 FOR 0 AGAINST
   B. Annexation Resolution
   C. Rezoning Public Hearing and Final Reading of Proposed Ordinance to amend the zoning designation from AC - Agricultural Conservation and RS-1 - Single Family Residence (Kent County) to R-10 - One Family Residence (City of Dover)

3. Violation of the Dangerous Building Ordinance - 101 Jefferson Court (Mary Haas)

* 4. Legislative, Finance, and Administration Committee Report - July 10, 2006
   A. Policy for Training, Conference, and Education (Clarification)
   B. Budget Amendment Procedure

* 5. Parks, Recreation, and Community Enhancement Committee Report - July 11, 2006
   A. DoveView Senior Apartments: Planned Neighborhood Design - Senior Housing Option
   B. Zoning Text Amendment - Elimination of Single-Family conversions to Multi-Family in RG-1 Area (See Item #9-A)
   C. Updates
      c-1. Puncheon Run Watershed Action Team Update
      c-2. John W. Pitts Recreation Center
      c-3. Library Site Search Committee

* 6. Monthly Reports - June 2006
   A. Chief of Police Report
   B. City Manager's Report
   C. Planning and Inspections Report

7. Planned Neighborhood Design Concept Plan - Bush Farm Property Located North of and Adjacent to Dennys Road, Along the East and West Side of McKee Road, Consisting of 134.43 $^{+/-}$ acres

8. Rezoning Requests/First Readings (Recommended for referral to the Planning Commission on August 21, 2006 and that a Public Hearing be set for September 11, 2006 at 7:30 p.m.)

   A. Property located at Kings Highway east of Route 13, consisting of 5.7861 $^{+/-}$ acres, owned by Playtex Manufacturing, Inc. This property is currently zoned IPM (Industrial Park Manufacturing) and the proposed zoning is C-4 (Highway Commercial)

   B. Property located at Old Leipsic Road and Plaza Drive, consisting of 23 parcels totaling 22.0713 $^{+/-}$ acres, owned by Dover International Speedway. This property is currently zoned R-10 and R-20 (One Family Residence) and the proposed zoning is R-C (Recreation & Commercial)

   C. Property located at Commerce Way (Enterprise Business Park), consisting of 22.9676 $^{+/-}$ acres, owned by H & M Properties, LLC. This property is currently zoned IPM (Industrial Park Manufacturing) and the proposed zoning is RG-2 (General Residence)

   D. 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. This property is currently zoned CPO (Commercial/Professional Office) and the proposed zoning is I/O (Institutional and Office)

   E. Property located at 1131 North DuPont Highway, consisting of 4.505 $^{+/-}$ acres of a 69.622 $^{+/-}$ acre parcel, owned by Dover Downs, Inc. This property is currently zoned RC (Recreation & Commercial) and C-4 (Highway Commercial) and the proposed zoning is RC (Recreation & Commercial)

   F. Property located at 1131 North DuPont Highway, consisting of 21.473 $^{+/-}$ acres of a 152.491 $^{+/-}$ acre parcel, owned by Dover International Speed, Inc. This property is currently zoned RC (Recreation & Commercial), C-4 (Highway Commercial), A (Agriculture) and R-8 (One Family Residence) and the proposed zoning is RC (Recreation & Commercial)

9. First Reading - Proposed Ordinance
   The First Reading is offered on the following proposed ordinance. Since it is an amendment to the Zoning Code, a public hearing is required. It is recommended for referral to the Planning Commission on August 21, 2006, that the Public Hearing be set for September 11, 2006 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.

   A. Appendix B - Zoning, Article 3 - District Regulations, Section 2 - General residence zones (RG-1 and RG-2), Subsection 2.4 (c) Multiple dwellings
      (Parks, Recreation, and Community Enhancement Committee)

10. Final Reading - Proposed Ordinances
    The First Reading of the following proposed ordinances was accomplished during the Council Meeting of July 10, 2006. Copies of the proposed ordinances are available at the entrance of the Council Chambers.

    A. Chapter 82 - Planning, Section 82-2 - City Planner
    B. Chapter 102 - Taxation, Article I - In General, Section 102-3 Administrative Reporting

11. Final Reading - Proposed Ordinances
    The First Reading of the following proposed ordinances was accomplished during the Council Meeting of June 12, 2006. Copies of the proposed ordinances are available at the entrance of the Council Chambers. *(Amendments to the budget ordinances which were vetoed by Mayor Speed on June 30, 2006, were considered during the Special Council Meeting held earlier in the evening)*

    A. Budget Ordinances - 2005/2006 Revised and 2006/2007 City of Dover Budget
       a-1. General Fund - Cash Receipts and Budget
       a-2. Water/Wastewater Fund - Revenue and Budget
       a-3. Electric Revenue Fund - Revenue and Budget

12. Council Members Announcements

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REGULAR COUNCIL MEETING

The Regular Council Meeting was held on July 10, 2006 at 7:30 p.m. with Council President Williams presiding. Council members present were Mr. Carey, Mr. McGlumphy, Mrs. Russell, Mr. Slavin, Mr. Hogan, and Mr. Salters. Mr. Ruane was absent.

Council staff members present were Police Chief Horvath, Mr. Capuano, Mrs. Mitchell, Deputy Fire Chief Christiansen, Mr. Koenig, City Solicitor Rodriguez, Mrs. McDowell, and Mayor Speed.

OPEN FORUM

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

Mrs. Evelyn Greenwood, 547 Pennsylvania Avenue, stated that they were working very hard on the August 1, 2006 Special Election so that the Third District would be well represented. She also thanked the staff in the City Clerk's Office for all the assistance they have provided with regard to her service on the 2005 Charter Review Committee.

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

AGENDA ADDITIONS/DELETIONS

Mr. Carey moved for approval of the agenda, seconded by Mr. Hogan and unanimously carried.

Mr. McGlumphy requested that item #6B - Division Street Water Main Construction Cost Update, and #7A - Clarification of Policy for Training and Conference Reimbursement, be removed from the Consent Agenda.

Mr. Carey moved for approval of the Consent Agenda, as amended, seconded by Mr. Hogan and carried by a unanimous roll call vote (Mr. Ruane absent).

ADOPTION OF MINUTES - REGULAR COUNCIL MEETING OF JUNE 26, 2006

The Minutes of the Regular Council Meeting of June 26, 2006 were unanimously approved by motion of Mr. Carey, seconded by Mr. Hogan and bore the written approval of Mayor Speed ***(with the exception of the following motion: 1) adoption of the following 2006/2007 City of Dover Budget Ordinances - General Fund - Cash Receipts and Budget; Water/Wastewater Fund - Revenue and Budget; and Electric Revenue Fund - Revenue and Budget).***

MAYOR STEPHEN R. SPEED VETOES - MOTIONS ADOPTED BY CITY COUNCIL ON JUNE 26, 2006 - ADOPTION OF FISCAL YEAR 2006/2007 GENERAL FUND - CASH RECEIPTS AND BUDGET ORDINANCE; ADOPTION OF FISCAL YEAR 2006/2007 WATER/WASTEWATER FUND - REVENUE AND BUDGET ORDINANCE; AND ADOPTION OF FISCAL YEAR 2006/2007 ELECTRIC REVENUE FUND - REVENUE AND BUDGET ORDINANCE

During their Regular Meeting of June 26, 2006, by a vote of seven (7) yes, one (1) no (Mr. McGlumphy), Council adopted the Fiscal Year 2006/2007 General Fund - Cash Receipts and Budget Ordinance; Fiscal Year 2006/2007 Water/Wastewater Fund - Revenue and Budget Ordinance; and Fiscal Year 2006/2007 Electric Revenue Fund - Revenue and Budget Ordinance.

On June 30, 2006, the City Clerk received a letter from Mayor Stephen R. Speed disapproving the motions, which stated:

"RE: Motion to Approve the City of Dover Fiscal Year 2006-2007 Budget Ordinances, Agenda Items 15.B.b-1. General Fund - Cash Receipts and Budget, 15.B.b-7. Water/Wastewater Fund - Revenue and Budget, and 15.B.b-11. Electric Revenue Fund - Revenue and Budget

Pursuant to the City of Dover Charter Section 10, I am hereby notifying the City Clerk in writing that I disapprove of the motions passed by Dover City Council at the meeting held on June 26, 2006, to adopt the above-referenced ordinances.

I have decided to take this action because adoption of the referenced motions authorizes, for the purpose of funding a retiree cost of living adjustment, diverting funds identified to offset previously unfunded future post-retirement benefits for City of Dover employees and retirees. In 2003, the City's pension actuary provided data to the City Council which estimated that when new Government and Accounting Standards Board (GASB) rules related to retiree benefits become operative in July of 2007, the City of Dover will be faced with a federally mandated unfunded civilian pension liability of approximately $17 million.

This budget represents the third consecutive time that Council has declined the opportunity to address this growing liability. As a result of Council's willful disregard, the liability has ballooned to $23.6 million. Had Council taken appropriate action over the last three fiscal years, including the fiscal year 2006-2007 budget, the unfunded liability would be less than $20 million--a $4.25 million savings--which would have cost only $1.1 million.

I reiterate the statement I made in 2004 that, in my opinion, diverting these funds to another purpose is fiscally irresponsible because it diverts resources designated to cover an obligated purpose in order to cover a desired purpose. It is likely to place an additional burden on future taxpayers and has the potential to endanger the medical pension benefits for the City's employees and retirees.

It is my hope that Council will take this opportunity to reconsider their decision and either reverse the decision entirely, or find the money elsewhere in the budget.

With this in mind, I have exercised my power of veto and hereby direct that you notify members of Council of this action for their consideration during the Regular Council Meeting of July 10, 2006.

Sincerely,

Stephen R. Speed
Mayor"

[It is noted that approval of the motion requires a 2/3 majority vote (six affirmative votes) since the original motion was vetoed by Mayor Speed.]

Mr. McGlumphy moved to accept Mayor Speeds veto, seconded by Mr. Carey and failed by a roll call vote of three (3) yes, four (4) no (Mr. Slavin, Mr. Hogan, Mr. Salters, and Mrs. Williams) (Mr. Ruane absent).

Mr. Salters moved to reaffirm previous Council action to adopt the Fiscal Year 2006/2007 General Fund - Cash Receipts and Budget ordinance, seconded by Mr. Hogan.

Mr. Hogan stated that this year, for the first time, funds were placed in the budget that exceeded the normal contribution toward the unfunded pension liability. He noted that the actuary advised them that they could fully fund a 1% COLA for retirees without increasing the unfunded liability.

Mr. Hogan stated that he could not justify giving the Mayor a 12.5% pay raise when no other employee was receiving that percentage increase. He also stated that he did not agree with providing a 401K retirement plan for the Mayor.

Mr. McGlumphy stated that it was very important to understand that the Mayor felt the Council was being fiscally irresponsible by diverting resources designated to cover an obligated purpose in order to cover a desired purpose. He noted that, in addition to a $23.6M unfunded pension liability, there are also unfunded medical liabilities and future projects, including an $18M library, $13M renovations to City Hall, and no operational expenses set aside for the John Pitts Recreation Center.

Mr. Salters stated that he has supported the Mayor's aspirations to reduce the unfunded liability and his request for a pay raise. He felt that Council was capable of addressing the unfunded liability and that the Mayor has made his point strongly enough to influence other members.

Mrs. Russell stated that she firmly believes that anyone that does a job well should be paid according to what he does. She thought that the issue of a salary increase for the Mayor should have been included in the Full Time Mayor question when it was on the ballot. Mrs. Russell stated that she understood the Mayor's frustration with being unable to speak during the Council meetings.

Mr. Carey stated that the retirees should get the COLA increase; however, he thought they should find the funds somewhere other than the unfunded liability fund. He thought the Mayor should be recognized whenever he raises his hand and should participate in deliberation since he is an elected official.

The motion to to reaffirm previous Council action to adopt the Fiscal Year 2006/2007 General Fund - Cash Receipts and Budget ordinance failed by a roll call vote of four (4) yes, three (3) no (Mr. Carey, Mrs. Russell, and Mr. McGlumphy), and one (1) absent (Mr. Ruane). *[Approval of the motion requires a 2/3 majority vote (six affirmative votes) since the original motion was vetoed by Mayor Speed.]*

Mr. Salters moved to reaffirm previous Council action to adopt the Fiscal Year 2006/2007 Water/Wastewater Fund - Revenue and Budget Ordinance, seconded by Mr. Hogan and failed by a roll call vote of five (5) yes, two (2) no (Mr. Carey and Mr. McGlumphy), and one (1) absent (Mr. Ruane). *[Approval of the motion requires a 2/3 majority vote (six affirmative votes) since the original motion was vetoed by Mayor Speed.]*

Mr. Salters moved to reaffirm previous Council action to adopt the Fiscal Year 2006/2007 Electric Revenue Fund - Revenue and Budget Ordinance, seconded by Mr. Hogan and failed by a roll call vote of four (4) yes, three (3) no (Mrs. Carey, Mrs. Russell, and Mr. McGlumphy), and one (1) absent (Mr. Ruane). *[Approval of the motion requires a 2/3 majority vote (six affirmative votes) since the original motion was vetoed by Mayor Speed.]*

PUBLIC HEARING - VIOLATION OF DANGEROUS BUILDING ORDINANCE - PROPERTY LOCATED AT 139-143 S. GOVERNORS AVENUE, OWNED BY UNITED FELLOWSHIP, LLC

A public hearing was duly advertised for this time and place to consider a violation of the Dangerous Building Ordinance at 139-143 S. Governors Avenue, owned by United Fellowship, LLC. Mrs. Ann Marie Townshend, Director of Planning and Inspections, stated that the property was declared dangerous on May 18, 2006 and that it has been abandoned for more than three (3) months. Deterioration of the building is being accelerated by weather and lack of maintenance. The property consists of a two story wood frame and block structure. Mrs. Townshend showed slides depicting the condition of the structure.

Staff recommended that City Council: 1) declare the property dangerous; 2) order the property repaired or demolished by August 10, 2006, by the owner or equity owner at their own risk; 3) order the Building Inspector to cause the repair or demolition of the structure if not completed by the owner or equity owner within the ten (10) days of the date set by Council; and 4) order the City Manager, with the assistance of the City Solicitor, to cause the cost of repairs or demolition to be charged against the land on which the building exists as a municipal lien or cause such cost to be added to the tax duplicate as an assessment, or to be levied as a special tax against the land upon which the building stands or to be recovered in a suit at law against the owner.

Mrs. Townshend stated that the estimated demolition cost is $15,000 to $20,000.

Responding to Mr. Hogan, Mrs. Townshend stated that the Downtown Dover Development Corporation is interested in purchasing this property and, as the owner, they would be responsible for the repair or demolition of the building.

Council President Williams declared the public hearing open.

Mr. Gary Patterson, President of the Downtown Dover Development Corporation, stated that they authorized an appraisal of the building in May 2006, signed a contract on or about June 15, 2006, and will hold settlement on the building on July 17, 2006. He noted that they did not oppose the demolition and, as the owners, they do intend to proceed with demolition. Mr. Patterson advised members that they, along with the Dover Parking Authority, will provide short-term parking on the site once the building is removed.

Pastor Vaughn of the United Fellowship Church advised members that they pursued several different avenues to repair the building; however, they were unable to obtain the financing. He stated that they had no objections to the demolition.

Ms. Jeanette Medina, Pastor of the New Pact Christian Center, advised members that the New Pact Christian Center entered into a verbal agreement with Pastor Vaughn to purchase the building. She provided members with their proposal for renovation of the property (*as on file in the Office of the City Clerk*), which indicated an estimate of $54,500 to renovate the building. Ms. Medina noted that they would be litigating their verbal contract on the building. Pastor Vaughn stated that there were deadlines that had to met in order to avoid fines and the New Pact Christian Center did not meet them; therefore, for the sake of the United Fellowship Church, they entered into the agreement with the Downtown Development Corporation for the sale of the building.

Council President Williams declared the public hearing closed.

Mr. Hogan moved that the structure located at 139-143 S. Governors Avenue be declared a dangerous building and subject to demolition, as recommended by staff. The motion was seconded by Mrs. Russell and carried by a roll call vote of four (4) yes, three (3) abstentions (Mr. Carey, Mr. Slavin, and Mr. Salters due to membership on the Downtown Dover Development Corporation) and one absent (Mr. Ruane).

PUBLIC HEARING - VIOLATION OF DANGEROUS BUILDING ORDINANCE - PROPERTY LOCATED AT 299 COLLEGE ROAD, OWNED BY JAMES MORGAN

A public hearing was duly advertised for this time and place to consider a violation of the Dangerous Building Ordinance at 299 College Road, owned by James Morgan. Mrs. Townshend, stated that the property was declared dangerous on February 3, 2003, and that it has been abandoned for more than three (3) months. Deterioration of the building is being accelerated by weather and lack of maintenance. The property consists of a one story wood frame structure and a block single car detached garage. Mrs. Townshend showed slides depicting the condition of the structure.

Staff recommended that City Council: 1) declare the property dangerous; 2) order the property repaired or demolished by August 10, 2006, by the owner or equity owner at their own risk; 3) order the Building Inspector to cause the repair or demolition of the structure if not completed by the owner or equity owner within the ten (10) days of the date set by Council; and 4) order the City Manager, with the assistance of the City Solicitor, to cause the cost of repairs or demolition to be charged against the land on which the building exists as a municipal lien or cause such cost to be added to the tax duplicate as an assessment, or to be levied as a special tax against the land upon which the building stands or to be recovered in a suit at law against the owner.

Mrs. Townshend provided an estimated demolition cost of $8,000 to $10,000.

Council President Williams declared the public hearing open.

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

Mrs. Russell moved that the structure located at 299 College Road be declared a dangerous building and subject to demolition, as recommended by staff. The motion was seconded by Mr. Carey and carried by a unanimous roll call vote.

UTILITY COMMITTEE REPORT - JUNE 26, 2006

The Utility Committee met on June 26, 2006 with Chairman Carey presiding.

Dedication of Rights-of-Way and Public Infrastructure - Bay Tree Phase III

The developer of Baytree (Phase III), Frank Robino Companies, LLC, has requested that all public infrastructure improvements related to this phase of the subdivision be dedicated to the City of Dover for permanent ownership and maintenance. Frank Robino Companies, LLC has constructed all of the improvements in accordance with City standards and specifications. After construction was completed, City staff inspected the public improvements and provided the developer with a list of repairs to be made to meet the City of Dover Standards and Specifications for Public Works Construction. As of this date, all work has been completed by the developer. A one (1) year Maintenance Agreement, Maintenance Bond, and a Release of Liabilities have been submitted by the developer. In addition, as-built drawings have been submitted to the Department of Public Services for its permanent records.

Staff recommended acceptance of the dedication of rights-of-way and public infrastructure in Phase III of the Baytree subdivision, with dedication to include all of the referenced public improvements, as follows:

Sewer Utility Infrastructure (construction value = $ 45,334.00):

8" PVC Sanitary Sewer Main	-	2,241 l.f.
4” PVC Sanitary Sewer Laterals	-	1,860 l.f. (60 laterals)
4' Diameter Sanitary Sewer Manholes	-	13 ea. (196 v.f.)

Water Utility Infrastructure (construction value = $79,510.00):

4" Ductile Iron Water Main	-	142 l.f.
8” Ductile Iron Water Main	-	2,915 l.f.
6” Ductile Iron Water Main	-	140 l.f.
1” Type “K” Copper Water Service Line	-	1,885 l.f. (60 services)
4” Gate Valves	-	11 ea.
8” Gate Valves	-	7 ea
6” Hydrant Valves	-	4 ea.
Fire Hydrants	-	4 ea.

Storm Water Infrastructure (construction value = $176,763.00)

Catch Basins	-	19 ea.
4’ Storm Water Manholes	-	1 ea.
15” Type III Reinforced Concrete Pipe	-	4,053 l.f.

18" Type III Reinforced Concrete Pipe	-	308 l.f.
21" Type III Reinforced Concrete Pipe	-	495 l.f.
30" Type III Reinforced Concrete Pipe	-	87 l.f.

Street Infrastructure: (0.56 miles) (construction value = $310,745.00)

Westwind Drive	Station 2+50 to Station 21+00	1,850 l.f.	
Anchor Lane	Station 0+00 to Station 9+55		955 l.f.
Mariner Court	Station 0+00 to Station 1+35	135 l.f.	
		2,940 l.f.	

Mr. Scott Koenig, Public Services Director, advised members that 1.7 acres of public open space that is to be deeded and dedicated to the City of Dover was omitted from the information provided to members and should be included in the approval.

The committee recommended approval of staff's recommendation for the acceptance of the dedication of rights-of-way and public infrastructure in Phase III of the Baytree subdivision, including all of the referenced public improvements and $1.7^{+/-}$ acres of public open space, as noted in the original plat.

By consent agenda, Mr. Carey moved for approval of the committee's recommendation, seconded by Mr. Hogan and carried by a unanimous roll call vote (Mr. Ruane absent).

Division Street Water Main Construction Cost Update

During their Special Meeting of April 10, 2006 members were advised that, due to the construction obstacles and the additional pipe for Bayard Avenue, this project is $483,350.77 over budget. Some of the cost overage has been addressed by transferring monies from other project accounts, resulting in the need for an additional $260,000. Staff recommended approval of a transfer of up to $260,000 from the Water/Wastewater Capital Assets (Brown Water) Reserve to the Division Street Water Main and Bayard Avenue Water Main Projects. During their Annual Meeting on May 8, 2006, Council approved the Committee's recommendation to transfer funds from the Water/Wastewater Capital Assets.

Mr. DePrima advised members that the final bills for April and May from George and Lynch were received and paid in accordance with the recent City Council action. He noted that the cost was underestimated by $61,017.59, necessitating an additional transfer from the Water/Wastewater Capital Asset Reserve Fund to the Water/Wastewater Improvement and Extension Fund. After further discussion with the Finance Director, it was decided to simply amend the Final Budget to be presented at the June 26, 2006, City Council meeting to reflect the additional transfer. The additional transfer will increase the Water/Wastewater Improvement and Extension Fund from $260,000 to approximately $321,000.

Mr. Koenig advised members that the additional expenses included night work, road restoration, and paving. Mrs. Sharon Duca, Assistant City Engineer, noted that notification letters would be sent to residents to keep them informed of the construction progress.

The committee recommended approval of staff's recommendation to amend the Final Budget to be presented at the June 26, 2006, Council meeting to reflect the additional transfer of $61,017.59 from

the Water/Wastewater Capital Asset Reserve Fund to the Water/Waste- water Improvement and Extension Fund; thereby increasing the Water/Wastewater Improvement and Extension Fund from $260,000 to approximately $321,000.

Responding to Mr. McGlumphy, Mr. Koenig stated that the final Division Street water main construction cost was approximately $1.32M.

Mr. McGlumphy moved for acceptance of the committee's recommendation, seconded by Mr. Carey and unanimously carried.

Discussion - Request for State to consider reduction of State Utility Tax to Commercial and Industrial Customers.

At the request of Mr. Carey, Mrs. Terry Tieman, Senior City Administrator, provided a presentation on the estimated additional utility tax local businesses may experience due to the rise in electric rates. The utility tax is state-wide and mandated by the General Assembly.

The committee recommended that Council send a letter to Governor Minner and the local legislators requesting that consideration be given during the State's budget review process for next year to adjusting the State Utility Tax rate so that there is a net increase of zero to the tax revenue from the rate increases throughout the State (Exhibit #1).

The committee recommended that the City Manager and the Public Utilities Director explore appropriate avenues of communicating with other municipalities to form a united effort with regards to cutting the utility tax rate.

By consent agenda, Mr. Carey moved for approval of the committee's recommendation, seconded by Mr. Hogan and carried by a unanimous roll call vote (Mr. Ruane absent).

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

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE REPORT - JUNE 26, 2006

The Legislative, Finance, and Administration Committee met on June 26, 2006 with Chairman Salters presiding.

Clarification of Policy for Training and Conference Reimbursement

During their Regular Meeting of April 24, 2006, members of Council referred "Clarification of Policy for Training and Conference Reimbursement - Explanation of Request for Reimbursement for Attending Organizational Leadership and Behavior Course" to the Legislative, Finance, and Administration Committee for their review and recommendation.

Mrs. Mitchell, Finance Director, advised members that reimbursement procedures regarding training and conference expenses are covered in the Travel Policy. The Policy covers various aspects of eligible items such as mode of transportation, lodging, meals, registration fees, and seminar fees.

She noted that the policy does not have a provision for reimbursement of college courses, which is addressed in the Education Assistance Policy as outlined in the City's Personnel Handbook.

Staff recommended the following policy with regard to the Mayor and members of City Council:

> All accredited courses will be considered Educational Assistance and will be reimbursed in accordance with the Personnel Handbook; therefore, the Mayor and members of City Council would not be eligible under these provisions.
>
> All requests for non-accredited courses will be reviewed by the Legislative, Finance, & Administration Committee for approval prior to registration.

Mr. Salters requested that the policy be amended to state that the Legislative, Finance, and Administration Committee would review the request in order to make a recommendation to Council.

Responding to Mr. Hogan, Mrs. Mitchell stated that non-accredited courses could not be applied toward a degree.

Mrs. Williams felt that it seemed contrary to education to allow reimbursement for a non-accredited course and to rule out reimbursement for a job-related course because it is accredited. Mr. Hogan felt that courses offered by organizations such as the National League of Cities and the Institute of Public Administration, which are designed for the education and enlightenment of Mayors and Councils, should be reimbursable. He felt that other accredited or non-accredited courses which are justifiably related to the Mayor or Council positions should be reviewed.

Mr. Carey indicated that he felt the monthly courses offered by the University of Delaware that earn partial credits were acceptable for members of Council . He also stated that members of Council should not be reimbursed for attending courses that earn full credits and are taken during a full college semester.

The committee tabled the matter to allow staff time to clarify the policy.

Responding to Mr. McGlumphy, Mr. Slavin stated that the policy was tabled during the meeting of June 26, 2006 to allow staff time to further clarify the policy. He noted that the Legislative, Finance, and Administration Committee considered further amendments during their meeting held early in the evening and their recommendation would be brought forward at the next Council Meeting.

Mr. McGlumphy moved for approval of the committee's recommendation, seconded by Mr. Carey and unanimously carried.

Discussion - Extended Services Provided to Active Duty Military

Based on constituent concerns regarding enforcement issues with active duty military members who may have been deployed with very short notice, Mr. Slavin suggested a review of all services or areas of enforcement that may potentially effect residents who are on active duty status.

Mrs. Russell noted that senior citizens and other residents may be in situations which may require time extensions for compliance with enforcement issues.

Members requested the City Manager to review the matter and provide a recommendation within 60 (sixty) days.

By consent agenda, Mr. Carey moved for approval of the committee's recommendation, seconded by Mr. Hogan and carried by a unanimous roll call vote (Mr. Ruane absent).

Proposal - Services to Seniors Blue Ribbon Committee

Due to the increasing number of 55+ communities, Councilman Slavin and Councilwoman Russell suggested that it would be beneficial to both the City and its senior citizens to establish a committee to study the current level of city-provided services to senior citizens and provide recommendations for improvements.

Members reviewed a proposed resolution to establish the Services to Seniors Blue Ribbon Committee which would include nine (9) members, one selected by each member of Council, and would be co-chaired by Councilwoman Russell and Councilman Slavin.

Mr. Salters suggested that the committee co-chairs be appointed by the Council President. Mr. Carey expressed concern with the sunset provision and suggested annual reappointments. He also suggested that there be a provision that the co-chairs be from different districts.

Mr. DePrima, City Manager, suggested that the committee should first establish that there is a need for such a committee, what its staffing needs will be, and the frequency of its meetings.

Mr. Hogan moved to amend the resolution to include the following: the Chair or Co-Chairs will be appointed by the Council President; the committee should provide a report to Council no later than one year from the beginning of the committee; and provide a report to Council on the need and feasability of having a permanent senior citizen committee. The motion was seconded by Mr. Salters and unanimously carried.

The committee recommended adoption of the Resolution, as amended.

By consent agenda, Mr. Carey moved for approval of the committee's recommendation. The motion was seconded by Mr. Hogan and, by a unanimous roll call vote (Mr. Ruane absent), Council adopted the following Resolution:

WHEREAS, in the interest of providing the best possible services to our senior citizens, it is the opinion of the Mayor and Council that a study of the current level of city-provided services to senior citizens should be undertaken; and

WHEREAS, recognizing that recommendations for improvements to city-provided services must be objective and thoroughly considered, it is the desire of the Mayor and Council that a Services to Seniors Blue Ribbon Committee be appointed.

NOW, THEREFORE, BE IT RESOLVED THAT THE MAYOR AND COUNCIL OF THE CITY OF DOVER HEREBY ESTABLISH A SERVICES TO SENIORS COMMITTEE. THIS COMMITTEE SHALL:

1. Be an ad-hoc committee with the initial scope of reviewing the services offered in the following areas:

   - Public Safety: Fire, Police, EMS
   - Library
   - Recreation
   - Public Utilities and Public Works
   - Web site and access to information

2. Consist of the following members:

   - Chair or Co-Chairs to be appointed by the Council President
   - Nine (9) members - One selected by each Council Member

3. Have the City Manager serve as an ex-officio member, who shall provide staff support.

4. Be advisory in nature and shall bring recommendations to the Mayor and Council for action.

5. Complete its work as soon as possible and should provide a report to Council no later than one (1) year from the beginning of the committee.

6. Provide a report to Council on the need and feasability of having a permanent senior citizen committee.

ADOPTED: JULY 10, 2006

Proposed Ordinance Amendment - Chapter 82 - Planning, Section 82-2. City Planner

In an effort to better organize the city structure and provide management oversight of the Planning and Inspections Department, several Council members expressed a desire to have the Department report to the City Manager. The City Manager had been providing informal oversight during the administration of the former City Planner and during the period when the position was vacant. During their Regular Meeting of January 9, 2006, Council adopted an ordinance codifying this arrangement on a six-month trial basis.

Mr. DePrima noted that during the six-month trial period, City Council authorized the creation of the Public Services Manager and the creation of a Public Services Group which was to include the Planning and Inspections Department functions, as well as some of the Public Works Department functions. Functions assigned to the City Planner include planning, community development, and property maintenance inspections. The six month trial period is now concluding, and City Council should consider making this a permanent change. Under a permanent arrangement, the City Planner would continue to be appointed by and be responsible to City Council; however, day-to-day management and oversight would be provided by the City Manager on behalf of City Council. This would insure that all City policies are being met; that the City Planner is being provided with necessary resources to function properly, and that all standards set by City Council are being followed.

Staff recommended that the City Clerk be directed to prepare an ordinance deleting the existing Chapter 82, Planning, Section 82-2, City Planner, and replacing it with the following:

Sec. 82-2. City Planner.

There is hereby established the office of City Planner who shall be selected by the City Council at its annual meeting and employed at the pleasure of Mayor and Council. The City Planner shall be directly responsible to the Mayor and Council. The City Planner shall report to the City Manager and function under the administration of the City Manager.

The committee recommended adoption of the proposed ordinance, as amended by changing the last sentence of the proposed ordinance to read "The City Planner shall be directly responsible to the Mayor and Council and shall function under the administration of the City Manager".

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

Proposed Amendment to Chapter 102 - Taxation, Article I - In General (Creation of New Section - Administrative Reporting)

In an effort to better organize the City structure and provide management oversight to the administration of the Assessor's Office, several City Council members have expressed a desire to have the Assessor's Office report to the City Manager and be included in the overall umbrella of the City Manager's administration. The Assessor would continue to be appointed by and be responsible to City Council; however, day-to-day management and oversight would be provided by the City Manager on behalf of City Council. This would insure that all City policies are being met; that the office is being provided with necessary resources to function properly, and that all standards for the office set by City Council are being followed. Consideration will also be given to integrating the Assessor's Office with the newly created Public Services Group, which may yield additional benefits by cross-training inspectors on gathering assessment data and improving communication on new construction activity.

Mr. DePrima noted that the Assessor's Office has been operating, on an interim basis, under the City Manager's oversight for over one (1) year.

Staff recommended that the City Clerk be directed to prepare an ordinance amendment to Chapter 102 - Taxation, Article I, In General, adding a new Section 102-3 - Administrative reporting, as follows:

Section 102-3. Administrative reporting.

The City Assessor shall be selected in accordance with the City Charter, and shall be directly responsible to the Mayor and Council. The City Assessor's office shall report to the City Manager and function under the administration of the City Manager.

The committee recommended adoption of the proposed ordinance, as amended by changing the last sentence to read "The City Assessor shall function under the administration of the City Manager".

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

REAPPOINTMENTS - RECOMMENDED BY COUNCIL PRESIDENT WILLIAMS - DOVER HUMAN RELATIONS COMMISSION - THREE (3) YEAR TERMS TO EXPIRE FEBRUARY 2009

Council President Williams requested the following reappointments to the Dover Human Relations Commission for three (3) year terms to expire February 2009:

Mittie Kelley
Ellen O. Wasfi

By consent agenda, Mr. Carey moved for approval of the reappointments to the Dover Human Relations Commission, as recommended by Council President Williams, seconded by Mr. Hogan and carried by a unanimous roll call vote (Mr. Ruane absent).

FIRST READING - PROPOSED ORDINANCE

Council President Williams 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. Final action by Council on the proposed ordinances will take place during the Council Meeting of July 24, 2006.

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

Chapter 82 - Planning, Section 82-2 - City Planner
Chapter 102 - Taxation, Article I - In General, 102-3 Administrative Reporting

FINAL READING - PROPOSED ORDINANCE

The First Reading of the following proposed ordinance was accomplished during the Council Meeting of June 26, 2006.

Proposed Ordinance - Chapter 102 – Taxation, Article IV – Abatement of Real Estate Taxes - Affordable Housing Complexes

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

Mr. Salters moved for adoption of the following ordinance, seconded by Mr. Hogan and carried by a unanimous roll call vote (Mr. Ruane absent):

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

That Chapter 102 – Taxation, Article IV – Abatement of Real Estate Taxes, be amended by adding a new Section 102-116 – Affordable Apartment Housing Complexes, as follows:

Section 102-116. Affordable Apartment Housing Complexes

(a) A multi-family apartment complex which meets all of the following criteria shall be entitled to a five-year phase-in of real property taxes:

(1) It must consist of no less than thirty(30)units

(2) It must be required by a deed restriction or other legal document to lease not less than 80% of the residential units located therein to persons whose annual income is 60% or less of area median income adjusted by household size as defined by the Federal Department of Housing and Urban Development(HUD) for Kent County,Delaware

(3) It must have been approved by the Delaware State Housing Authority(DSHA) for financing of new construction,or DSHA defined substantial rehabilitation of existing housing; and, acquisition if DSHA defined substantial rehabilitation is being done.

(b) The phase-in of real property taxes shall be in accordance with the following table:

Year of Operation	Reduction of Taxes (Percent)
1	100
2	75
3	50
4	25
5	0

(c) Unless otherwise directed by the Council, year one of the abatement period begins in the tax year after the completion of the new construction or rehabilitation of existing housing.

(d) All quarterly property taxes for new construction, as defined in section 49A of the City Charter, will likewise be abated for apartment complexes that meet the aforementioned criteria.

(e) This property tax abatement program will have no effect on both citywide revaluations of property values for taxation purposes and the institution of those new values.

(f) Any person who purchases a property for which an application for the abatement was made, or for which the abatement was approved, will have the rights and benefits of the application or approved abatement.

(g) The approval of all abatements under this program shall be by the City Assessor. Notice of action taken in determining entitlement to the abatement shall be given to the property owner. The property owner shall have rights of appeal as outlined in section 47 of the Dover City Charter.

ADOPTED: JULY 10, 2006

COUNCIL MEMBERS ANNOUNCEMENTS

Mr. Salters stated that Mr. Kenny Deimler brought issues of loitering on the west end of Loockerman Street to his attention. He also noted that 309 West Loockerman has been half a house for quite sometime and requested the Inspections Department to look into the matter.

Mrs. Russell stated that there is house on Walker Road that has raw sewage coming out of the ground. She requested staff to look into the situation.

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

Meeting Adjourned at 8:35 P.M.

TRACI A. McDOWELL
CITY CLERK

All orders, ordinances, and resolutions adopted by City Council during their Regular Meeting of July 10, 2006, are hereby approved.

STEPHEN R. SPEED
MAYOR

/TM
S:\ClerksOffice\Agendas&Minutes\Council-Minutes\2005\08-22-2005 Council.wpd

Exhibits Attached to Original Minutes and File Copy
Exhibit #1 - Letter Requesting Consideration of Reduction in State Utility Tax

PREPARED BY:
City of Dover
PO Box 475
Dover, DE 19903-0475

TAX MAP PARCEL NO.
ED-00-076.00-01-08.00
ED-00-076.00-01-08.08
ED-00-076.00-01-08.09

MAYOR AND COUNCIL

A RESOLUTION APPROVING THE INCLUSION OF AN AREA WITHIN THE LIMITS OF THE CITY OF DOVER.

WHEREAS, the Charter of the City of Dover authorizes Council to extend the boundaries of the said City after a special election of the qualified voters and real estate owners of the territory proposed to be annexed, and

WHEREAS, the Mayor and Council of the City of Dover deem it in the best interest of the City of Dover to include an area contiguous to the present City limits, and hereinafter more particularly described within the limits of the City of Dover, and

WHEREAS, the Charter of the City of Dover provides that if a majority of the Votes cast in an election held in a territory proposed to be annexed shall be in favor of inclusion of that territory within the limits of the City of Dover, the Council may thereupon adopt a resolution annexing said territory and including same within the limits of the City of Dover.

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

1. That the following described area, situated in East Dover Hundred, Kent County, State of Delaware, shall be annexed to and included within the limits of the City of Dover:

All that certain tract, piece or parcel of land situated in East Dover Hundred, Kent County and State of Delaware lying 1,425.5 feet west of Mifflin Road and being bounded as follows:

Lying on the south side of Delaware Route #8, a short distance northwest of Mifflin Road; being bounded on the north by Delaware Route #8, lands now or late of Kathleen Lamb, LTR, & Vickie Lynn Auen, lands now or late of Alan G. Tristman, lands now or late of Alice M. Taraila, lands now or late of Eleanor D. Tucker, lands now or late of Andrew R. Siegel & Catherine Huber, lands now or late of Virginia & George Sawyer, lands now or late of Jack W. & Beverly E. Sutton, lands now or late of Richard M. & Joann M. Smith, lands now or late of Edwin B., III & Nancy E. Baker, lands now or late of Dennis W. & Tammy S. Rogers, lands now or late of Patricia B. Cohen, lands now or late of William R. & Pearl V. Knotts, lands now or late of Charles B. & Shirley A. Mundorf, lands now or late of Richard E. & Victoria V. Stoops and lands now or late of Edwin B. Baker, III, Donald Carey & Ruth Carey; on the east by lands now or late of Kathleen Lamb, LTR & Vickie Lynn Auen, lands now or late of Virginia & George Sawyer and lands now or late of Edwin B. Baker, III, Donald Carey & Ruth Carey; on the northeast by lands now or late of Edwin B. & Nancy E. Baker; on the southeast by Village of Westover Subdivision and Village of Cannon Mill Subdivision; on the southwest by Village of Cannon Mill Subdivision, lands now or late of Farm Lands, LP, lands now or late of Jireh Christian Center, Inc. and lands now or late of Donato Poliseno; on the south by lands now or late of Edwin B. Baker, III, Donald Carey & Ruth Carey; on the west by lands

now or late of Edwin B. Baker, III, Donald Carey & Ruth Carey and being more particularly described in accordance with an Annexation Plan by Earl D. Smith, Inc. Professional Land Surveyors dated March 10, 2006 as follows to wit:

Beginning at a point in the south line of Delaware Route #8 at a corner for this lot and lands now or late of Kathleen Lamb, LTR & Vickie Lynn Auen; said point of beginning commencing from the intersection of the southeast right-of-way of Mifflin Road with the south right-of-way of Delaware Route #8 running in a northwesterly direction a distance of 1,425.5 feet to the point of beginning; thence running from said point of beginning with lands now or late of Kathleen Lamb, LTR & Vickie Lynn Auen, South 05 deg. 49 min. 00 sec. West 200.00 feet to a point; thence continuing with lands now or late of Kathleen Lamb, LTR & Vickie Lynn Auen and running with lands now or late of Alan G. Tristman, lands now or late of Alice M. Taraila, lands now or late of Eleanor D. Tucker and in part with lands now or late of Andrew R. Siegel & Catherine Huber, South 84 deg. 11 min. 00 sec. East 459.09 feet to a point in line of lands now or late of Siegel & Huber at a corner for this lot and lands now or late of Edwin B. & Nancy E. Baker; thence running with lands now or late of Baker, South 34 deg. 10 min. 00 sec. East 731.68 feet to a point at a corner for this lot and lands now or late of Baker in line of Village of Westover Subdivision; thence running with Village of Westover Subdivision, South 56 deg. 03 min. 16 sec. West 1,390.58 feet to a point a corner for this lot and Village of Westover Subdivision in line of Village of Cannon Mill Subdivision; thence running with Village of Cannon Mill Subdivision on the following two courses: (1) North 34 deg. 14 min. 47 sec. West 981.91 feet to a point; thence (2) South 58 deg. 23 min. 58 sec. West 1,543.22 feet to a point at a corner this lot and Village of Cannon Mill Subdivision in line of lands now or late of Farm Lands, LP; thence running in part with lands now or late of Farm Lands, LP and running with lands now or late of Jireh Christian Center, Inc. and lands now or late of Donato Poliseno, North 34 deg. 19 min. 11 sec. West 2,300.00 feet to a point at a corner for this lot and lands now or late of Poliseno in the south line of Delaware Route #8; thence running with the south line of Delaware Route #8 on the following two courses: (1) running in a northeasterly direction with a 2,751.44 foot radius curve to the right an arc distance of 656.17 feet having a chord bearing North 88 deg. 59 min. 05 sec. East 654.61 feet to a point; thence (2) South 84 deg. 11 min. 00 sec. East 1,270.00 feet to a point in the south line of Delaware Route #8 at a corner for this lot and lands now or late of Virginia & George Sawyer; thence running with lands now or late of Sawyer, South 05 deg. 49 min. 00 sec. West 200.00 feet to a point; thence continuing with lands now or late of Sawyer and running with lands now or late of Jack W. & Beverly E. Sutton, lands now or late of Richard M. & Joann M. Smith, lands now or late of Edwin B., III & Nancy E. Baker, lands now or late of Dennis W. & Tammy S. Rogers, lands now or late of Patricia B. Cohen, lands now or late of William R. & Pearl V. Knotts, lands now or late of Charles B. & Shirley A. Mundorf and lands now or late of Richard E. & Victoria V. Stoops, South 84 deg. 11 min. 00 sec. East 1,065.00 feet to a point; thence continuing with lands now or late of Stoops, North 05 deg. 49 min. 00 sec. East 200.00 feet to a point at a corner for this lot and lands now or late of Stoops in the south line of Delaware Route #8; thence running with the south line of Delaware Route #8, South 84 deg. 11 min. 00 sec. East 225.00 feet to a point in the south line of Delaware Route #8 at a corner for this lot and lands now or late of Edwin B. Baker, III, Donald Carey & Ruth Carey; thence running with lands now or late of Baker & Carey on the following seven courses: (1) South 05 deg. 49 min. 00 sec. West 200.00 feet to a point; thence (2) North 84 deg. 11 min. 00 sec. West 60.00 feet to a point; thence (3) South 05 deg. 49 min. 00 sec. West 536.28 feet to a point; thence (4) South 84 deg. 11 min. 00 sec. East 352.16 feet to a point; thence (5) North 05 deg. 49 min. 00 sec. East 416.28 feet to a point; thence (6) North 84 deg. 11 min. 00 sec. West 92.16 feet to a point; thence (7) North 05 deg. 49 min. 00 sec. East 320.00 feet to a point at a corner for this lot and lands now or late of Baker & Carey in the south line

of Delaware Route #8; thence running with the south line of Delaware Route #8, South 84 deg. 11 min. 00 sec. East 70.00 feet to the point and place of beginning and containing 101.5500 acres of land be the same more or less.

2. The above described property shall be annexed into the City of Dover with a zoning classification as set by City Council and in accordance with the zoning map and environs, then in force, effective upon such lands being included within the limits of the City of Dover.

3. That the certified copy of the resolution of annexation, together with a plot of the area annexed, shall be filed for record with the Recorder of Deeds of Kent County.

4. That the effective date of this resolution shall be the 25th day of July, 2006 at 12:01 a.m. o'clock.

ADOPTED: JULY 24, 2006

S:\ClerksOffice\Annexations\Annex-2006\S Side of Forrest Ave - 101.55 acres\Approval Resolution for Packets.wpd

STEPHEN R. SPEED
MAYOR

BEVERLY C. WILLIAMS
COUNCIL PRESIDENT

PETITION TO ANNEX AND ZONE PROPERTY
Before Dover City Council
July 24, 2006

Applicant:	Donald M. Carey 826 E. Loockerman Street Dover, DE 19901	Nancy E. Baker 1526 Forrest Avenue Dover, DE 19904
Owner:	Same	
Location:	South side of Forrest Avenue, west of Mifflin Road	
Size:	+/-101.55 acres	
Tax Parcel #:	ED-00-076.00-01-08.00-000; ED-00-076.00-01-08.08-000; and ED-00-076.00-01-08.09-000	
County Zoning:	AC (Agriculture Conservation)/RS-1 (Single Family Residential)	
Proposed Zoning:	R-10 (One-Family Residence)	
Present Use:	Farm	
Proposed Use:	Possible Residential Development	
Comprehensive Plan Designation:	Category 2 – Lands Desirable for Annexation; Designated as Residential	
Cost-Rev Analysis:	The Cost-Revenue analysis showed a positive cash flow to the City of approximately $4,090,754 over ten years.	
File Number:	AX-06-05	

On June19, 2006, the Planning Commission recommended approval of the annexation with the proposed R-10 zoning.

Surrounding Land Uses:

The land to the south of the subject parcels comprises the Village of Westover and the Village of Cannon Mills. Street connections are provided from these neighborhoods to the subject parcels. Both are zoned RM-1 (Medium Density Residence) in the City of Dover. If annexed, the subject parcels would be subject to the COZ (Corridor Overlay Zone). Across Forest Avenue from the subject parcels are the developments of Heatherfield East, Heatherfield and Cranberry Run. Cranberry Run is zoned R-10 (One-Family Residence); Heatherfield is zoned RM-2 (Medium Density Residence); and Heatherfield East is zoned R-8 (One-Family Residence). There are also some small parcels along Route 8 that are zoned R-20 (One-Family Residence). Additionally, on the south side of Forest Avenue, there are a number of parcels along the road that are currently outside the City limits and zoned RS-1 (Single-Family Residential) in Kent County. The properties to the west on the south side of Forest Avenue are zoned AC (Agricultural Conservation) in Kent County and are owned by churches.

The property is subject to the COZ-1 (Corridor Overlay Zone).

Comprehensive Plan:

The Annexation and Growth Map contained within the current certified Comprehensive Plan designates this land as Category #2 – Lands Desirable for Annexation. The map indicates Residential Land Use designation.

Cost-Revenue Analysis:

The Cost-Revenue analysis showed a positive cash flow to the City of approximately $4,090,754 over ten years.

Recommendation of the Planning Staff:

Because this is a Category 2 designated area in the Comprehensive Plan, and because the proposed zoning is consistent with the Comprehensive Plan and compatible with the surrounding area, staff recommends approval of the annexation with the requested R-10 zoning.

This recommendation is being made without the benefit of hearing the comments of surrounding land owners and residents. A public hearing is required on this matter and those comments should be given serious consideration by the Commission.

ADVISORY COMMENTS TO THE APPLICANT:

1) The applicant shall be aware that approval of any annexation and/or rezoning application does not represent Site Development Plan approval. A separate Site Development Plan must

be submitted and approved if additional development activities are proposed on the property.

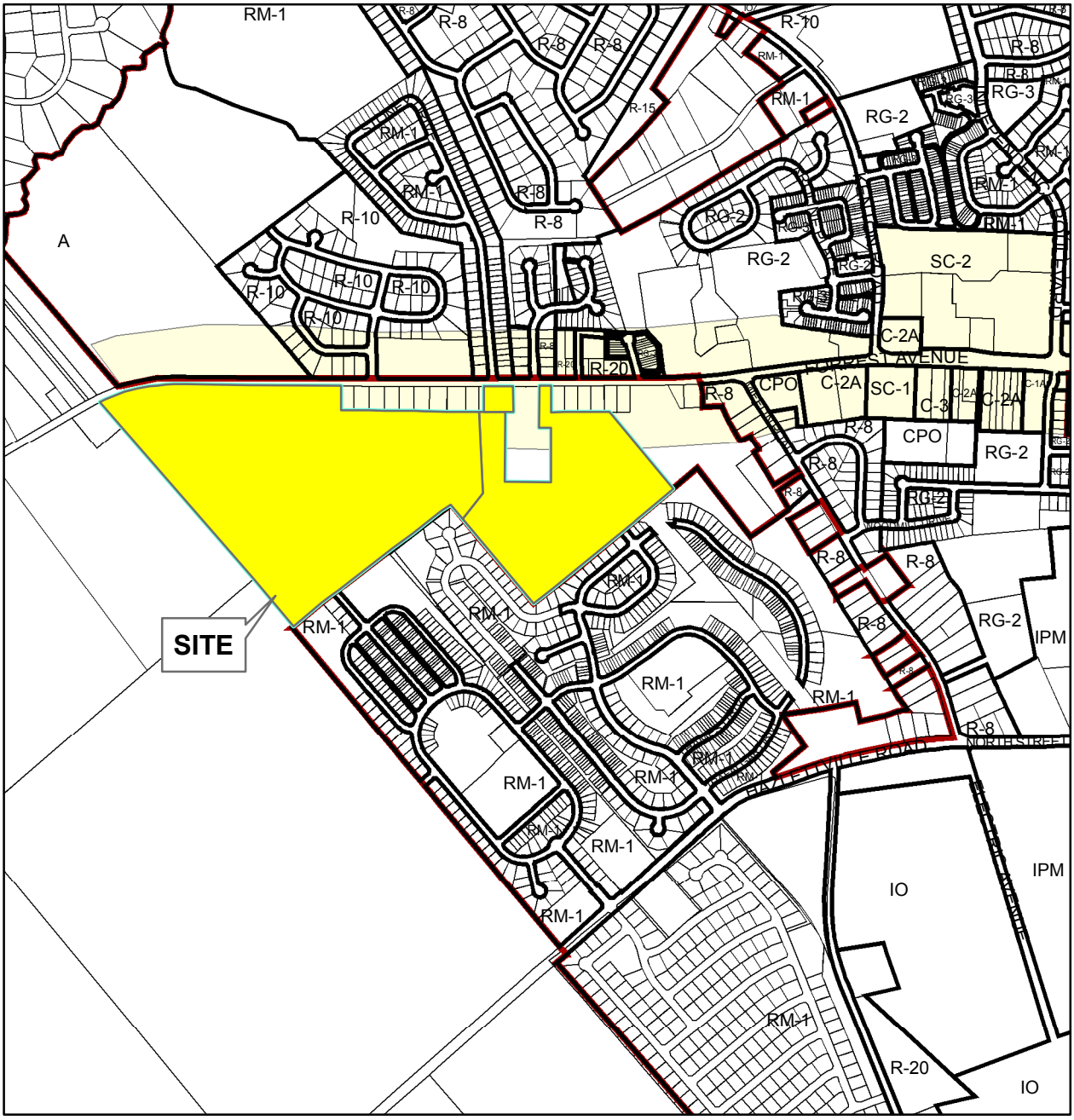
2) The applicant shall be aware that approval of any annexation and/or rezoning application does not represent a Building Permit or other construction activity permit approval. A separate application submission showing all improvements is required before issuance of permits by the City of Dover.

If you have any questions or need to discuss any of the above comments, please call the above contact person and the Planning Department as soon as possible.

City of Dover

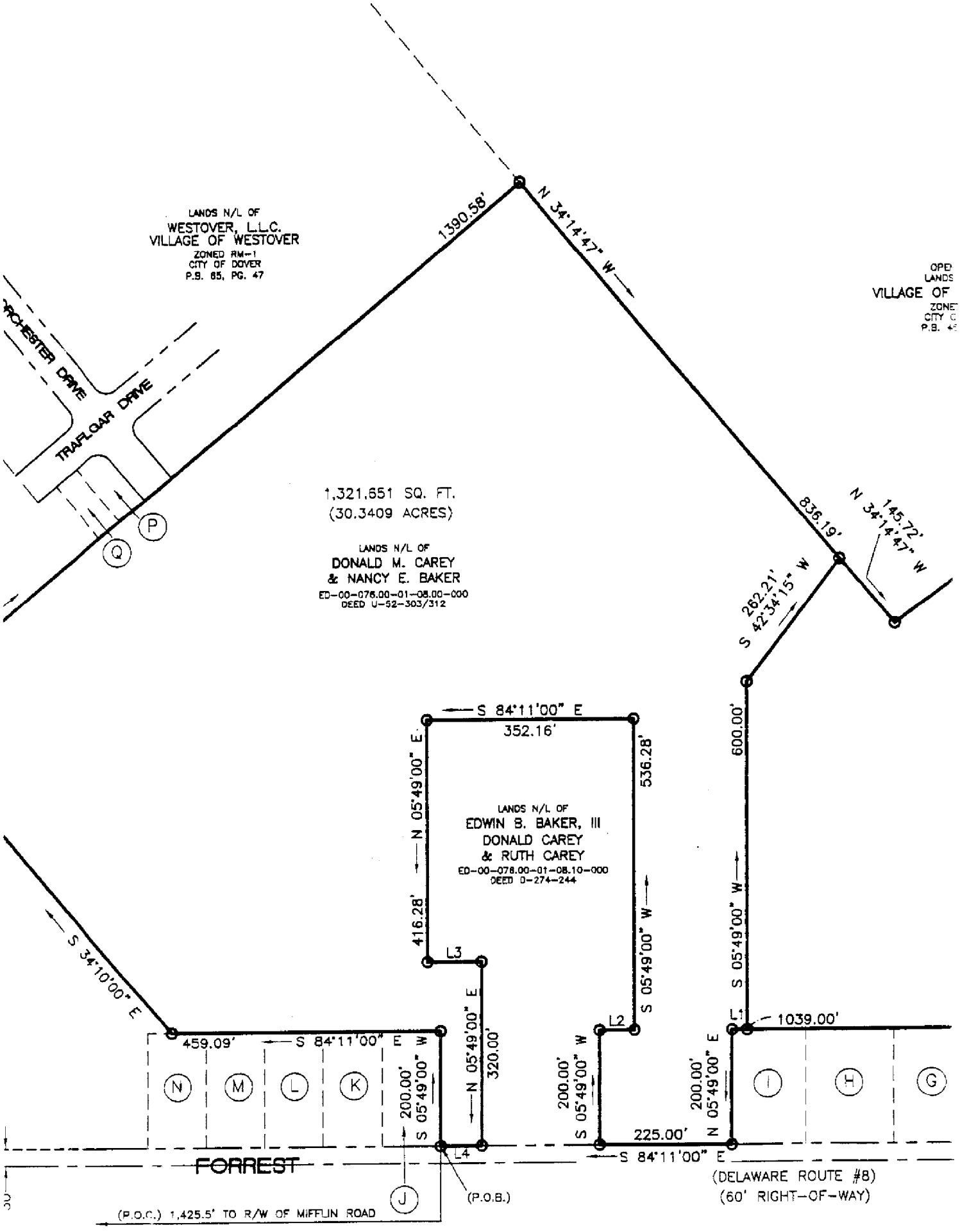
Application No.: AX-06-05

Department of Planning & Inspections



Plan Title: Lands of Donald Carey & Nancy Baker
Plan Type: Annexation
Tax Parcels: ED-00-076.00-01-08.00-000, ED-00-076.00-01-08.08-00, ED-00-076.00-01-08.09-000
Site Area: 101.55 AC
Owner: Donald Carey, Ruth Carey & Nancy Baker
Current Zoning: AC & RS-1
Proposed Zoning: R-10
Date: 6-7-06

0 500 1,000 2,000 Feet


LANDS N/L OF
WESTOVER, L.L.C.
VILLAGE OF WESTOVER
ZONED RM-1
CITY OF DOVER
P.B. 65, PG. 47
ROCHESTER DRIVE
TRAFALGAR DRIVE
1390.58'
N 34°14'47" W
OPE
LANDS
VILLAGE OF
ZONE
CITY
P.B.
1,321,651 SQ. FT.
(30.3409 ACRES)
LANDS N/L OF
DONALD M. CAREY
& NANCY E. BAKER
ED-00-076.00-01-08.00-000
DEED U-52-303/312
836.19'
N 34°14'47" W
145.72'
262.21'
S 42°34'15" W
600.00'
S 05°49'00" W
S 84°11'00" E
352.16'
N 05°49'00" E
416.28'
536.28'
S 05°49'00" W
LANDS N/L OF
EDWIN B. BAKER, III
DONALD CAREY
& RUTH CAREY
ED-00-078.00-01-08.10-000
DEED D-274-244
L3
L2
L1
1039.00'
S 34°10'00" E
459.09'
S 84°11'00" E
N 05°49'00" E
320.00'
200.00'
S 05°49'00" W
200.00'
S 05°49'00" W
200.00'
N 05°49'00" E
225.00'
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L4
FORREST
S 84°11'00" E
(DELAWARE ROUTE #8)
(60' RIGHT-OF-WAY)
(P.O.B.)
(P.O.C.) 1,425.5' TO R/W OF MIFFLIN ROAD

FINAL READING

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER BY CHANGING THE ZONING DESIGNATION OF PROPERTY LOCATED ON THE SOUTH SIDE OF FORREST AVENUE, APPROXIMATELY 1,425.5 FEET WEST OF MIFFLIN ROAD

WHEREAS, the City of Dover 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 permitted use of property described below from AC - Agricultural Conservation and RS-1 - Single Family Residence (Kent County) to R-10 - One Family Residence (City of Dover).

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 Zoning Map and Zoning Ordinance of the City of Dover has been amended by changing the zoning designation from AC and RS-1 (Kent County) to R-10 (City of Dover) on that property located on the south side of Forrest Avenue, approximately 1,425.5 feet west of Mifflin Road, containing $101.55^{+/-}$ acres, owned by Ruth E. Carey, Donald M. Carey and Nancy Baker.

ADOPTED: *

S:\ClerksOffice\Annexations\Annex-2006\S Side of Forrest Ave - 101.55 acres\Rezoning Ordinance-FINAL Reading.wpd

ACTION FORM

PROCEEDING: Council	**AGENDA ITEM NO.:**
DEPARTMENT OF ORIGIN: Planning & Inspections	**DATE SUBMITTED**: July 19, 2006
PREPARED BY: Ann Marie Townshend, AICP	
SUBJECT: **SUBJECT**: Declaration of a structure dangerous, and under the "Emergency Cases" section of the Dover Code, cause the immediate repair, vacation or demolition of the structure: 101 Jefferson Court	
REFERENCE: Sec. 22-388 Dover Code	
RELATED PROJECT: N/A	
APPROVALS: N/A	
EXHIBITS: Photographs of the property will be presented at the Council meeting.	
EXPENDITURE REQUIRED: Preliminary estimates of $50K -$100K **AMOUNT BUDGETED**: $25,750 in proposed budget for demolitions for FY 2007 **FUNDING SOURCE (Dept./Page in CIP & Budget)**: 110-1600-534-30-33	
TIMETABLE: ASAP	
RECOMMENDED ACTION: The City Council shall determine whether or not to declare the subject building a dangerous structure and order its repair, vacation, closure or demolition in accordance with City of Dover Building Regulations.	

BACKGROUND AND ANALYSIS

The house at 101 Jefferson Court was condemned by the City inspectors on July 6, 2006 due to the unsanitary conditions in the residence. More than 100 cats were removed from the residence, and the entire interior of the house is contaminated with urine and fecal matter from the cats. The ammonia levels in the residence exceeded safe levels, as determined by the Division of Public Health. The Division of Public Health has determined that the property is unhealthy and unsanitary.

At this point, the house continues to be under a condemnation order and cannot be safely occupied. Because of the unhealthy and unsanitary nature of the conditions in the house (particularly the presence of fecal matter), and its location as part of a neighborhood, it is imperative that the City have the ability to clean and potentially demolish the premises quickly.

DELAWARE HEALTH
AND SOCIAL SERVICES
DIVISION OF PUBLIC HEALTH

OFFICE OF THE DIRECTOR

July 21, 2006

Ann Marie Townshend, AICP
Director, Planning & Inspections
City of Dover
P.O. Box 475
Dover, DE 19903

Dear Ms. Townshend,

We have reviewed your request for an opinion of sanitary conditions observed by the Division of Public Health (DPH) at the town-house residence located at 101 Jefferson Court in Dover.

On July 6, 2006, accompanied by your staff, Dover Police, and the Department of Natural Resources and Environmental Control, DPH performed a visual inspection with limited air monitoring at the residence. The entry was aborted due to heavy ammonia concentrations resulting from the considerable amount of animal waste in the home. The residence was ventilated to allow access for further inspection.

During four visits by DPH, health concerns arose from the large population of animals and the unsanitary conditions in the house. Wooden floors, furniture, and horizontal surfaces throughout the residence are soaked with animal urine and covered in large part with animal feces all leading to potential populations of bacteria, rodents and insects. Walls throughout the residence show evidence of discoloration consistent with active and substantial mold growth. These conditions are likely reservoirs for potential health impacts to humans who may come in contact with them.

Our latest air monitoring at 101 Jefferson Court does not indicate an immediate danger to public health (from ammonia). However, DPH agrees with the City of Dover that the unit should be considered unfit for human habitation.

If you have any further questions, please contact Thom May, Section Chief, Health Systems Protection, at (302) 744-4705.

Sincerely,

Jaime H. Rivera, M.D., FAAP
Director

JESSE S. COOPER BUILDING • FEDERAL STREET • DOVER • DELAWARE
MAILING ADDRESS: 417 FEDERAL STREET • DOVER • DELAWARE • 19901
TELEPHONE: (302) 744-4700 • FAX: (302) 739-6659

Violation of Dangerous Building Ordinance
101 Jefferson Court

Department of Planning & Inspections

Dover, Delaware


101
DANGER
This Structure Is Declared Unsafe
For Human Occupancy or Use.
It Is Unlawful For Any Person To
Use or Occupy This Building
After 7/6/06
Any Unauthorized Person Removing This Sign
WILL BE PROSECUTED
101 Jefferson St
Address of Building
Joseph Hill
Code Official
Code IFMC
Art. +
Sec. 103.3
Date 7/6/06
Refer to Ordinance No.

101 Jefferson Court
Chronology of Case

- Several cases in the past – all resolved
- June 23, 2006 – Public Works staff contacted animal control after observing odors outside residence
- June 23, 2006 – Animal Control and Inspections staff visited residence and were asked by Haas sisters to come back on another date.
- June 30, 2006 – Animal Control and Inspections staff visited residence and were allowed in by Haas sisters. Inspectors documented the unsanitary conditions and allowed the residents until July 6 to clean the premises.

101 Jefferson Court
Chronology of Case

- July 6, 2006
  - Dover PD and Inspections staff visited the residence for follow-up inspection and condemned property and ordered the cats removed.
  - Division of Public Health detected ammonia levels unsafe.
  - At the request of Pam Haas, staff allowed 24 hours for residents to bring in a private vet to euthanize cats.
  - Residence boarded by Inspections staff.

101 Jefferson Court
Chronology of Case

- July 7, 2006
  - Cats removed and euthanized.
  - Furniture removed by Fire Dept. to assist with cat removal.
  - Traps set over weekend to continue cat removal on Monday, July 10.

101 Jefferson Court
Chronology of Case

- July 10, 2006
  - Dover PD and Inspections staff return to continue cat removal.
  - Public Works staff removed trash from the yard.
  - Dover PD and Inspections staff discovered human corpse, changing the nature of the investigation.
- July 12, 2006 – DNREC and Division of Public Health inspected residence to assess environmental and health concerns.

101 Jefferson Court
Chronology of Case

- July 14, 2006
  - Mr. Koenig & Mrs. Townshend met with Pam and Candy Haas to present dangerous building notice and release to allow City to proceed with cleaning/demolition.
  - Pam and Candy Haas declined to sign release.

101 Jefferson Court
Chronology of Case

- July 18, 2006 – Internal meeting to determine path forward. Decision made to pursue emergency clause within Dangerous Building section of the Code.

101 Jefferson Court
Chronology of Case

- July 19, 2006
  - Mr. Koenig and Mrs. Townshend met with Pam & Candy Haas to serve notice of the emergency status.
  - Pam & Candy Haas signed release to allow them to enter residence and remove personal belongings. House to be boarded on July 24 at 5:00 p.m.

Dover Code: Dangerous Buildings

- Section 22-381 Definitions
  - (5) *Unfit for habitation.* Those which have become or are so dilapidated, decayed, unsafe, insanitary or so utterly fail to provide the amenities to decent living that they are unfit for human habitation, or are likely to cause sickness or disease, so as to work injury to the health, morals, safety or general welfare of those living therein.

Dover Code: Dangerous Buildings

- **Sec. 22-388. Emergency cases.**
  - In cases where it reasonably appears that there is an immediate danger to the life or safety of any person, unless a dangerous building is immediately repaired, vacated and closed, or demolished, the building inspector shall report such facts to the council, which may cause the immediate repair, vacation, or demolition of such dangerous building. The costs of such emergency repair, vacation or demolition of such dangerous building shall be collected in the same manner as provided in section 22-385(5).


GEORGE WASHINGTON DRIVE
WASHINGTON STREET
JEFFERSON STREET
SITE
ADAMS COURT
FORREST AVENUE








del Monte
8
CANS
del Monte
8




12 Cans
Friskies















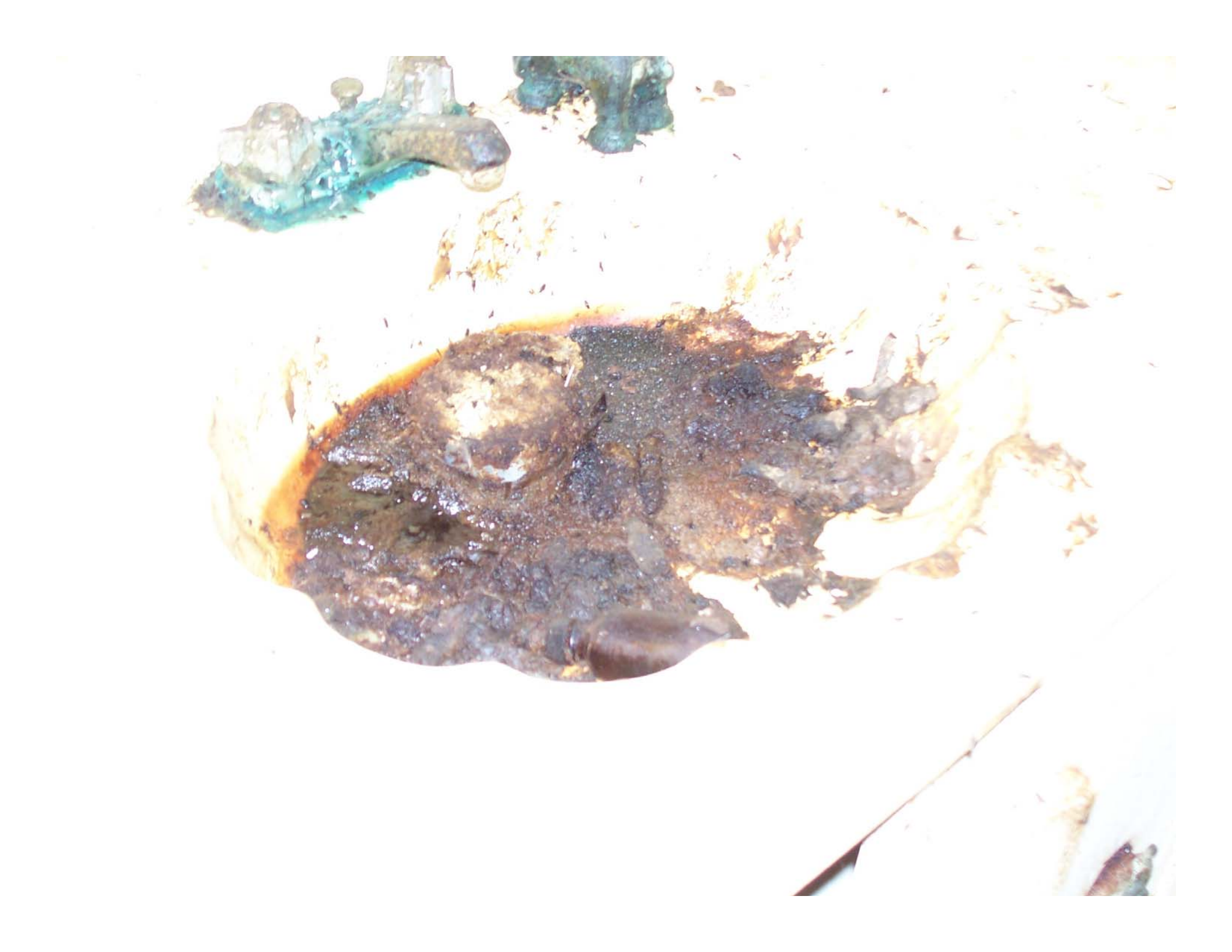







Friskies
Sliced


Swiffer
Easier
Cleaner





Friskies
Elegant Entree
VHS
Friskies





Points to Consider

- Density of the neighborhood
- Complaints of flies and odors by neighbors
- Large amount of fecal material
  - Breeding ground for insects and bacteria

LEGISLATIVE, FINANCE AND ADMINISTRATION COMMITTEE

The Legislative, Finance, and Administration Committee meeting was held on July 10, 2006, at 6:00 p.m. with Chairman Salters presiding. Members present were Mr. Hogan, Mr. Slavin, Mr. Shevock, and Mr. Shelton. Members of Council present were Mr. Carey and Council President Williams (arrived at 6:05). Mayor Speed (arrived at 6:07) was also present.

AGENDA ADDITIONS/DELETIONS

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

Policy for Training, Conference, and Education

During the June 26, 2006 meeting, at the request of Council, members reviewed the Policy for Training and Conference Reimbursement - Explanation of Request for Reimbursement for Attending Organizational Leadership and Behavior Course. Members were advised that reimbursement procedures regarding training and conference expenses are covered in the Travel Policy, which includes various aspects of eligible items such as mode of transportation, lodging, meals, registration fees, and seminar fees. It was also noted that the policy does not have a provision for reimbursement of college courses, which is addressed in the Education Assistance Policy, as outlined in the City's Personnel Handbook. The item was tabled to allow staff additional time of clarify the policy.

Members were provided a draft of the revised Travel Policy, now titled "Policy for Training, Conference and Education" for their review. The purpose of this policy is to provide guidelines under which City of Dover employees, public officials, and appointees will be reimbursed for authorized travel expenses incurred in the conduct of business for the City of Dover. In addition to the guidelines, specific procedures with regard to incurring and reporting travel related expenses were provided.

Mrs. Mitchell, Finance Director, advised members that this policy will apply to employees of the City of Dover, elected officials, boards, commissions and others, who are engaged in authorized travel and who expend City funds for travel purposes. The Mayor and Members of City Council are not required to submit a Travel Authorization and Completion Form, but are required to follow the financial and budget requirements of this policy. She noted that, while this policy does not cover every possible situation, it establishes adequate guidelines for employees and officials to make appropriate and consistent judgments regarding the expenditure of City funds for reimbursable expenses. It remains the responsibility of city management to control and approve travel-related expenditures. The City Manager and Finance Director may impose more stringent rules when deemed appropriate or necessary. The City Council and the Finance Department will periodically (at least annually) review the implementation of this Policy and will provide policy interpretations and assistance to ensure effective and efficient implementation. Any exceptions will be subject to approval by the Council and Finance Department. Exceptions will only be made in particular cases where adequate justification is presented. The City Council and Finance Director may also, on a case-by case basis, approve reimbursements exceeding the guideline amounts referenced in this policy. In any such instance, a detailed explanation and substantiation (a receipt) is required. Enforcement of the travel policy will be the responsibility of the Finance Director.

Mrs. Mitchell reviewed the amendments to the policy, including a new section B - Training and Conference Registration Fees.

Mr. Slavin noted that the Educational Reimbursement Program currently offered to full-time City of Dover employees does not apply to members of Council. He suggested that if members of Council choose to take a course which is not associated with specific governmental organizations, as listed in the policy, they must obtain the approval of the Legislative, Finance and Administration Committee. Mr. Slavin also noted that the course credits should not be used for matriculation toward a degree.

Mr. Salters voiced his concerns regarding the recent request of a Councilman to travel overseas and questioned if that type of trip would fall under this new policy. Mrs. Mitchell indicated that the invitation in question came from the Central Delaware Economic Development Council and would be approved.

Responding to Mr. Hogan, Mrs. Mitchell stated that there is not a designated member of Council who approves the travel requests of other Council members. Mr. Slavin suggested that travel authorization for Council members be discussed at a future date.

Staff recommended adoption of the Policy for Training, Conference and Education.

Mr. Hogan moved to recommend adoption of the Policy for Training, Conference and Education *(Attachment #1)***, seconded by Mr. Shevock and unanimously carried.**

Budget Amendment Procedure

Members were provided amendments to the Budget Administration - Guidelines for Operating Departments - Department of Finance Procedure F306. This policy is intended to permit the redistribution of funds in departmental budgets and establishes the procedure to be followed when the approval of a supplemental appropriation is requested. The policy also restricts the redistribution of capital outlay and project related accounts.

During the June 23, 2003 Council Meeting, Mr. Ritter submitted a proposed supplement to the procedure that would address excess salary, related department budget funds to contingency, and deletion of unfunded positions from the personnel system. As a result of the proposed supplement, the procedure was amended accordingly.

Mrs. Mitchell reviewed the amendments to the policy and requested that it be reverted from a policy to a procedure that the City Manager and Finance Director can handle administratively.

Staff recommended approval of the proposed amendments .

Mr. Slavin moved to recommend approval of the revised Budget Administration - Guidelines for Operating Departments, as recommended by staff, and that it revert from a policy to a procedure. The motion was seconded by Mr. Hogan and unanimously carried.

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

Meeting Adjourned at 6:20 P.M.

Respectfully submitted,

Reuben Salters
Chairman

RS/hf
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Attachments
Attachment #1 - Policy for Training, Conference and Education
Attachment #2 - Budget Amendment Guidelines for Operating Departments

CITY OF DOVER
(Revisions Adopted by City Council on 7/24/2006)

TRAINING, CONFERENCE & TRAVEL POLICY

A. INTRODUCTION

1. Purpose

The purpose of this policy is to provide guidelines under which City of Dover employees, public officials, and appointees will be reimbursed for authorized travel expenses incurred in the conduct of business for the City of Dover, hereinafter referred to as "City". In addition to the guidelines, specific procedures with regard to incurring and reporting related expenses are provided.

2. Scope

This policy shall apply to employees of the City of Dover, elected officials, boards, commissions and others, who are engaged in authorized travel and who expend City funds for travel purposes. The Mayor and Members of City Council are not required to submit a Travel Authorization and Completion Form, but are required to follow the financial and budget requirements of this policy.

While this policy does not cover every possible situation, it establishes adequate guidelines for employees and officials to make appropriate and consistent judgments regarding the expenditure of City funds for reimbursable expenses.

It remains the responsibility of city management to control and approve travel-related expenditures. The City Manager and Finance Director may impose more stringent rules when deemed appropriate or necessary.

The City Council and the Finance Department will periodically (at least annually) review the implementation of this Policy and will provide policy interpretations and assistance to ensure effective and efficient implementation. Any exceptions will be subject to approval by the Council and Finance Department. Exceptions will only be made in particular cases where adequate justification is presented. The City Council and Finance Director may also, on a case-by case basis, approve reimbursements exceeding the guideline amounts referenced in this policy. In any such instance, a detailed explanation and substantiation (a receipt) is required. Enforcement of this policy will be the responsibility of the Finance Director.

3. Responsibility

a. Employee, Public Official, or Appointee
   - Comply with all provisions of this policy.
   - Obtain the necessary approvals in advance for overnight travel and out-of-state use of City vehicles. Provide a copy of the approval with the travel prepayment made by direct voucher.
   - All expenses incurred in the course of City business are to be in accordance with the City's Administrative Policies and Rules of Ethics and must be paid solely from appropriated funds.
   - Comply with the ten (10) working-day rule.

b. Department Manager/City Manager/Council Designee
   - Ensure compliance with this policy.
   - Review and approve each of their employees/official's travel approval requests and reimbursable expenses.
   - Ensure sufficient funds are available for all anticipated expenses.

c. Signatures on the Travel Expense Report certify that the expenses were incurred by the employee/official requesting reimbursement for official City business, are reimbursable in accordance with this policy, and have not been reimbursed except as indicated on this form.

   Required signatures for expenses are:
   - Employee
   - Supervisor
   - Manager or Council Designee

B. TRAINING AND CONFERENCE REGISTRATION FEES

1. Request for payment of registration fees shall be accompanied by the registration form.

2. City Council and the Mayor are offered opportunities to attend courses designed for governmental officials. Any member of Council wanting to take advantage of these courses offered by the following organizaitons will submit to the City Clerk's office their request for registration.

   - Delaware League of Local Governments
   - National League of Cities
   - US Conference of Mayors
   - International City Managers Association
   - Government Finance Officers Association (GFOA)
   - American Public Power Association (APPA)
   - American Public Works Association (APWA)

   Any courses not offered by these organizations will be submitted to the Legislative, Finance and Administration Committee for concurrence.

C. TRAVEL AUTHORIZATION

All out-of-state travel that extends beyond one day shall be approved by the City Manager or Council Designee. All requests shall be made on the "Travel Authorization and Completion Form" (City of Dover - Form 047). A copy of the conference or meeting program shall be attached to the form. The authorization form should be submitted to the manager in a reasonable amount of time prior to the traveling day.

The Department Manager, City Manager, or Council designee may impose specific requirements as to the time the authorization form must be submitted prior to travel.

Employees and Officials traveling on official City business should be aware that the approval is for travel only, and is not a blanket approval of the expenses incurred.

D. TRANSPORTATION: COMMON CARRIER

1. General

All trips requiring the use of common carrier must be pre-approved by the appropriate approval authority.

The mode of travel must be justified on the basis of the most economical use of time of the personnel involved, the cost of optional travel modes, and the requirements of the trip.

All common carrier reservations must be consistent with reasonable business travel planning, common carrier will be booked at the lowest available fare. If the lowest available fare is turned down by the traveler, the traveler's explanation for the denial is to be provided with the travel authorization request.

Travelers should be advised to make travel reservations as far in advance as possible to attain the lowest fares, including non-refundable tickets. Travelers may not specify particular airlines or other carriers to accumulate mileage on promotional plans such as frequent flyer programs.

In order to take advantage of special discount rates (supersaver fares, etc.), payments to the travel agent or reimbursement to an employee may be made prior to a trip being taken under the following conditions:

1. Documentation of the substantial savings that will accrue to the City (i.e., supersaver discounts).
2. Employee's proof of payment on a statement from the travel agency or airline, other than credit card receipts.

Most airlines will not give refunds or partial refunds for supersaver airfares.

It is encouraged to examine the advantage of fares requiring early trip departure or delayed return. However, it is important to consider the additional cost of meals and lodging for the required extra day(s) stay when comparing cost.

2. Air Travel

a. Accommodations - When commercial airlines are used as a mode of travel, accommodations shall be coach/economy class unless some other class accommodations are more economical.

b. Routing of Travel - All travel will be by the most economical and direct routes.

In the event that a person travels by an indirect route for personal convenience, the extra expense shall be the responsibility of the individual. Reimbursement for expenses shall be based only on the cost of the most economical and direct route.

c. Conference Airfare Arrangements

When attending a conference, always check conference materials to see if special airline discounts are offered. When a special airline discount rate is offered and conferees are instructed to go directly to an airline or a specific travel agency to obtain the discount fare, all fare and file number information should be given to the travel agency. The travel agent will then attempt to obtain the conference rate, government rate or lower rate, for the traveler. (See Section E.3. for Conference Lodging Arrangements) If a lower fare is not available, the conferees may make their travel arrangements directly utilizing the conference instructions.

3. Rail Travel

a. Accommodations

When it has been determined that rail travel is the most appropriate mode of transportation, the most economical class accommodations shall be utilized.

E. TRANSPORTATION: PASSENGER VEHICLES

1. City-Owned Vehicles

City-owned vehicles should be utilized for out-of-state travel when such use is the most practical and economical mode of transportation, including the cost of tolls, fuel and parking.

2. Privately-Owned Vehicles

a. The use of privately owned vehicles for out-of-City travel shall require prior approval of the appropriate department manager with approval authority. Reimbursement of private vehicle expenses shall be at the Standard Mileage Rate as set by the federal government for actual and necessary miles traveled. Beginning and ending odometer readings are required for the reimbursement for mileage.

In considering approval, the approval authority shall take into consideration the cost of alternative modes of travel and the cost of meals and lodging for the additional travel/transit days. Mileage reimbursements shall not exceed the cost of airfare plus travel to/from the airport.

b. When two or more employees travel in a privately owned vehicle, only one mileage reimbursement shall be allowed.

3. Rental Cars

a. General

The use of a rental car when traveling out of state must be justified as an economical need and not as a matter of personal convenience. Approval by the City Manager is needed prior to arranging for car rental. All rentals should be at the most economical rate per day including government rates or special rate agreements. When traveling in groups, sharing of cars, when practical, should be done to minimize costs. The city will not pay for the use of a rental car to accommodate family members or non-business associates traveling with the employee, public official, or appointee.

b. Vehicle Size

Whenever possible, compact cars shall be rented or reserved. However, if a larger size vehicle is more economical or more than two city travelers are traveling together the larger vehicle may be appropriate. Any representative of the City requesting an upgrade of the size of a rented vehicle shall provide a written explanation of their reasons. A receipt will also be required.

c. Insurance

(1) The optional insurance coverage offered by the car rental agency shall be declined when the traveler charges the rental car. The traveler will automatically receive primary coverage under the City blanket insurance policy for travel. When insurance is declined, the policy covers collision damage, theft, fire and vandalism. Reimbursements for additional or optional insurance coverage will not be allowed.

(2) Other. Travelers not covered under the blanket insurance policy may be covered by their personal automobile insurance policy or other personal credit cards. Travelers should check their automobile policy and credit card policy for business travel coverage and accept or decline additional coverage accordingly. Reimbursement for additional or optional insurance coverage will not be allowed without prior approval from the department approval authority.

d. Refueling Before Return

To avoid a refueling surcharge, all rental cars shall be refueled before returning the vehicle to the rental company. Any surcharges billed to the employee, public official, appointee, or City shall be explained in the reimbursement request.

e. Reservations

Car rental reservations shall be made through the travel agent whenever possible.

F. LODGING

1. General

City travelers are expected to seek accommodations that are comfortable, convenient, meet business and personal needs and offer good value.

2. Accommodations

a. Lodging accommodations for reasonably priced single occupancy rooms are reimbursable when the traveler is away from home overnight due to official travel.
b. Accommodations shared with family members or others not on official City business are reimbursable at the single occupancy rate only.

c. Accommodations shared with other state travelers should be billed and reimbursed to one traveler. When required, reimbursements to more than one traveler shall be based on a pro rata share as reported on each reimbursement request.

3. Conference Lodging Arrangements

Hotel reservations should be made through the travel agent whenever possible. When hotel rooms are blocked for a conference, seminar, etc., and a special discounted conference hotel rate provided, the employee/official should inform the travel agent, who will attempt to obtain the conference rate, government rate or lower rate, for the employee/official. If a lower rate is not available, the conferees should make their lodging arrangements directly utilizing the conference instructions.

4. Occupancy Tax

The City is exempt from the tax on occupancy of hotel, motel and tourist home rooms within Delaware only. When instate overnight accommodations are necessary, the employee should be provided with a copy of the Occupancy Tax Exemption Certificate (see Exhibit C) to be presented to the lodging facility. Tax on occupancy of hotels in other states must be paid.

G. MEAL ALLOWANCES

1. General

The City will pay for or reimburse an employee/official for the necessary and reasonable cost of meals incurred during out of state travel requiring overnight lodging.

Meal costs incurred over and above those provided as part of a registration fee are not reimbursable unless justified as a special circumstance (e.g. special meeting or diet restrictions).

There will not be any reimbursement for the meals when the meals are provided by the host organization and when meals are provided as part of the airfare.

Exceptions are to be approved by the City Manager and Finance Director.

Only per diem rates as prescribed by the Federal Government for official travel will be provided for meal allowance (Exhibit A).

If an employee is traveling partial days on any calendar day, the City will prorate the applicable M & IE rate at 75 percent. This applies to both day of departure and day of return. When meals are provided by the host, the meal allowance will be reduced by 25% for each meal provided.

2. Day Trips, In-state Travel and Before or After Hours

The meal allowance for day trips out of the City will reimbursed at actual cost, not to exceed 25% of the per diem allowance for each meal. Assignments requiring overnight lodging may be approved as long as the amount does not exceed the allowances established. The meal allowance for working before or after hours as a general rule are not encouraged, but may be approved by the Finance Director on a case-by-case basis as long as the amount does not exceed the allowances established.

H. CASH ADVANCES

Travel advance checks will not be issued to employees, public officials, or appointees in the form of general disbursement checks. Employees, public officials, and appointees will be reimbursed for travel related expenses after the trip or event has been completed.

Employees, public officials, and appointees shall use the City purchase order when making travel arrangements when time permits. If there is a time constraint in processing a purchase order, a request for permitted use of the City credit card, accompanied by the proper documentation, will be sent to the Finance Department. Employees and officials are also encouraged to use a personal credit card and request reimbursement when they return. The City will pay in advance the following costs:

a. Conference/Training registration fees. Such payment will be made payable and mailed directly to the organization. This will be done through a purchase order submitted by the department after the trip is approved. A copy of the registration form describing the registration fees and a detailed itinerary of the event must be attached to the purchase order.

b. Airfare. The check will be made payable and mailed to the travel agency upon submission of a purchase order.

c. Lodging. The check will be made payable to the motel and will be given to the person for whom the lodging arrangements are made. The employee must provide the rates and information pertaining to applicable taxes in advance and submit a purchase order for the same.

d. Meal allowance. An advance will be permitted for those meals not provided by the conference as indicated in Section G (1).

e. Ground transportation to and from hotel, and airport parking when costs have been pre-determined. Proper documentation must be provided to be pre-determined.

I. TRAVEL EXPENSE REIMBURSEMENT

1. General

A Travel Expense Report (City of Dover B Form 030) is due to Accounts Payable within **ten (10) working days** after travel or an expense is incurred. **(Ten working-day rule)**

f. Timely reimbursement can be assured only if an accurate, properly substantiated Travel Expense Report is received in Accounts Payable **ten (10) working days** after completion of the trip.

g. Failure to submit timely Travel Expense Reports after the completion of a trip will result in administrative action, such as notification to the department manager and denial of future travel requests.

Travel Expense Reports for local travel and related expenses are to be submitted at least monthly. In no case shall a reimbursement be made to an employee for travel or expenses incurred in excess of 90 days.

Note: This section pertains to only those travel expenses paid by the traveler; not to travel expenses directly billed to/paid by the City.

2. Receipt Requirements and Other Reimbursement Criteria

a. Tickets booked on common carriers (airline, rail or bus) require original copy of the paid invoice.

b. Hotel/motel bills shall be the original copy of hotel/motel billing marked paid, or paid invoice from travel agent if lodging was billed through the agency.

c. Ground transportation, including airport shuttle, taxi or public transit requires a receipt.

d. Car rental reimbursements require paid invoice from the rental company or travel agent if billed through agency.

e. Meals do not require receipts and are not reimbursable above the maximum daily/partial day per meal allowance.

Tips in excess of 15% will not be reimbursed.

When more than one City employee, public official, or appointee's meals are being reimbursed, the number and name of the individuals are to be submitted on a schedule itemizing the cost of each individual's meal and a receipt from the dining facility attached.

f. Hotel/motel related expenses should be documented identifying the date and the cost of each category with the following requirements:

(1) Out-of-pocket costs for incidental items such as baggage handling and maid service are included in the per diem rate. Only per diem rates as prescribed by the Federal Government for official travel will be provided for incidental items (Exhibit A). Examples of these items are as follows:

- Porter(P), Doorman (DM)
- Bellhop (BH), Valet Parking Attendant (VP)
- Sky Cap (SC)
- Taxi (TD)
- Shuttle Driver (SD)
- Maid Service (MS)

(2) City-business related telephone calls are reimbursable as incurred and require a receipt from the telephone service provider or included on the hotel/motel billing invoice.

g. Lodging at campgrounds using traveler's camper or recreational vehicle is reimbursable at the actual cost, not to exceed the equivalent cost of hotel/motel lodging. Receipt is required.

h. Other Categories

Reimbursement for the following categories should be submitted on a schedule identifying the date, the cost and the category:

Hotel/airport parking and tolls for interstates, turnpike, bridges and/or ferries. Expenses per category per use shall require a receipt.

i. Gasoline and/or Other Supplies

Need for emergency repairs incidental to using a City-owned vehicle shall require a cash receipt or credit card receipt.

j. Reimbursements for travel expenses incurred without required receipts, as outlined, is strictly prohibited. A "no receipt - no reimbursement" policy applies. An affidavit for lost, stolen, etc. receipts is generally acceptable with approval by the Finance Director. (City of Dover B Form 061).

k. Internet Access Costs for city business must be substantiated with receipts and validation by the Information Technology Department.

l. Up to two (2) personal telephone calls not exceed $8 per trip.

3. Non- Reimbursable Expenses

The City shall not reimburse expenses for the following:

a. Alcoholic beverages are **strictly prohibited.**
b. In-room movies or pay television.
c. Theater tickets or nightclub entertainment.
d. Laundry.
e. Babysitting.
f. Related expenses of spouse, children and other persons accompanying the authorized employee/official.
g. Pleasure, historic or other tour related expenses. Expenses for business related tours would be reimbursed.
h. Donations and gifts made while at training, conference, or meeting.
i. Loss or damage of personal items.
j. Meals for other conference attendees.
k. Purchase of personal items.
l. Any parking or moving violation fines.
m. Any personal or pleasure travel while on City business.

J. CHARTER AND CODE OF CONDUCT

All City of Dover policies are to subject to the City of Dover Charter Part 1, Subpart A, Article II, Section 12 "Compensation and expenses - Mayor and Council and other elected or appointed officials", whereas, "Members of the council, mayor and other elected or appointed officials shall receive reimbursement for actual and necessary expenses incurred when on official business as prescribed by city ordinance or policy" and; Part II Code of Ordinances Chapter 2, Article 1, Division 4 "Code of Conduct", which is "applicable to all elected and appointed officials and to all employees of the City of Dover."

K. INTERNAL REVENUE CODE - DEFINITION OF PUBLIC OFFICIAL

Generally, if there is any provision in a public law which authorizes the employment of the individual, and the individual is hired or elected under this authority, the individual is considered an employee of the State or political subdivision to which the provision applies.

The following factors indicate that an office is a "public office".

1. The office was created by the constitution or through legislation, or by a municipality or other body with authority conferred by the legislature.
2. The office was delegated a portion of the powers of the government body.
3. The powers conferred and the duties to be discharged are defined either directly or indirectly law or through legislative authority.
4. The duties are being performed independently and without control of a superior power other than the law.
5. The office has some permanency and continuity, and the officer takes an official oath.

Examples of public officers are: the president and vice president; a governor or mayor; the secretary of state; a member of a legislative body, such as a state legislature, county commission, city council, school board, a judge; a justice of the peace; and members of advisory boards and committees.

L. REVIEW & REVISION

The City of Dover Travel Policy will be reviewed every three years by the City Council, City Manager, Finance Director, and City Clerk.

EXHIBITS

Exhibit A -General Service Administration Regulations - Per Diem Rates Travel Rates for Continental United States
Exhibit B -City of Dover Exemption Certificate Form

ADOPTED: FEBRUARY 9, 2004

REVISION RECORD

Revised Travel Policy Adopted by Council February 9, 2004
Revised at LF& A Meeting of February 2, 2004
City Council Adopted: November 24, 2003

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Rev. 07/24/06

CITY OF DOVER
DEPARTMENT OF FINANCE
PROCEDURE MANUAL

TITLE: Budget Administration - Guidelines for Operating Departments

PROCEDURE # F306

DATE: July 10, 2006

This policy is intended to permit the redistribution of funds in departmental budgets. It establishes the procedure to be followed when the approval of a supplemental appropriation is requested. It restricts the redistribution of capital outlay accounts.

1. Definitions, as used in this policy:

   "Fund": In governmental accounting, a fund is a fiscal and accounting entity with a self-balancing set of accounts, created and maintained for a particular purpose and having transactions subject to legal or administrative restrictions. A separate budget is provided for each fund.

   "Department": Departments are the major organizational sub-divisions. They have a broad overall purpose. The City of Dover is organized into twelve (12) departments: Administrative Services, Parks, Recreation, & Library, Police, Public Services Group**,** Public Utilities, City Clerk, City Manager, Information Services, Finance, Human Resources, Central Services, and Tax Assessor.

   "Division": Is the major operational areas of the City. Each Division has been assigned to one of the Departments listed above according to the type of activity it performs. For example, the Electric Engineering Division is part of the Electric Department.

   "Category": Within each division, each expenditure line item is grouped into a category of related expenditures. The budget for each line item is listed by categorical total. Examples of a category include, personnel services, materials & supplies, administrative expenditures, capital outlay, project accounts, and depreciation.

2. Department Managers may redistribute monies "within" a group of accounts in a particular category, except salary/benefits, and capital outlay accounts. Form COD #98 shall be used to request the transfer of funds. The monies shall not be encumbered until the Finance Director has returned a copy of Form COD #98 advising the manager that the redistribution has been entered into the budget software.

3. Transfers between categories material/supplies and administrative may be made with the City Manager's approval. A copy of the change must be submitted to the Finance Department for verification and confirmation, and then forwarded to the City Manager. Confirmation of the change will be made to the originating department by the Finance Department once the change has been approved.

4. Transfers from salary and benefit accounts are permitted with approval of the City Manager to cover unanticipated expenses created by vacancies. Examples are advertising, agency labor, contract services, and recruiting agencies.

5. No funds authorized in capital outlay may be encumbered unless said purchase was detailed in the "approved" budget.

   Any CIP deferrals due to cost over-runs in other CIP items shall be communicated to the Council and the Finance Director.

   The City Manager may approve transfers of savings from completed CIP items to non-completed CIP items. Any transfers that cause the particular item or project to exceed its original budget 25% or greater will be communicated to Council and the Finance Director.

   To request an exception in capital outlay or project categories, submit a written memorandum explaining the request and attach a copy of the original budget submission. The memorandum must explain the reason for not purchasing the authorized items. A copy noting the action taken on the request by the City Manager will be returned to the respective department. Council and the Finance Director will be copied on all exception request approvals.

   All capital outlay change requests must be accompanied by a Capital Improvement Project (CIP) worksheet in the following instances:
   - Scrap a CIP and create a new CIP
   - Reduce approved CIP and create a new CIP
   - New funded CIP (grant)

6. The City Manager may approve intra-fund transfers (i.e., within the General Fund) of up to five percent per annum, Form COD #98, with the exception of line items associated with salary and benefits.

7. All personnel positions will receive and be adhered to, the documented increases as approved through the budget process. Any exceptions require Council approval.

8. Budget amendments exceeding that authorized above or that affect budget balances shall be referred to the City Council.

PARKS, RECREATION, AND COMMUNITY ENHANCEMENT

The Parks, Recreation, and Community Enhancement Committee meeting was held on July 11, 2006, at 7:00 p.m. with Councilwoman Russell presiding in the absence of Chairman Ruane. Members present were Mr. Lewis and Mrs. Horsey. Mr. McGlumphy was absent.

AGENDA ADDITIONS/DELETIONS

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

DoveView Senior Apartments: Planned Neighborhood Design - Senior Housing Option

During their meeting of June 13, 2006, the Parks, Recreation, and Community Enhancement Committee reviewed the Active Recreation Area Plan for the DoveView Senior Apartments: Planned Neighborhood Design - Senior Housing Option. Since the Plan relied on the inclusion of the stormwater management pond to meet the active recreation area size requirements, it was necessary that it be of a significant size to allow for water based active recreation activities, such as fishing and boating. The committee recommended approval of staff's recommendations and deferred approval of the Active Recreation Area Plan until the next meeting to allow staff time to review the revised plan and provide an analysis.

Mr. Matthew Spong, of Landscape Architectural Services, presented the revised Recreation Area Plan for the DoveView Senior Apartments *(as on file in the office of the City Clerk)*. The proposed fishing pier was eliminated and the developer will provide a cash-in-lieu contribution for the deficit area of 32,487 square feet, as provided in Article 5 - Supplementary Regulations, Section 10 - Open space, recreation and other public facilities, Subsection 10.17 - Cash in lieu of recreation area construction, of the Dover Code. The active recreation area required for this project is 52,800 square feet and the active recreation area provided is 20,313 square feet; therefore the deficit area is 32,487 square feet. The developer still considers the wet pond to be a community amenity and will provide supplemental aeration, emergent plantings and maintenance to ensure it will not only be functional but attractive.

Project developers, Mr. Bob Ruggio and Mr.Jack Korrozi, responded to questions regarding the safety of an outside fitness center and briefed members on their plans to work in partnership with the Modern Maturity Center. Mrs. Horsey emphasized the need for additional trees around the outside fitness area.

Staff recommended approval of the revised plan and the cash-in-lieu of recreation area construction donation for the deficit area.

Mrs. Horsey moved to recommend approval Staff's recommendation, seconded by Mr. Lewis and unanimously carried.

Zoning Text Amendment - Elimination of Single-Family conversions to Multi-Family in RG-1 Area

At the request of Mayor Speed, staff prepared an ordinance amendment to Appendix B - Zoning, Article 3 - District Regulations, Section 2 - General residence zones, that would prohibit conversion of one-family residences to multi-family residences in the RG-1 (General Residence) zone and continue to allow them as a conditional use in the RG-2 (General Residence) zone.

Mrs. Ann Marie Townshend, City Planner, and Mr. Scott Koenig, Director of Public Services, provided members with additional information on the proposed amendment. They noted that the RG-1 zone encompasses several neighborhoods within the City, with large areas located downtown. The City is interested in encouraging home ownership within these areas and there is a concern that conversion of houses to apartments could negatively effect the character of those portions of the City. Staff noted that the amendment will aid in the homeownership initiative. Members were advised that properties that are entirely vacant for at least 12 months will be grand fathered under the proposed amendment.

Staff recommended adoption of the proposed amendment to Appendix B - Zoning, Article 3 - District Regulations, Section 2 - General residence zones.

Mr. Lewis moved to recommend adoption of the proposed amendment to Appendix B - Zoning, Article 3 - District Regulations, Section 2 - General residence zones *(Attachment #1)***, as recommended by staff. The motion was seconded by Mrs. Horsey and unanimously carried.**

Puncheon Run Watershed Action Team Update

Mr. Koenig, Public Services Director, reminded members that the purpose of the Puncheon Run Watershed Action Team is to study the hydrology of the watershed, develop a storm water model, recommend regional strategies and best practices for storm water management, and recommend physical improvements to resolve flooding. He noted that URS, a national consulting firm, has been contracted to conduct the hydrology study and the developers of Eden Hill and Kesselring have agreed to contribute $15,000 each for the study. The two areas of concern are the development issue from the railroad tracks west and a development and flooding issue from the railroad tracks to the Puncheon Run box culvert on Governors Avenue. Once the information from the hydrology study has been received, a formal presentation will be made to the committee.

Mr. Koenig noted that, due to recent heavy rain fall, staff has visited the Puncheon Run stream and discovered an active beaver population, west of the railroad tracks, that has blocked the upland area of the stream.

Mr. Koenig advised members that the Action Team has not formally met and is still awaiting data from Kent Conservation District. He also noted that the Action Team is currently looking for new members who live in the area who are impacted by the Puncheon Run stream. Interested parties were urged to contact the chairman of the committee.

John W. Pitts Recreation Center Update

Mr. Zach Carter, Director of Parks and Recreation, informed members that staff will be meeting with the architect to finalize the design of the new center, which include wall color and carpet selections. The bid package will be finalized in August 2006.

Library Site Selection Committee Update

Mr. Carter informed members that the State Legislature has designated $800,000 towards the building of an anchor library in Dover. The funds were allocated and approved during the recent Bond Bill hearings.

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

Meeting Adjourned at 7:45 P.M.

Respectfully submitted,

Eugene B. Ruane
Chairman

EBR/hf
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Attachments
Attachment #1 - Proposed Zoning Text Amendment - Appendix B - Zoning, Article 3 - District Regulations

Dover Police Department

Monthly Report
To
Mayor & City Council

"To Protect and Serve"

June 2006

DEPARTMENT OF POLICE

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

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

July 14, 2006

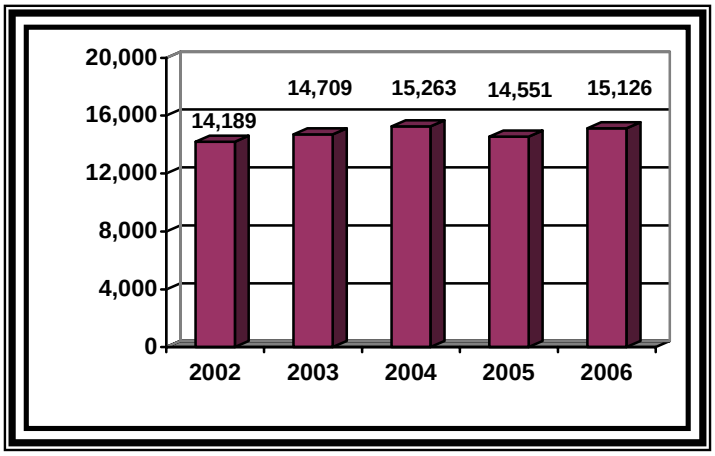
The Honorable Stephen R. Speed, Mayor
Members of Dover City Council
City Hall
Dover, DE 19901

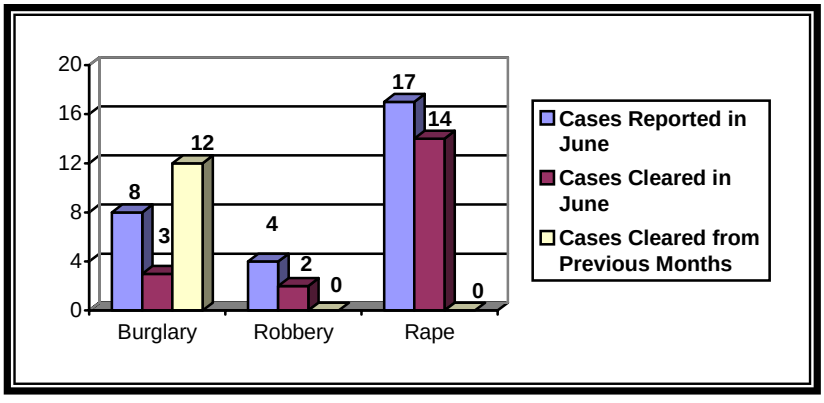
Mayor Speed and Council Members:

The following is the report on Police Department activities for the month of June 2006:

COMPLAINTS

Total complaints received through June 30, 2006, numbered 15,126. This is an increase of 575 complaints over the same time period for last year.





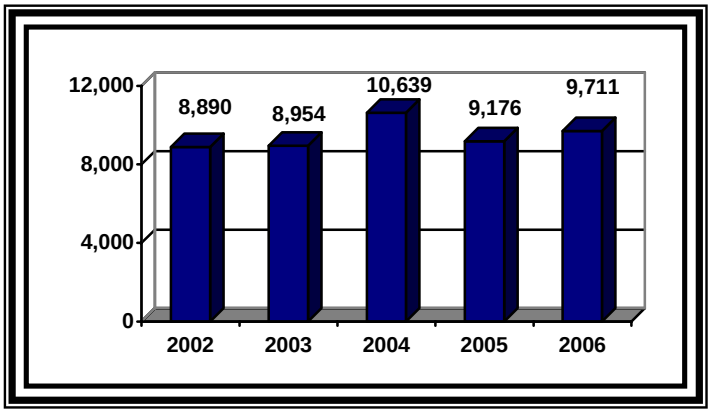
CRIMINAL INVESTIGATIONS

QUALITY OF LIFE TASK FORCE

The Task Force was deployed in the following areas throughout the City:

Capitol Green, Dover Village, North New Street, South New Street, Lincoln Park, Fulton Street, University Courtyard Apartments, Clearfield Apartments, Village of Westover, Liberty Court, Country Club Apartments, Wal-Mart, Greenway Lane, Courtney Square, Forrest Avenue, North Governors Avenue, Loockerman Street, McKee Road, Dover Budget Inn, Hazel Road, Silver Lake, Cecil Street, Kent Avenue, Walker Road, South Queen Street, Manchester Square, Mishoe Towers, Fairview Avenue, Hamlet, Boston Market, Applebee's, Wesley College, Spence's Bazaar, AC Moore, Persimmon Tree, Whatcoat Apartments, Kings Highway, Bubbas, Barrister Place, Oak Lane

Enforcement Action	
Abandoned Vehicles	4
Alcohol Violations	12
Assist Other	37
Bike on Sidewalk	11
City Park Violations	7
Criminal Arrests	23
Drug Related Arrests	28
Loud Music	75
Miscellaneous Violations	2
Parking Violations	22
Peddler/Soliciting	0
Prostitution	0
Wanted Checks/CPC's	43
Warnings/Traffic Arrests	62
Fugitive	12
Meetings	0
Collections of D.C.O.'s	9
Total Contacts	**347**

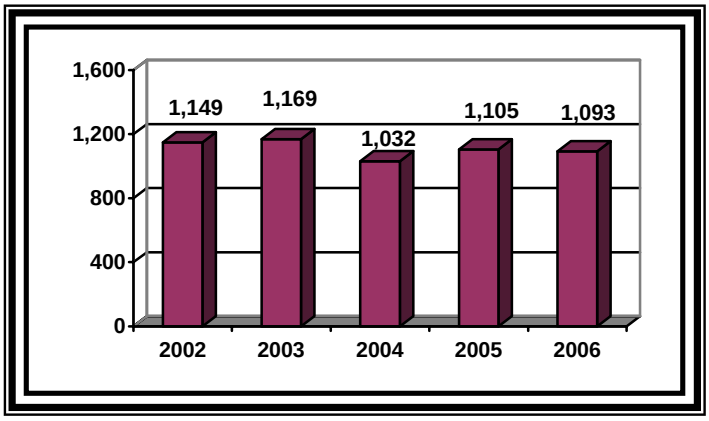


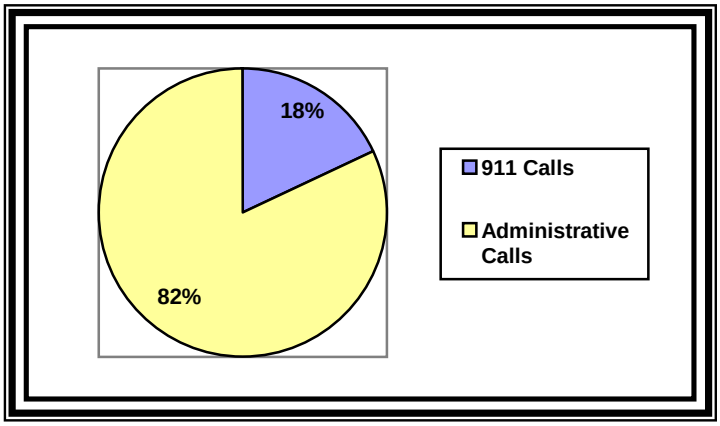
TRAFFIC ARRESTS

The department issued 9,711 traffic citations through this reporting period. This is an increase of 535 citations over the number issued during the same period last year.

TRAFFIC ACCIDENTS

Through June 30th, Dover Police investigated 1,093 traffic accidents. This is a decrease of 12 accidents investigated during the same period last year.



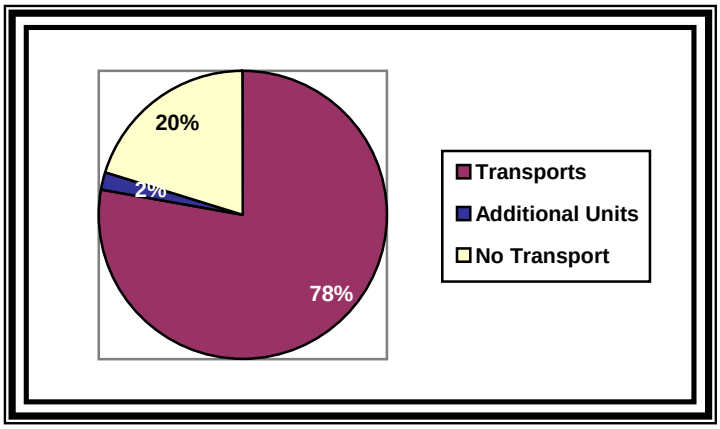


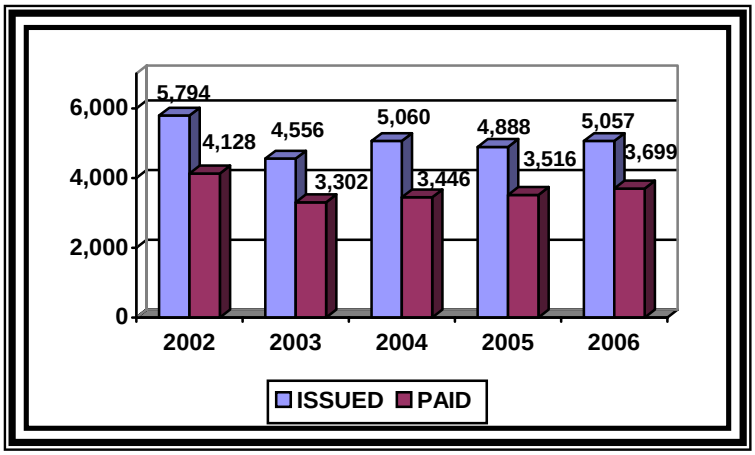
911 CENTER

During the month of June, our 911 Center handled a total of 11,759 calls averaging 392 calls per day. Dispatchers handled 2,124 calls on the 911 lines, an average of 71 calls per day.

EMERGENCY PREPAREDNESS & BASIC LIFE SUPPORT DIVISION:

Prime Care Medical Transport, Inc. responded to 392 emergency calls in June, resulting in 306 patient transports. The average response time from dispatch by 911 to arrival on scene was 7 minutes and 34 seconds. Additional units responded to 76 of the 392 calls.





CITY ORDINANCE SUMMONS

Through June, we issued 5,057 city ordinance summons an increase of 169 summons over June of last year. *Note: of those summonses issued in June, 26 were issued for handicapped parking violations, 17 for fire lane parking violations, 47 for false alarms (34 for 3-5 alarms, 11 for 6-9 alarms, 2 for 10-15 alarms, and 0 for 16 or more alarms) and 84 for noise violations (82 for vehicle violations, 0 for person violations and 2 for residence violations).

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

- On June 1, 2006, members of the Drugs, Vice, & Organized Crime Section conducted a prostitution sting in the downtown area of Dover. As a result of this operation, 5 male subjects were arrested for patronizing a prostitute.

- On June 2, 2006, detectives arrested a subject for breaking into seven businesses in the Dover area. The subject was stopped after acting suspicious in the area of South Governors Avenue. The subject was charged with four counts of Burglary 3rd and three counts of Attempted Burglary 3rd.

- Between June 2, 2006 and June 4, 2006, the annual Dover Downs NASCAR event was held without any significant problems.

- On June 6, 2006, detectives investigated a robbery at the PNC Bank on Loockerman Street, where a female subject entered the bank and demanded money. On June 7, 2006, the subject was arrested at her residence without incident.

- On June 15, 2006, the first “Chat with the Chief “meeting was held in the public assembly room at the police department. This open forum allowed members of the community a chance to voice their concerns directly to the chief. A second meeting will be held in August.

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

- On June 19, 2006, officers stopped a vehicle for a traffic violation. During the stop officers located 464 grams of marijuana inside the operator's vehicle. The operator was arrested without incident.

- On June 20, 2006, members of the Drugs, Vice, & Organized Crime Section executed a search warrant at a business on West Water Street, due to counterfeit merchandise being sold from that business. As a result of the search warrant detectives seized approximately $6,800 in counterfeit merchandise.

- On June 22, 2006, members of the Drugs, Vice, & Organized Crime Section executed a search warrant on Haman Drive. As a result of the search warrant investigators seized 20 pounds of marijuana and arrested two brothers who were growing the illegal substance inside their apartment.

Respectfully Submitted,



Jeffrey Horvath
Chief of Police

CITY MANAGER'S REPORT

June 2006



"ROAD TO RESULTS"

MONTHLY HIGHLIGHTS

Customer Services

- Participated in presentation of Internal Customer Survey results to City Manager.
- Participated in two meetings with major rate payers regarding electric rate increases.
- Finalized rate study with Burns & McDonnell.

Budget, Program Development:

- Gained Council approval to purchase the VoIP Phone System from MTM Technologies.
- Visited PJM in Valley Forge, PA (wholesale electricity supplier).
- Attended Delaware Business Energy Summit at Dover Downs.
- Participated in budget review meetings with City Council.

Human Resources

- HR Director reviewed approximately 90 pay-for-performance evaluations.

Information Technology

- Conducted the annual Technology Advisory Committee review meeting to highlight progress and set expectations for the fall meeting.
- Completed an upgrade to the Document Imaging System.

Parks, Recreation & Library

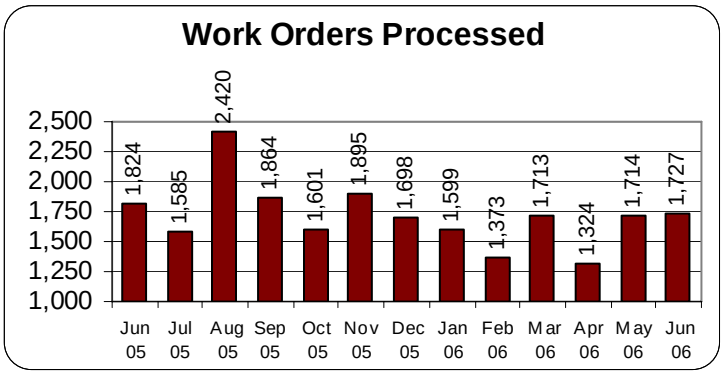
- Five performances for the Thursday evening Spring/Summer Performing Arts Series drew a combined total of 1,575 patrons.
- United Softball Association held two softball tournaments in Schutte Park. On June 10, their tournament hosted a total of six teams--two from Maryland and four from Delaware. On June 17, the tournament hosted seven teams--three each from Delaware and Maryland and one from California.

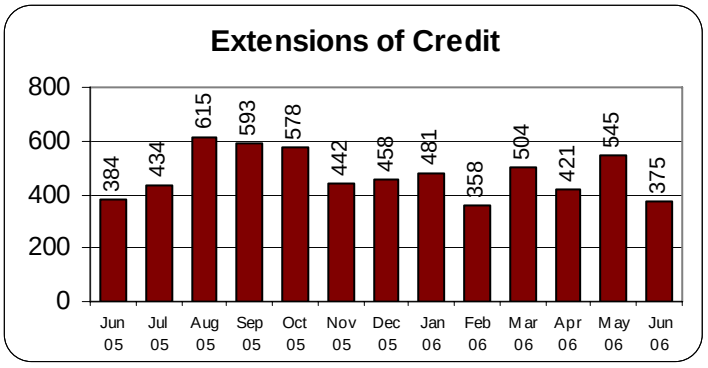
Public Services

- Staff continued with the implementation of the new organizational structure.

CUSTOMER SERVICES







Write-Off / Electric Bills

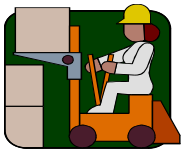
The electric write-off is for outstanding electric bills with dates ranging mainly from April 2004 – June 2004. The proposed write-off of $7,318.80 includes zero dollars from accounts that filed for bankruptcy. The $7,318.80 is the fourth write-off for FY06 and is .05 percent of the revenue ($13,800,821) for the write-off period. In other words, the City collected 99.95 percent of all bills for the write-off period. For every $100 of revenue the City billed in the write-off period, $.05 was not collected. According to the APPA, the industry standard for collections among publicly held utilities of similar size is 99.74% of total electric revenue. The accounts are currently assigned to our collection agency and will remain there even when they have been written off. A complete list of accounts is available upon request.

REPORT OF OPERATIONS

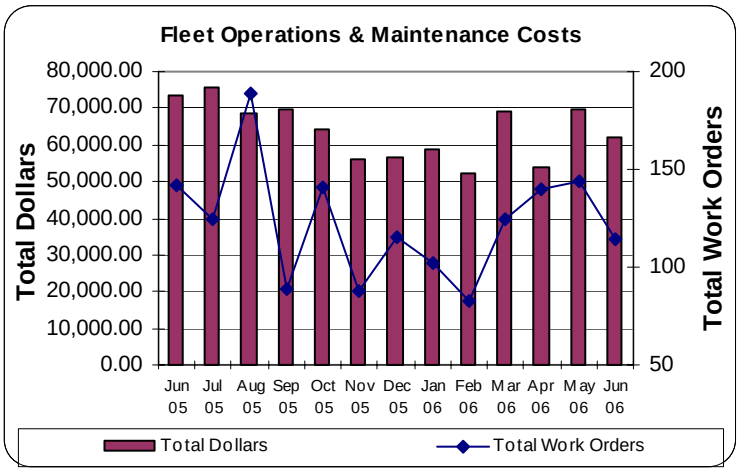
	Jun 2006	Jun 2005	Difference	FY 2006 Year-to-Date	FY 2005 Year-to-Date
Final Bills	626	632	(6)	7,212	7,019
Estimated Bills	225	180	45	2,571	2,444
Penalties Posted	$9,731.10	$8,996.32	$734.78	$137,158.57	$118,465.63
Extensions of Credit - Amount Extended	$55,822.21	$53,216.00	$2,606.21	$1,068,382.78	$943,867.38
Balance Transfers	$1,061.10	$3,873.28	($2,812.18)	$60,527.10	$50,565.74
Utility Collections	$246,706.77	$62,715.25	$183,991.52	$1,328,558.08	$515,397.05
Special Assessments	$194.89	$0.00	$194.89	$2,537.25	$4,054.57
Miscellaneous Billings	$145,685.74	$24,398.96	$121,286.78	$819,850.16	$472,192.84
Returns - Checks	$11,015.18	$12,690.48	($1,675.30)	$158,044.93	$151,072.83
Return Check Charges	$2,025.00	$875.00	$1,150.00	$11,510.84	$13,257.37
Cuts for Non-Payment	599	569	30	7,728	6,168
Cuts for Non-Payment - Amount	$102,383.38	$88,088.47	$14,294.91	$1,566,146.90	$1,097,450.44
Reconnects - Service Charges	$13,840.00	$13,450.00	$390.00	$191,145.00	$149,650.00
Court Cases	$0.00	$0.00	$0.00	$0.00	$0.00
Tamperings	1	0	1	20	11
Recycling Customers	434	0	434	2,145	0

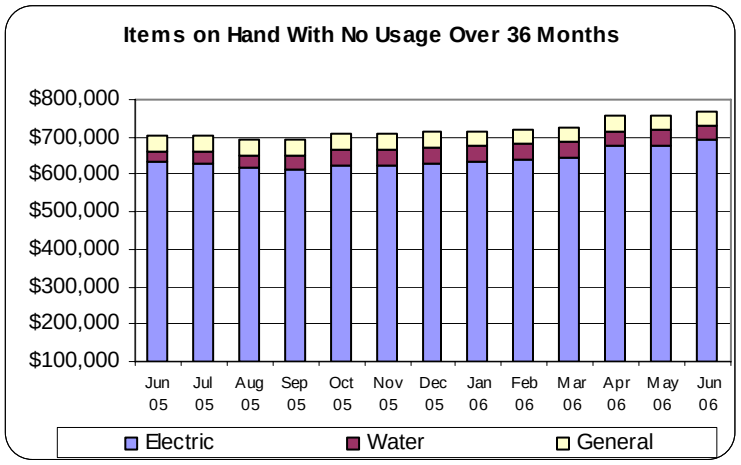
SOP / CIP Updates

- *Allow new customers to sign up for utility service on the City's Web site.* Project has been reassigned to the I/T Department.
- *Re-sequence and re-route meter routes.* To date, approximately 13,146 electric and 10,105 water meters have been changed out.
- *With the assistance of the Central Services, Information Technology and Human Resources directors, develop an internal customer satisfaction survey and survey internal users.* Survey has been distributed and completed. Tallying of responses has been completed. The results were presented to the City Manager this month.
- *Work with the City Manager's Office to restructure Administrative Services to Customer Services.* Restructuring complete.



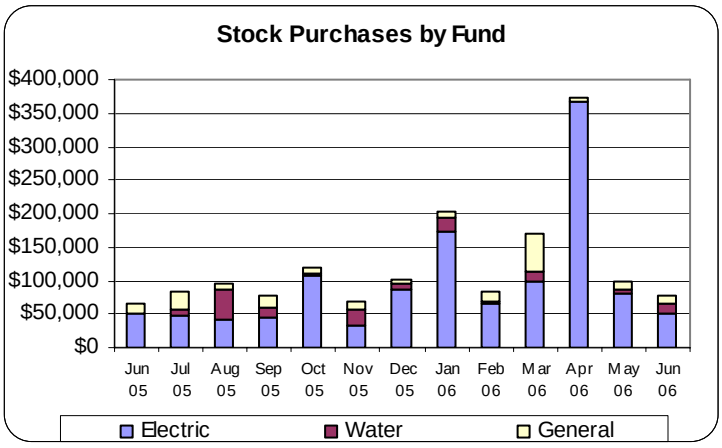
CENTRAL SERVICES

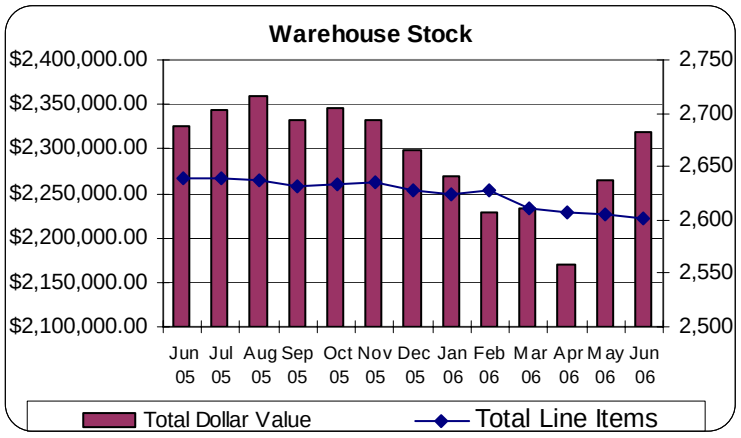




Work Orders	114
Fleet Maintenance	$10,399.95 (Excludes Melvin's Sunoco)
Fuel	$51,421.31

Electric	$690,558.05
Water	$ 41,697.99
General	$ 36,629.10





Electric $51,050.05 Water $13,870.62 General $12,624.47

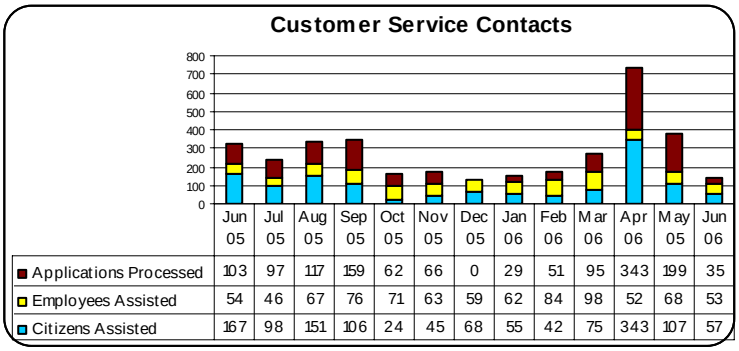
Total Dollar Value $2,319,723.63 Total Line Items 2,601

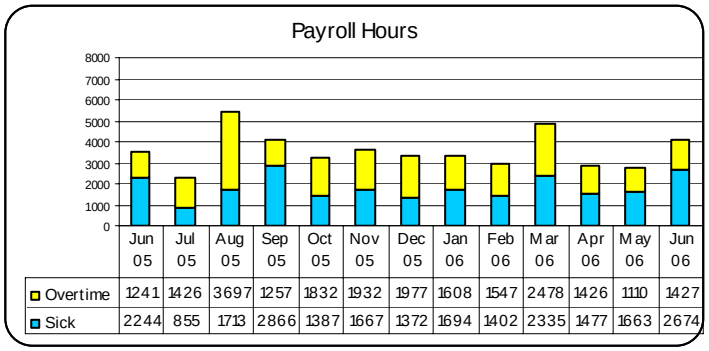
SOP / CIP Updates (percentages below represent percent completed)

- *Purchase a two-post truck lift for Fleet Maintenance.* The lift was ordered on July 7, 2005 and received on August 4, 2005 from Kunkel Service Company. (100%)
- *Implement Fiscal Year 2006 ADA Compliance Program.* (100%)
- *Assist the Senior City Administrator in conducting a survey to determine internal customer satisfaction.* (100%)
- *Renovation of Pear Street Warehouse – Project #SP001*. Ongoing – three-year project. (45%)
- *Handicap Accessibility to City Council Chambers*. Study in progress. (35%)
- *Pole Barn for William Street Yard – Project #FM0405.* Relocation of materials from the yard to the Pear Street Warehouse has been completed. Council approved purchase of materials for construction of pole barn on November 22, 2004. Materials received from Delmarva Pole Building Supply, Inc. on December 15, 2004. Installed two rows of lights in open area. Project completed in March 06. (100%)
- *Citywide Fiber Optic Network with support from I/T.* (0%)
- *Fuel Management System.* Bid specs sent out. Bid opening held May 15, 2006. Two proposals were reviewed. A demo was held by the first vendor, and the second vendor's demo is scheduled for July 6, 2006. Bid to be awarded thereafter. (75%)



HUMAN RESOURCES

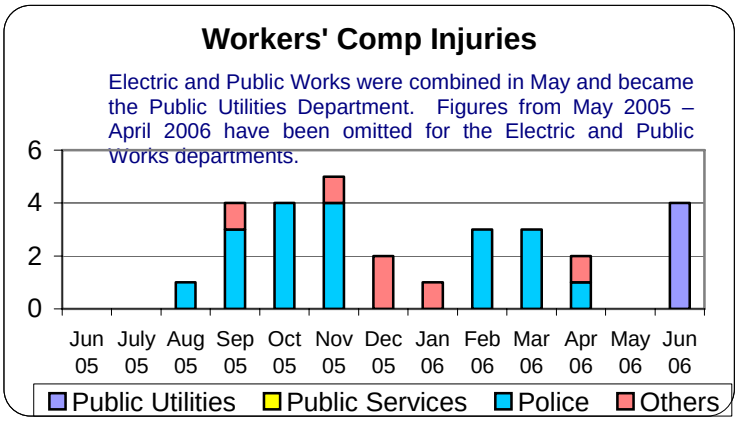




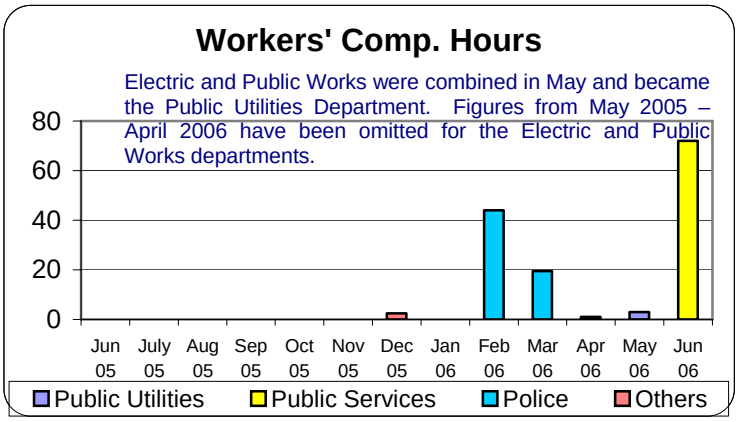
Category	Jun 05	Jul 05	Aug 05	Sep 05	Oct 05	Nov 05	Dec 05	Jan 06	Feb 06	Mar 06	Apr 06	May 06	Jun 06	Total
Caucasian	324	326	328	302*	304	304	305	305	307	309	308	308	307	N/A
Minorities	63	65	65	66*	66	66	67	67	67	66	67	67	66	N/A
Hired	1	6	3	8	4	1	2	1	2	3	2	2	1	36
Terminated / Resigned / Retired	2	2	1	3	2	1	0	1	0	2	2	2	3	21
Promoted	2	3	0	0	2	2	0	0	3	3	1	2	5	23
Jobs Posted	6	1	5	6	2	3	0	4	5	5	6	7	7	57
Workers' Comp. Injuries	0	1	7	6	5	5	2	1	3	4	4	3	4	45
Workers' Comp. Hours	0	0	12	161	2	104	43	0	45	21	0	3	72	463

**An internal audit was conducted by the Human Resources Department on the number of employees. Taking into account the new hires, terminations, resignations and retirements for September, the number of Caucasian was decreased by 26 and the minorities increased by 1.*

- Workers' Comp. hours may not be the result of injuries that occurred during the current month.
- Jobs Posted –Payroll Specialist, Civil Engineer, Records Management Coordinator, Account Clerk II (Finance), Motor Equipment Operator II (Streets and Water/Wastewater) and Motor Equipment Operator (Water/Wastewater)
- Employee(s) Hired: Motor Equipment Operator I (Streets), Account Clerk I (Customer Services)



Public Utilities - 4 Public Services - 0 Police – 0 Others - 0

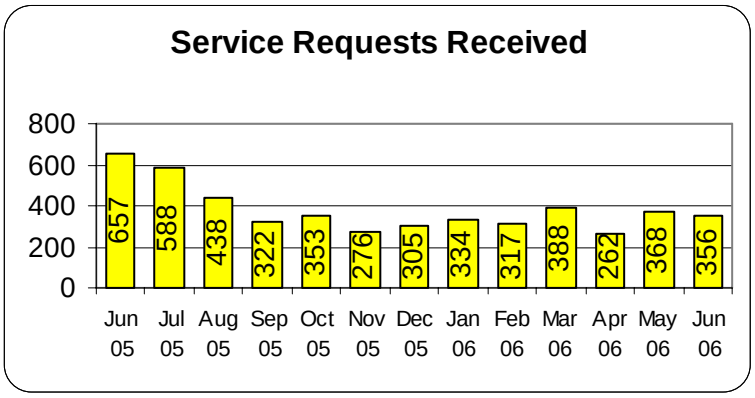


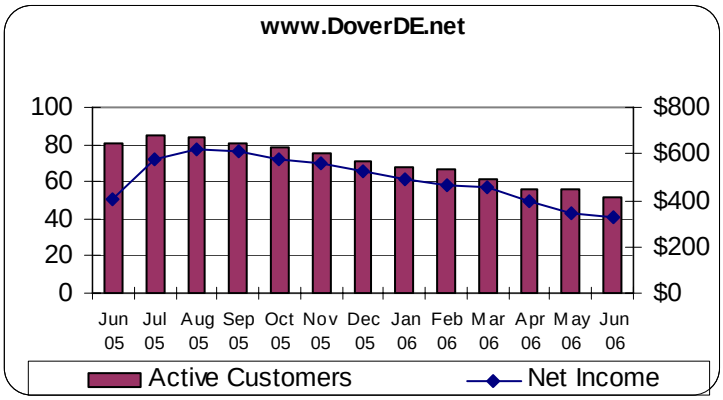
Public Utilities – 0 Public Services – 72 Police – 0 Others – 0

SOP / CIP Updates

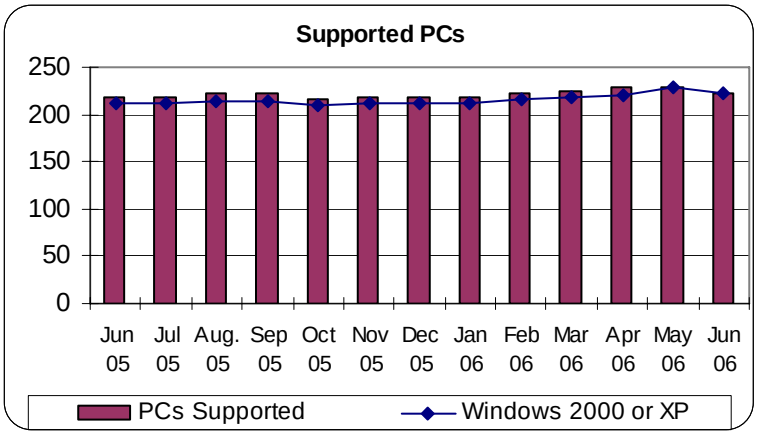
- *Establish a CDL program which includes random drug testing.* DOT physicals were conducted for all employees with a CDL. Drug testing began in February 2006. Testing will continue each month thereafter.
- *Effectively negotiate a labor agreement with the FOP.* Negotiations began on January 26, 2006. The City has chosen to go to mediation.
- *Work with Finance, Administrative Services, and the local Union leadership to investigate medical benefit alternatives for employees and retirees.* The H/R, Finance, I/T and Public Utilities directors, and the Senior City Admin. and H/R Coordinator began meeting weekly in February as discussions with local unions were unsuccessful. Suggested alternatives have been determined, and a final presentation to the City Manager will occur in July.
- *New employee identification cards and organizational identification system. Completed June 26, 2006.*
- *Partner with Kent County to participate in the 2006 Compensation Study.* The results were received at the end of December.
- *Customer Satisfaction Survey.* Survey was conducted in February. Final presentation was submitted to the City Manager for review.
- *Address one weakness identified by the employee satisfaction survey.* The first presentation of the results was to occur at the June session of Supervisory Training. However, due to timing, the presentation has been moved to July. The identified weakness was the monthly newsletter, *The City Review*. Effective with the May issue, the format and content were revised.
- *Establish and communicate the Five Star Recognition Program demonstrating support of the men and women now serving in America's National Guard and Armed Services Reserve.* Received Five Star award at the June 26, 2006 City Council meeting.

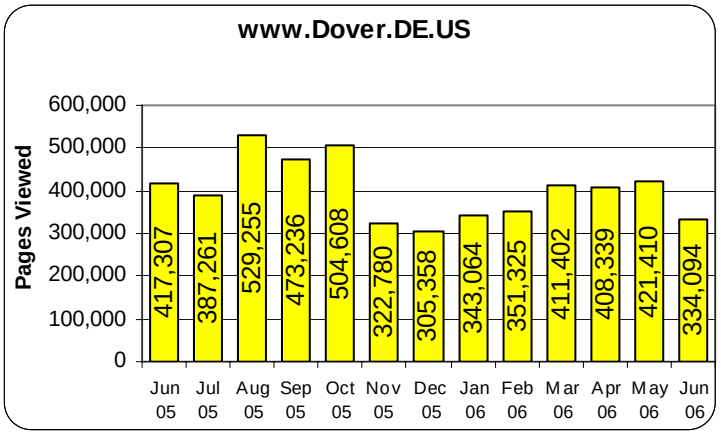
INFORMATION TECHNOLOGY





Active Customers - 52 Net Income - $325



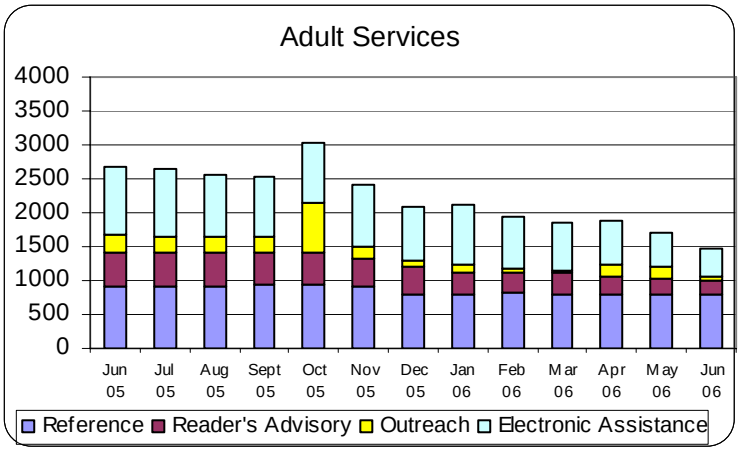


PCs Supported – 229 Windows 2000 or XP – 222

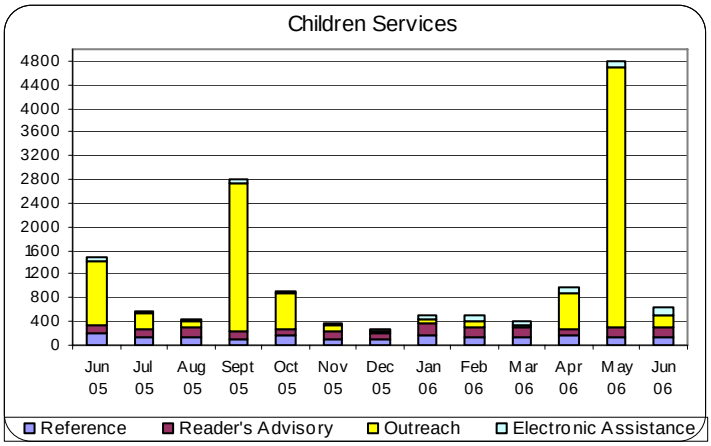
Performance Indicators	Current Month	Last Month	Same Month Last Year
iSeries Availability	99.7%	100%	100%
Server Availability	100%	100%	99.8%
iSeries Programming Requests Completed	15	9	2
AS/400 Connections (concurrent/authorized users)	36%	37%	36%
PCs Supported	229	229	219
Servers Supported	8	8	6
(Availability statistics based on 7:00 a.m. to 5:00 p.m. M-F)			

SOP / CIP Updates
Implement an Information Technology Emergency Preparedness Plan that will provide a platform for business restoration within 48 hours of a major disaster. Council approved I/T's recommendation pending confirmation of reimbursement from DEMA.
Develop and implement GIS (Graphical Information System) for the City. Additional GIS software was ordered.
Implement the NaviLine version of HTE, Inc. software to bring City employees from a text based terminal emulation mode to a graphical interface that includes enhanced features. System was implemented March 21.

Library



Reference – 797 Reader's Advisory – 207
Outreach – 178 Electronic Assistance – 422



Reference – 135 Reader's Advisory - 175
Outreach – 202 Electronic Assistance - 140

Circulation	June 06	FYTD 06	June 05	FYTD 05
Dover residents	16,140	178,859	15,773	184,147
Kent residents	17,687	203,147	17,380	193,721
Non-county residents	1,198	12,235	1,107	12,865
Registrations				
Dover residents	395	2,666	184	1,853
Kent residents	323	2,546	215	2,100
Non-county residents	16	320	22	164
Other				
Visiting patrons	32,193	356,967	18,650	217,972
Meeting room usage	80	2,340	40	1,300
Photocopier usage	1,673	26,370	2,444	23,017
Holds placed	4,921	23,158	1,306	13,528
Dial-a-Story	1,763	16,839	628	18,707
Internet usage	5,357	61,531	4,960	53,245

Other Points of Interest

Interlibrary: 2,588 items loaned out
2,172 items borrowed

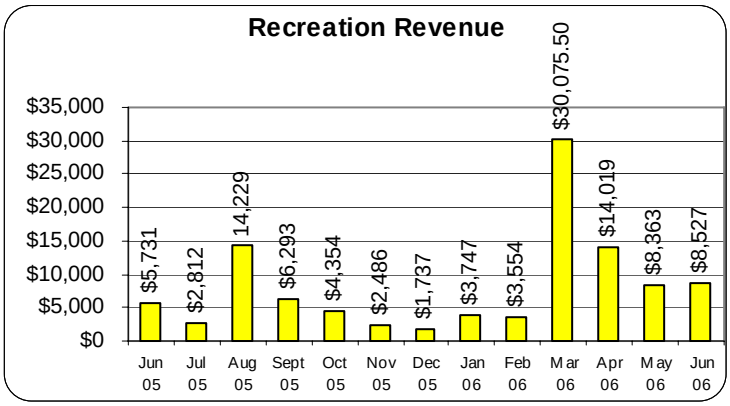
Technical services: Added 1,005 items
Deleted 767 items

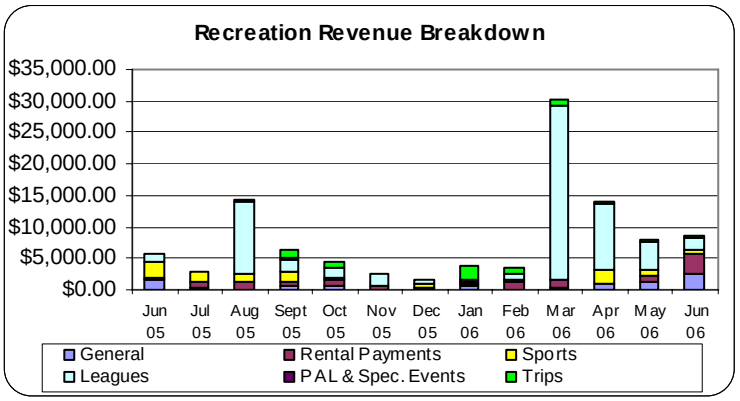
Volunteers completed 94.5 hours of service.

SOP / CIP Updates

- *Enhance the library's Web page at www.doverpubliclibrary.org by adding 15 more links, five feedback forms and surveying online users to determine the Web site's functionality*. Continued to update the Web page as needed.
- *Develop potential locations, funding sources, and preliminary operating concepts for regional library in Dover*. Presented the site selection report to the Kent County Library Advisory Commission.

Parks and Recreation





General - $2,570 Rental Payments - $3,106 Sports - $ 740
Leagues - $1,810 Trips - $ 301

Rentals	June 06		FYTD 06		June 05		FYTD 05
Baseball/Softball Field Rentals*	57		351		60		312
Dover Park Pavilions (2)	15		46		15		20
Multipurpose/Field Hockey Field Rentals*	19		55		18		60
Recreation Center	23		257		39		269
Silver Lake Pavilions (2)	9		40		6		27
Soccer Field Rentals*	3		28		4		34
Stage	9		36		8		41
These numbers reflect **groups that utilized our facilities during June.*							
Spring / Summer Field Hockey	**Number of Teams - 2006**				**Number of Teams - 2005**		
Adult League	11				9		
High School League	8				9		
Program Attendance	**June 06**		**FYTD 06**		**June 05**		**FYTD 05**
Bus Trip – Washington DC	18		194 (all trips)		Not Offered		175 (all trips)

Delaware Prevention Network	Weed and Seed
- Creating Lasting Family Connections continues collaboration of program efforts with local agencies. - Renewed Contract for FY07.	- Monthly Steering Committee was held in June. - DEFY Summer Camp was a success.

SOP / CIP Updates

- *Initiate Americans with Disabilities Act (ADA) compliance in City parks and recreational facilities.* Handicap accessible sidewalk construction discussed for Silver Lake. Nothing new to report.
- *Implement a maintenance plan for each park and playground.* Continued to review & update plan with staff.
- *Implement Construction Plan for indoor recreation facility.* Continued working with Becker Morgan on the construction plans.
- *John W. Pitts Recreation Center (two-year project*) – Continued construction planning with Becker Morgan, Kent County, and City of Dover representatives. Held meetings and scheduled additional meetings for projects.
- *Playground Equipment Replacement Program - PR0601 (two-year project)* – Project complete.
- *Dover Park Enhancement - PR0504 (State Match)* – Discussed needs with vendor.
- *Mayfair Park Playground Enhancement - PR0505 (State Match)* – Discussed needs with vendor.
- *Mirror Lake Dredging - PR0402* – Continued research on “Brownfield” criteria as a possibility for funding assistance.



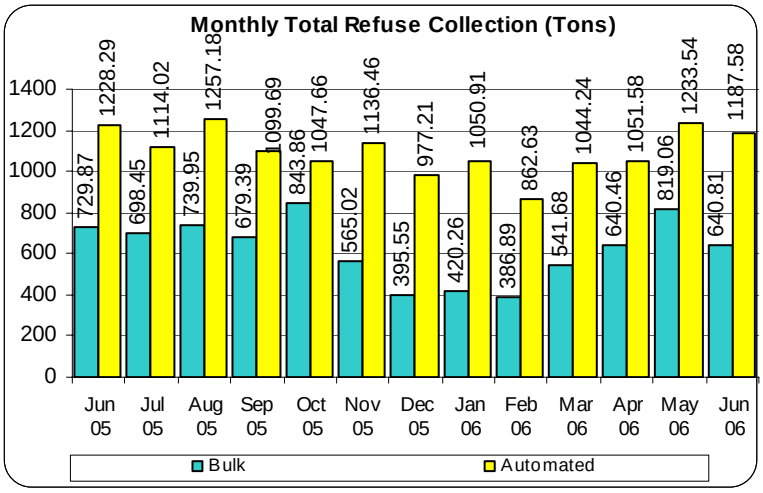
PUBLIC SERVICES

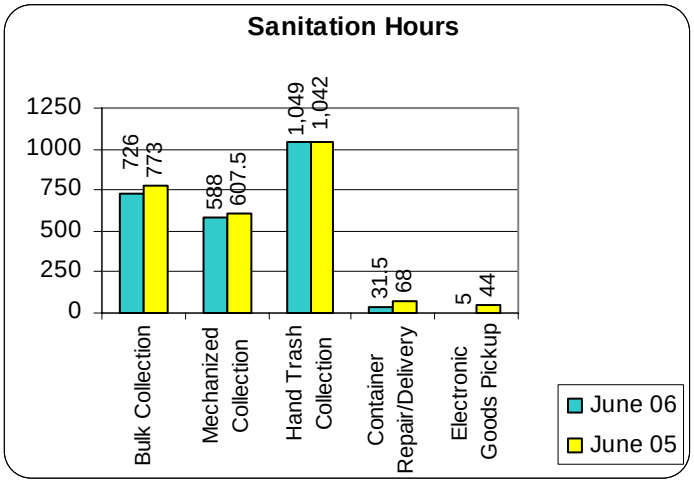
Administration

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

Baytree (Phase III)	Oak Shadows	Emerald Pointe
Village of Westover (Phases III, IV & V)	Four Season	Lexington Glenn
Fox Hall West Addition (Phases II & III)	Stoney Creek (Phase II)	Nottingham Meadows
Fox Hall West (Phase IV)	Wild Meadows	Clearview Meadows
Maple Glen	Village of Cannon Mill	
Acorn Farms (Phases II & III)	Hidden Creek	

Sanitation





	JUNE 06	FYTD 06	JUNE 05	FYTD 05
Tons Dry Waste Collected	280.83	3,,427.35	322.74	3,310.66
Tipping Fee Savings Realized	$5,476.19	$66,935.62	$5,970.85	$64,509.13
Trips to DSWA Sandtown Landfill	367	4,187	392	3,973
Total Tonnage to DSWA	1,828.39	20,441.03	1,958.16	20,332.62
90-Gallon Containers Delivered	58	589	80	478
300-Gallon Containers Delivered	0	54	7	88

Streets

	JUNE 06	FYTD 06	JUNE 05	FYTD 05
Signs Installed	36	311	38	404
Signs Repaired	18	206	6	106
Curbs Painted Yellow (Feet)	83	30,423	78	81,802
New Posts Installed	1	89	14	53
Storm Catch Basins Cleaned	50	1,252	544	2160
Storm Catch Basin Cleaning (Hrs.)	16	486	251	1120
Hot Mix Patching (Tons)	19	156	210	319
Cold Mix Patching (Hrs.)	34	395	20	382
Concrete Work (Hrs.)	276	1,430	110	1,376
Concrete Patching (Cubic Yards)	29	98	20	31
Street and Alley Maintenance (Hrs.)	181	1,913	159	2,351
Street Sweeping (Miles)	1,517	13,214	1,679	112,848
Street Sweeping (Cubic Yards)	252	2,018	240	1,903

Grounds

Arborist Crew		
	JUNE 06	FYTD 05
Trees Removed	22	38
Trees Pruned	41	6
Stumps Removed	8	2
Root Pruning	4	3

Beautification Crew
Continued work in the greenhouse including watering, fertilizing and making up hanging baskets.
Planting and maintenance of the annual beds continued including edging, scratching and watering during dry periods.
Watered all hanging baskets on an every-other-day cycle.

Landscape Repair/Special Projects Crew
Watered, during drought conditions, young trees planted last year.
Trimmed shrubs in islands at the entrance of the Blue Hen Corporate Center.
Applied 66 gallons of Roundup Pro herbicide to curbs, sidewalks, parking lots and mulched areas.
Performed landscape repair at 11 locations.
Sprayed 45 gallons of Roundup Pro herbicide at the Capital Scrap Yard site.
Set up the swimming area at Silver Lake including the lifeguard stands and the swimming ropes and floats.

Grounds Maintenance/Mowing Crews
Mowed all areas including parks, around City buildings, ditches and rights-of-way.

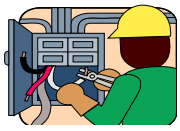
SOP/CIP Updates

- *Implement the park maintenance plan created by the Parks & Recreation Department by hiring one lead laborer to perform all of the work outlined in the plan.* Objective has been met.

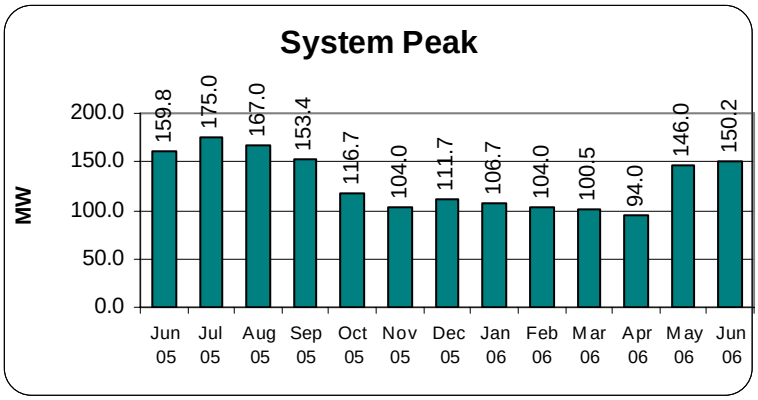
CIP Project	% of Work Completed
FY-2005 Street Program (ST0501)	100%
FY-2006 Street Program (ST0601)	70%
FY-2006 Concrete Program (ST0602)	91%
Generic Subdivision Signs (ST0505)	25%
Silver Lake Dam Improvements *****	10%
Silver Lake Footbridge Replacement ***** (PR0506)	100**%**

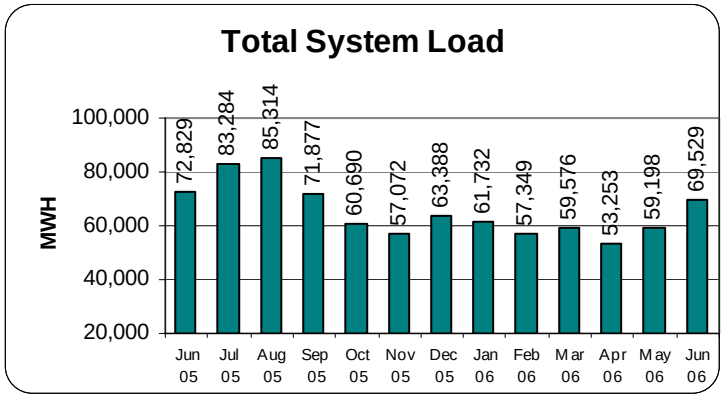
***** Project carried over from FY 05

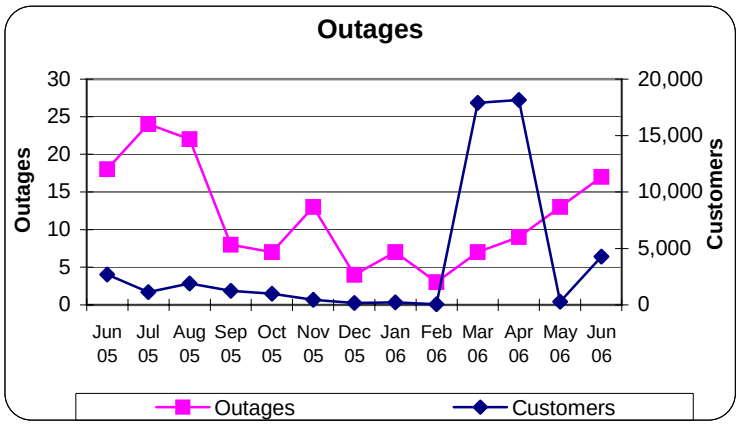
PUBLIC UTILITIES

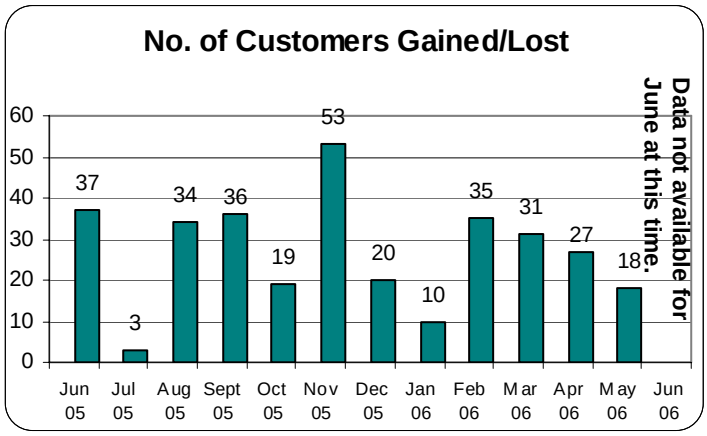


Electric









Outages 17 Customers 4,272

ELECTRIC OUTAGE REPORT

OUTAGE #	DATE	TIME OUT	TIME IN	CIRCUIT	LOCATION	DEVICE	# OF CUST	CAUSE	ACTION	URD OVH
06-0040	06-02	04:35	05:38	12194	Brandywine Apts.	Fuse	80	Q	Replaced Fuse	OVH
06-0041	06-02	15:25	17:40	12401	Stone Ridge	Transf	4	G	Replaced Transf	URD
06-0042	06-02	18:35	20:29	12103	118 Orchard Ave.	Cable	1	A	Repaire Cable	URD
06-0043	06-04	10:25	11:12	12601	Dover Brook Gardens	Fuse	30	Q	Replaced Fuse	OVH
06-0044	06-10	06:44	07:49	12401	Highland Ave.	Fuse	23	Q	Replaced Fuse	OVH
06-0045	06-11	08:41	09:41	1260	Nimitz Rd.	Fuse	26	Q	Replaced Fuse	OVH
06-0046	06-15	07:12	07:39	12502	Spruance Rd.	Fuse	59	Q	Replaced Fuse	OVH
06-0047	06-16	10:33	11:07	1293	Cooper Rd.	Fuse	8	Q	Replaced Fuse	OVH
06-0048	06-16	18:11	21:24	12602	Port Mahon Rd.	Fuse	1	A	Replaced Transf	OVH
06-0049	06-18	06:21	07:57	22 KV	Downtown	Transf	3728	A	Isolated Transf	OVH
06-0050	06-19	08:35	09:06	1262	Water St.	Fuse	1	Q	Replaced Fuse	OVH
06-0051	06-23	03:06	04:39	12502	Quaker Ln.	Fuse	3	B	Replaced Fuse	OVH
06-0052	06-23	21:22	01:33	12403	S. State St.	Cable	1	M	Installed Temp	URD
06-0053	06-25	06:25	08:17	12403	Brady's Ln.	Fuse	9	C	Replaced Fuse	OVH
06-0054	06-25	07:46	09:26	12192	Saulsbury Rd.	Fuse	6	Q	Replaced Fuse	URD
06-0055	06-29	12:59	13:28	12502	Bergold Ln.	Fuse	1	H	Replaced Fuse	OVH
06-0056	06-29	19:31	01:00	12804	Dupont Hwy.	Breaker	291	D	Replaced Pole	OVH

CAUSE

A – Equipment Failure
B – Lighting
C – Tree Condition
D – Auto Accident
E – Animal
F – Overload
G – Overload (Trans)
H – Weather Factor
I – Primary Tap
J – Dig In
K – Substation Equip.
L – Switching Error
M – Bad URD
N – Contractor/Line Crew
P – Homeowner
Q – Unknown
X – Transformer

Transmission and Distribution

Completed Projects	Active Projects / % Completed	Projects in Design / % Completed
Rt. 9 & White Oak Rd. Mayfair Lighting Crossgates Lighting	Grandview Mobile Home Park – 80% Robbins Hose Company #1 – 95% Dover Post Office – 95% Creekstone Center – 90% Lexington Farms – 20% Luther Village – 95% 69 KV to Mayfair Substation – 90% ADA Improvements – 50% Rt. 9 Reconductoring - 85% Dover Air Force Base–Phase I – 10% White Oak - 65% Clearview – Phases II & III – 10% Kent County AeroPark – 5% Feeders 3 & 4 – Phase I – 70% Dover Downs 69 KV Relocation – 0%	Mayfair Bus Work – 80% 4 KV to 12 KV Conversion – 90% Kent Acres Rehab. – 100% Governors Avenue Rehab. – State Contract – 100% Fiber Map – 0% 69 KV Line Relocated to Garrison Tract (Changed to White Oak Rd.) - 100% SR1/SR9 Rebuild – 100% First Tenth – 100% Clearview – 100% Feeders 3 & 4 – Phase II – 0% Dover Police Tower – 0% Emerald Pointe - Phase II - 100% Governors Lighting Wesley - Redesign - 90% Cahne Medical Building - 0% Seskimore Townhouses - 100% North Street Improvements - 50% Cannon Mill Phase II - 100% Cannon Mill Phase III - 100% Nottingham Meadows - 100% Vera's Haven - 100% Dover Air Force Base - Phase II - 90% Dover Air Force Base - Phases III, IV & V – 100% Tall Pines – 100% Walgreens – 100% Bayhealth/Commerce Way – 0% Hertrich Mazda – 0% Dover Saturn – 100% Cedar Chase Hotel – 80% Lakeland Office Building – 100% Leipsic Road – Country Inn – 0% Jeffric Blvd. – Marriot – 0% College Road Biopsy Office – 5%

Underground Work	% Completed	Overhead Work	% Completed
Post Office Upgrade – 4 KV to 12 KV	99%	Overhead maintenance	Ongoing
Wild Meadows	Ongoing	Maintenance of City lighting	Ongoing
Emerald Pointe	Ongoing	Pole replacements (11 poles)	90%
Wolf Creek	Ongoing	Reconductor primary electric from Horsepond Substation to Kitts Hummock	98%
Cannon Mill	Ongoing		
Mayfair Crossgates Lighting Project	100%	Install regulators for Dover Air Force Base	100%
Vondaway Dr. Rebuild	20%		
Capitol Park – replacing meter pedestals	20%		
Installing underground electric – White Oak Rd. & Rt. 9	90%		
ADA Improvements – Wyoming Ave.	10%		

FY 05 Meter Stats

	Jun 05	Jul 05	Aug 05	Sep 05	Oct 05	Nov 05	Dec 05	Jan 06	Feb 06	Mar 06	Apr 06	May 06	Jun 06
Meter Installations													
w/electronic registers	260	309	361	273	253	357	272	367	485	585	558	396	Data not available for June at this time.
RX/A1R CT (Current Transformer)	1	-	-	-	-	-	-	-	-	-	-	-	
Radio read	255	309	361	273	253	357	272	367	485	585	558	386	
Meters Tested		*661	614	670	464	602	618	600	1029	1300	878	525	
Single phase	312	-	-	-	-	-	-	-	-	-	-	-	
Three phase	32	-	-	-	-	-	-	-	-	-	-	-	
Customer requests	0	-	-	-	-	-	-	-	-	-	-	-	
Meters Junked	183	277	383	283	222	271	273	295	439	509	416	345	
Meters Removed	24	20	21	15	20	8	11	28	10	25	0	13	
Meter Changes	198	251	301	220	213	293	234	327	436	525	519	354	
New Services	46	40	35	37	26	48	25	27	23	40	28	18	
Services Retired	0	0	1	0	1	2	3	0	1	1	2	1	
System Operations Center													
Switching schedules	12	0	8	14	9	8	10	7	11	6	4	5	1
Work orders	1020	891	639	764	957	1143	639	520	861	396	1157	1687	1861
Miss Utility tickets called Back	2007	1824	1334	2049	2093	2484	1341	1332	1597	1821	1869	2016	2257
Tickets located	2049	1938	2001	2037	1893	1629	1326	1296	1056	1890	1869	1746	2073

*Only the total number of meters tested will be provided beginning July 2005. There are no customer requests, so this line will also be eliminated.

Substation Relay

Substation	Status
McKee Road	Transformer failure; researching parts
St. Jones	Battery replacement
Dover Downs	Repaired relays
Dover Air Force Base	Installed new relays

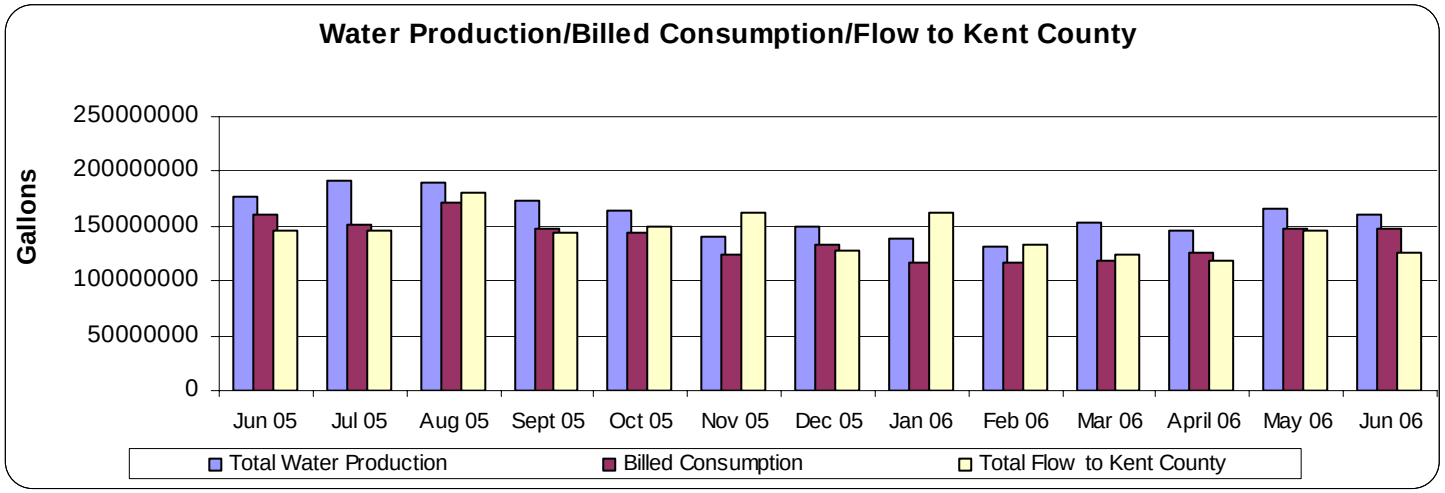
SOP / CIP Updates (percentages below represent percent completed)

- *Change all mechanical electric meters to radio read electric meters.* Meters have been received, and meter change-out program is on schedule.
- *Prepare and design Feeders 3 and 4 from Cartanza Substation to Downtown Dover.* Preparation of bid specifications continued.
- *Develop an Electric Department mapping system to assist crews with power restoration.* Delivered first section of map (August 2005).
- *Hire two junior engineers to replace senior system engineer and senior SCADA technician.* Both positions have been advertised.
- *Investigate the purchasing of land adjoining the Electric Administration property on Buttner Place.* Talks continued.
- *Preliminary design of "Blue Light" Safety Program system for downtown and City parks.* Blue lights have been received and are being prepared for installation.

CIP Project	% Work Completed	CIP Project	% Work Completed
Mayfair 69/12 KV Transformer and Breaker * (Carry Balance) – Project #ES0105	Moved to FY07	SCADA Remote Terminal Units	100%
4 KV to 12 KV Upgrade* (Carry Balance) – Project #ED0501	100%	Governors Avenue Rebuild – Project #EE0603	0%
69 KV Feeders 3 and 4 – Project #EE0601	70%	College Road Capacitor – Project #EE0604	Moved to FY 07
Outage Reporting System – Project #EE0504	100%	System OPS Radio Replacement	100%
Pole Inventory System – Project #EE0503	100%	Lighting Project and Rehab. – Project #EE0605	100%
Replacement of 69 KV Breakers	100%	Conectiv 230 Line Rehab – Project #ES0103	100%
Mayfair to Mid City – Project #ET0502	90%	Heart Start ADS	100%
Distribution Upgrades – Project #EU0601	100%	Meter Testing Bench	50%
Kesselring Feeder – Project #EE0602	100%		

* Project carried over from FY 05

Water/Wastewater



Total Water Production – 160,797,000 Billed Consumption – 147,463,000 Total Flow to Kent County – 125,257,673

	JUNE 06	JUNE 05
Water Production – Daily Average	5,359,900	5,899,833
Fire Hydrants – Flushed	0	0
Fire Hydrants – Tested	0	0
Final Readings	172	207
Cutoffs	16	11
Turn-ons	16	12
New Inspections	30	13
Curb Boxes Located	76	101
Curb Boxes Adjusted	12	12
Water Service Lines Repaired	11	5
Water Meters Repaired	16	11
Radio Technology Installations	33	32
New Meters Added	22	28
Total Water Meters in City Distribution System	12,966	12,616

	JUNE 06	JUNE 05
L.F. Sewer Lines Flushed	73,127	106,161
Sewer Lines Inspected	73,727	107,261
Feet Sewer Mains Videotaped	130	46
Manholes Inspected	338	486
Manholes Cleaned	334	468

SOP/CIP Updates

- *Reduce number of brown water complaints through the replacement of the old cast iron pipe system and the improvement of system hydraulics.* Staff is currently working on developing an implementation timeline for the recommendations established within the Water Quality Evaluation. Staff has continued to review system operations to try to minimize brown water complaints and has developed a new operational policy regarding flow testing which has been distributed to all applicable departments. Complaints were associated with specific incidents related to water main breaks and/or work.
- *Reduce cost to the City arising from inflow/infiltration.* Video Pipe Services, Inc. has conducted video evaluation and and has met with staff regarding results. Staff will review available information and establish smoke testing locations following the system-wide flushing event in July. Staff has also met with the County to begin a reporting strategy regarding inflow/infiltration removals.
- *Integrate the new pump station mechanic crew into the maintenance operations.* Five of the six mechanic positions have been filled. Interviews have been conducted for the final position, and recommendations have been provided to Human Resources.
- *Investigate the feasibility of turning over appropriate sewer pump stations to Kent County Levy Court.* No action on this item in June.

CIP Project	% of Work Completed	CIP Project	% of Work Completed
Water Division		**Water Supply**	
Miscellaneous Distribution System Improvements (WS0602)	100%	Water System Master Plan Update ***** (WD0401)	100%
Southeast Water Loop (Design Phase) (WD0701)	75%	Elevated Storage Tank Painting/Maintenance Contract (WS0604)	100%
Scarborough Road Interconnection (Tidewater) (WD0601)	15%	Meter Reading Technology Upgrade (WS0603)	100%
Cast Iron Main Replacement / Relining Project	10 % FUNDS MOVED TO WD304	Well Head Redevelopment Program (WS0606)	10% REMAINDER ON HOLD
Water Quality Study ***** (WD0504)	100%		
Division Street Water Main Upgrade ***** (WD0304)	100%		
Sanitary Sewer			
Puncheon Run Motor Control & Pump Replacement (Construction) ***** (WW0505)			35%
Garrison Oak Pumping Station (Construction) (WW0304)			2% PROJECT ON HOLD
Puncheon Run Interceptor Sewer Extension (Design) (WW0302)			92%
U.S. 13 East Sanitary Sewer Interceptor ***** (WW0101)			2%
Inflow/Infiltration Removal (WS0501)			50%

***** Project carried over from FY 05

Construction

- Utility crew:
  1. White Oak Force Main – Top soiled and seeded around pump station and open area. Tested new force main; tests were good.
  2. S. State Street/Webbs Lane – Topsoiled & graded for Electric Division.
  3. Electric Practice Area – Installed new storm drain pipe & graded.
  4. Bank Lane – Replaced approximately 65 feet of sanitary sewer and two laterals.
  5. Venue Trench Drain – installed new 12-inch storm pipe and boxed out for new trench drain.
  6. St. Jones Substation – Installed new 1-inch water service.
  7. Willis Road – Assisted Water Division with installation of new water services.

MONTHLY REPORT

Department of Planning & Inspections
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Dover, DE 19903
Phone: (302) 736-7010 Fax (302) 736-4217

Department of Planning and Inspections
JUNE 2006

PERSONNEL: (Omitted from May Report) Dawn Melson (Senior Planner) and Janelle Cornwell (Planner I) attended the Delaware Preservation Conference entitled "The Value of Preservation: For Passion & Profit" held on May 15th in Dover.

On June 1 and June 2, 2006 Diane Metsch, Kristen Jester, Maretta Purnell, and Brenda Bradley collected Itinerant Merchant licenses at the satellite track location at Home Depot for Dover Down vendors participating in the June NASCAR racing circuit selling goods and wares.

On June 26, 2006 Amber Clendaniel was hired to fill the Clerk Typist II position vacated by Mae Moten. Amber previously worked in the City Clerks Office as a Records Management Coordinator.

COMPREHENSIVE PLAN AMENDMENTS
The Department received 3 requests for Comprehensive Plan amendments for rezoning that are inconsistent with the Comprehensive Plan. They will be heard before the Planning Commission in August and before City Council on September 11.

EDEN HILL TND REZONING:
The property known as Eden Hill Farm is currently zoned Traditional Neighborhood Design Zone (TND). The property consists of five (5) large tracts: a preservation area (historic house area), an office district area, a commercial district area, a residential area, and an open space area. Planning Staff continues to conduct information discussions with property owners and their design professionals regarding the designs and submission of Implementation Plans (the next step in the process). These Plans outline the more detailed development activities in accordance with the Conceptual Master Plan and require application submission for review by the Planning Commission.

The Planning Commission approved the application for the Residential District Implementation Plan on June 19th. The Department received an application for the Implementation Plan for the Professional/Office District on June 2nd deadline, for review by the Planning Commission on July 17th.

DEMOLITIONS
Currently, there are four properties on the dangerous building list as follows: 139-143 S. Governors Avenue, 299 College Road, 45 S. New Street (House of Pride), and 35 N. New Street (House of Pride). Both 139-143 S Governors Avenue and 299 College Road have been scheduled for public hearing before City Council on July 10, 2006. Work continues on both House of Pride properties which will probably be removed from the dangerous building list.

COMMUNITY DEVELOPMENT
Community Policing: 1 Officer on foot patrol, Total hours of coverage 24, Citizen Contacts 215, Total number of arrests 10.
Micro Enterprise Program

During the month of June, intakes were conducted for two (2) new clients to set up a business in the Downtown area of which two (2) was low to moderate income status. In addition, two (2) referrals were made to the Small Business Development Center for technical assistance and one loan application. For the month of June, the breakdown of statistics for clients served is: 2 new clients, 2 low moderate income, 2 referrals, 2 walk-ins, 0 jobs gained and 0 businesses closed.

First State Resource and Development Council (RC&D) completed emergency repairs on a home on North Governors Avenue bringing it up to code.

CDBG funds were used to purchase four water coolers for City owned buildings that are ADA approved and purchased materials to lower the counters at Administrative Services so they are handicap accessible.

Community Development Staff submitted notification to interested parties regarding the rehabilitation/demolition of 219 Cecil Street allowing a 30 day comment period on the proposed project. Once this project is completed, the home will be sold to a low to moderate income family.

MEETING REPORTS

Board of Adjustment:
The Board of Adjustment met on June 28, 2006 and considered the following application:
The next scheduled meeting for the Board of Adjustment is July 19, 2006.

1. **Applicant #V-06-08; 38 N. Kirkwood Street, Lands of Bradford Lewis:** Moved to approve.
2. **Applicant #V-06-09; 871 South Governors Avenue, Lands of David Burns, D.D.S:** Moved to approve.
3. **Applicant #V-06-10; 1165 N. DuPont Highway, Lands of Millers Dover Downs, LLC:** Moved to approve.

Dover Parking Authority: At its meeting of June 1, 2006 reports were given on the budget, permit sales, Police
Department activities, Main Street, DDDC Report and Water Street Collections.

Historic District Commission:
The Historic District Commission met on June 22, 2006 and discussed the Community Development Block Grant (CDBG) Program Activities for property located at 219 Cecil Street regarding demolition of the building. At that meeting they also discussed a Dangerous Building located at 139/143 South Governors Avenue. The also considered the following applications:
The next scheduled meeting of the Historic District Commission is July 20, 2006.

1. **HI-06-06 Delaware State Visitor Center: Banner Program:** Moved to approve.
2. **HI-06-05 Demolition of Buildings at 114, 126, and 128 West Loockerman Street:** Moved to approve with conditions.

Planning Commission
At its meeting of June 5, June 19, and June 20, 2006, the Planning Commission took the following actions:

1. **S-06-14 Bayhealth Medical Center, Kent Campus: Master Plan:** Moved to approve w/conditions.
2. **S-06-13 John W. Pitts Recreation Center at Schutte Park:** Moved to approve with conditions.

3. **SB-04-07P Chestnut Grove Farms** **Subdivision: Preliminary Subdivision Plan:** Moved to approve with conditions.
4. **AX-06-05 Lands of Donald M. Carey & Nancy Baker: South Side of Forrest Avenue:** Moved to forward to City Council approval for R-10 zoning classification.
5. **C-06-04 Kesselring: Planned Neighborhood Design at 1436 New Burton Road:** Moved to approve w/conditions.
6. **SB-06-03 Eden Hill Farm – TND Residential District: Implementation Plan:** Moved to approve.
7. **S-06-16 S.G. Williams & Brothers Co.: New Warehouse at 580 Lafferty Lane:** Moved to approve with conditions.
8. **S-06-18 Silver Lake Townhouses on the West side of Silver Lake Boulevard:** Moved to approve with conditions.
9. **S-06-19 State Street Commons – Office Buildings at 502, 508, 516-518 South State Street:** - Moved to approve with conditions.
10. **S-06-20 Kent County Courthouse Addition at 38 The Green and 414 Federal Street:** Moved to approve with conditions.

INSPECTIONS ACTIVITY
Permits and Licenses

Rental Dwelling, Public Occupancy & Lodging House Permits: Year to Date	1,925
Number of New Occupancies – June 2006	70
Permit Fees Collected for Rental, Public Occupancy & Lodging Permits, June 2006	$ 4,710.00
Number of Business Licenses & Mobile Homes Issued – June 2006	1,980
Total Number of Business Licenses & Mobile Homes for Year 7/1/05 to 6/30/06	6,190
Total Fee Collected for Business Licenses & Mobile Homes for June 2006	$767,077.29
Total for all Construction Permits* and Certificate of Occupancies Issued for June 2006	323
Value of Construction & Fire Prevention projects permitted in June 2006	$31,035,265
Fees Collected for Construction Permits and CO's for June 2006	$ 195,259

*Construction permits include Building, Fire Prevention, Plumbing, and HVAC Permits

Property Inspections: June 2006: Fire Marshal Inspections - Property Maintenance

Office of the Fire Marshal	
Fire and Safety Inspections	35
Fire Code Inspections	38
Sprinkler and Fire Alarm	6
Certificate of Occupancy	35
Alarm Activation Follow-ups	0
Fire Investigations	0
Total Inspections	**114**
Non-Inspection Hours	
Office	91
Training	13
Plan Review	9

Building and Property Maintenance Inspections	
Building	233
Plumbing/Mechanical	318
Certificate of Occupancy	39
Total New Construction	**590**
Complaints	165
Observed by Inspectors	148
Fire/Life Safety	90
Total Inspections	**993**
Non-Inspection Hours Office	309
Training	5
Plan Review	92

During the June race, the Inspections and Fire Marshal's Office incorporated the Kent County Command Post into race operations. The Command post was used to coordinated Inspections, State and City Fire Marshals, and Public Health. The Command Post was on site for three days and was a very big help. It is anticipated that the Command Post will be used during races in the future and will play a big part in the future as we grow and develop our GIS program

Fire Marshal's assisted Bayhealth Hospital with their annual fire drills in the OR. Eighty OR staff participated in the drill.

During the month of April, Planning & Inspections staff logged in 799 walk-in traffic citizens.

As always, please contact me regarding any questions you may have.

Ann Marie Townshend
Director of Planning and Inspections Department

ACTION FORM

PROCEEDING: Council	**AGENDA ITEM NO.:**
DEPARTMENT OF ORIGIN: Planning & Inspections	**DATE SUBMITTED**: July 19, 2006
PREPARED BY: Ann Marie Townshend, Director	
SUBJECT: Bush Farm: Planned Neighborhood Design – Concept Plan (General Sketch Plan)	
REFERENCE: MI-06-10 Bush Farm: PND Review by City Council	
RELATED PROJECT: AX-04-02 Bush Farm	
APPROVALS: N/A	
EXHIBITS: Concept Plan for Bush Farm PND CLMS Development, LLC Letterdated June 23, 2006 PLUS Review Comment Letter dated September 15, 2004	
EXPENDITURE REQUIRED: N/A	**AMOUNT BUDGETED**: N/A
FUNDING SOURCE (Dept./Page in CIP & Budget): N/A	
TIMETABLE: The Planned Neighborhood Design option review process consists of three steps involving City Council and then the Planning Commission. This is the first of the three steps.	
RECOMMENDED ACTION: The City Council shall determine whether or not the proposed project known as the Bush Farm Planned Neighborhood Design is of such a design and type that warrants further review by the Planning Commission. If Council determines that further review is warranted, the project should be referred to the Planning Commission.	

BACKGROUND AND ANALYSIS

The Bush Farm was annexed into the City of Dover in August 2004, and the Planning Commission approved a conceptual subdivision plan in November 2004 for the site. The subject property is located along the north side of Denneys Road along both sides of McKee Road. The property is zoned RM-1 (Medium Density Residence).

The project was reviewed by the State through the PLUS process in August 2004. In response to the comments raised by State agencies, the developer has redesigned the plan to create a mixed housing development that would not require crossing of the Mudstone Branch. The project is being resubmitted to the State for review through the PLUS process since the new design differs from that which was previously reviewed and will be reviewed by the State concurrent with this current submission.

The applicant proposes to build approximately 400 units on the site known as the Bush Farm. The northeastern portion of the site will include a mix of multi-family condominium units (approx. 150 units) and townhouses (approx. 100 units). The southwestern portion of the site will include a mix of single-family detached, single-family semi-detached, and attached townhouses, totaling approximately 150 units. These will include mostly alley-loaded units, consistent with neo-traditional design.

Access to the site would be provided via West Denneys Road and McKee Road.

The applicant is seeking approval under the Planned Neighborhood Design Ordinance (see *Zoning Ordinance* Article 3, Section 24.1.a). The Ordinance sets forth 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. The City Council shall determine whether or not the proposed project is of such a design and type that warrants further review by the Planning Commission.

If City Council determines that further review is warranted, then the project shall proceed to the second step which is a more detailed Conditional Use Site Plan review and public hearing before the Planning Commission. This submission to City Council represents the first step in the review process.

The Planned Neighborhood is intended to "…encourage superior residential environments through a unified planning process ..." by allowing the Planned Neighborhood Design Option in the R-20, R-15, R-10, R-8, RM-1 and RM-2 zones through the Conditional Use process. The PND must present a superior community design that would not be possible under conventional zoning and is in accordance with the goals and policies of the Comprehensive Plan. The sketch plan shall reflect general layout of streets, open space, and housing areas and types.

Comprehensive Plan Recommendations

The City of Dover *Comprehensive Plan Update 2003* as amended May 2005 recommends that the property be utilized for Medium Density Residential development. As described in the Comprehensive Plan Update, Medium Density Residential would involve developments of up to eight (8) dwelling units per acre.

The Comprehensive Plan establishes stated goals for various types of land uses within the City limits. The stated goal for Residential Land Uses is "to develop and maintain an adequate supply of housing of varying type, size and densities that are aesthetically pleasing and located within neighborhoods designed to promote convenience, conservation, and access to the greater community but which are properly buffered through distance and landscaping from incompatible land uses."

Summary Comments

It is important to keep in mind that this proposal does not involve a rezoning of the land. The Planned Neighborhood Design Option is plan specific. The land would remain zoned RM-1. The PND option allows for a greater variety of housing types and allows for commercial uses while requiring 25% open space. This PND project proposes a mix of housing styles.

The Planning Staff recommends this Concept Plan be forwarded to the Planning Commission for further review and consideration through the Conditional Use process. It is important to note this report provides a summary of the project and does not represent Site Plan review commentary. A detailed Site Plan review for code compliance and design considerations is performed through the Conditional Use Site Plan Review process for a Planned Neighborhood Design.

Advisory Comments to Applicant

Should City Council choose to forward this proposal on to the Planning Commission for Conditional Use review, the applicant shall prepare the Conditional Use Site Plan submission in accordance with the requirements set forth in Article 3, Section 24 and Article 10, Section 1 of the City of Dover *Zoning Ordinance*. The act of forwarding a proposal to the Planning Commission for further review is not intended to represent, nor shall it be construed to mean that the project is approved. The approval authority over Conditional Use applications rests with the Planning Commission.

A pre-application conference shall be arranged with the Planning Staff prior to submission of the Conditional Use Site Plan application.

Tax Parcel: ED-05-056.00-01-01.00-000
Owner of Record: CLMS Development, LLC

CLMS Development, LLC
5179 West Woodmill Dr, Suite 5
Wilmington, Delaware 19808
302 995-7050 / Fax 302 995-6163
kadams@lifestylehomesde.com

June, 23, 2006

Ann Marie Townshend,
Planning Director
City of Dover
P.O. Box 475
Dover, Delaware 19903-0475

RE: Bush Farm

Dear Ms. Townshend,

Enclosed please find fifteen copies of the revised concept plan for The Bush Farm. In response to comments received from the City of Dover and State Agencies we have revised our concept plan utilizing the Planned Neighborhood Design Option available under RM-1 zoning. More specifically, the following modifications have been made to the plan.

Due to concern expressed by various agencies with constructing a significant stream crossing to access the area of land on the northwesterly portion of the site, we have revised the plan to eliminate the crossing of the Mudstone Branch. Another revision pertains to alleys. In addition to comments from Public Works to provide alleys for all townhouse lots, the City of Dover subsequently amended the subdivision regulations such that alley access is now required for all townhouses. We have taken this a further step to promote a neo-traditional design by providing all alleys for single family lots.

The Planned Neighborhood Design option requires a variety of product types. In light of pursuing this design option, the Bush Farm plan now proposes four housing types including, detached single family, semi-detached single family, town homes and multi-family condominium type homes. The 2003 City of Dover Comprehensive Plan Update, Chapter 10, Housing Plan, Housing Strategies, states "The City of Dover strives to develop a housing strategy that serves the entire population". We believe the Bush Farm plan further addresses the stated need for Middle Income Housing with the addition of a multi-family product. You may note that the multi-family homes will be laid out in a neo-traditional fashion to allow parking in the rear.

Multi-family condominium style homes and town homes will be located on the northeastern portion of the site. The milti-family condominium style homes will be three story buildings with private parking. It is anticipated that this section of the final plan will contain approximately 150 multi-family condominium units and approximately 100 single family town homes. This section of the community will be served by its own community center and amenity package designed specifically for the needs of these home owners.

The southwestern portion of the site will contain both detached single family, semi detached single family and attached townhouse style homes. While the final unit mix is not yet determined we anticipate approximately 150 homes with no one home type comprising more then 65%. All three home types, with the exception of a single family cul-de-sac backing to Mudstone Branch, will be served by alley access giving the entire community a classic Neo-Traditional appeal. This section of the community will also be served by its own community center and amenity package designed specifically for the needs of these home owners.

The City of Dover Comprehensive Plan calls for a "wide variety of housing to appeal to a wide variety of income levels". The plan also encourages the use of The Planned Neighborhood Design Concept in areas where services are easily provided. While the PND allows for small neighborhood commercial/retail centers we believe this would not be appropriate for our site given easy access to nearby retail centers.

We believe that the Bush Farm plan reinforces the goals of The City of Dover Comprehensive Plan and will meet the diverse housing needs of a varied market place. We respectfully request that you support the Bush Farm plan under the Planned Neighborhood Development Concept. Thank you for your consideration of our request and should you have any questions please do not hesitate to contact me.

Best Regards,

Keith Adams
CLMS Development, LLC


LEGEND
TOWNHOUSE
MIXED USE RESIDENTIAL
(SINGLE FAMILY, TOWNHOUSE OR TWIN)
MULTI-FAMILY
CONCEPT PLAN
BUSH FARM
CITY OF DOVER - STATE OF DELAWARE
DATE: MAY 12, 2006
WOODEN + ASSOCIATES, L.L.C.
CONSULTING ENGINEERS & LAND PLANNERS
SUBDIVISION OF "CARLISLE VILLAGE" ZONED: RST
COW ROAD
WEST
DENNEY'S
ROAD

FIRST READING

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER BY CHANGING THE ZONING DESIGNATION OF PROPERTY LOCATED AT KINGS HIGHWAY EAST OF ROUTE 13.

WHEREAS, the City of Dover 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 permitted use of property described below from IPM (Industrial Park Manufacturing) to C-4 (Highway Commercial).

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 Zoning Map and Zoning Ordinance of the City of Dover have been amended by changing the zoning designation from IPM (Industrial Park Manufacturing) to C-4 (Highway Commercial) on that property located at Kings Highway east of Route 13, owned by Playtex Manufacturing, Inc.

ADOPTED: *

S:\ClerksOffice\Rezonings\2006\Kings Hwy East of Rt 13\ORDINANCE.FirstRdg-KingsHwy.wpd

FIRST READING

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER BY CHANGING THE ZONING DESIGNATION OF 23 PARCELS, TOTALING 22.0713 ACRES, LOCATED AT OLD LEIPSIC ROAD AND PLAZA DRIVE.

WHEREAS, the City of Dover 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 permitted use of property described below from R-10 and R-20 (One Family Residence) to RC (Recreation and Commercial).

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 Zoning Map and Zoning Ordinance of the City of Dover have been amended by changing the zoning designation from R-10 and R-20 (One Family Residence) to RC (Recreation and Commercial) on 23 parcels, totaling 22.0713 acres, located at Old Leipsic Road and Plaza Drive, owned by Dover International Speedway, Inc.

ADOPTED: *

S:\ClerksOffice\Rezonings\2006\Old Leipsic Road and Plaza Drive\ORDINANCE.FirstRdg-OldLeipsicRd.wpd

FIRST READING

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER BY CHANGING THE ZONING DESIGNATION OF PROPERTY LOCATED AT COMMERCE WAY (ENTERPRISE BUSINESS PARK).

WHEREAS, the City of Dover 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 permitted use of property described below 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 Zoning Map and Zoning Ordinance of the City of Dover have been amended by changing the zoning designation from IPM (Industrial Park Manufacturing) to RG-2 (General Residence) on that property located at Commerce Way (Enterprise Business Park), owned by H & M Properties, L.L.C.

ADOPTED: *

S:\ClerksOffice\Rezonings\2006\Commerce Way\ORDINANCE.FirstRdg-Commerce Way.wpd

FIRST READING

AN ORDINANCE 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 WHITE OAK ROAD AND NORTHEAST OF THE INTERSECTION OF WHITE OAK ROAD AND HALSEY ROAD

WHEREAS, the City of Dover 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 permitted use of property described below from C-PO (Commercial/Professional Office Development) to IO (Institutional and Office).

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 Zoning Map and Zoning Ordinance of the City of Dover have been amended by changing the zoning designation from C-PO (Commercial/Professional Office Development) to IO (Institutional and Office) on 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.

ADOPTED: *

S:\ClerksOffice\Rezonings\2006\Corner of Halsey and White Oak Rds\ORDINANCE.FirstRdg-Corner of Halsey and White Oak Rds.wpd

FIRST READING

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER BY CHANGING THE ZONING DESIGNATION OF A 4.505 +/- ACRE PORTION OF A 69.622 +/- ACRE PARCEL LOCATED AT 1131 NORTH DUPONT HIGHWAY.

WHEREAS, the City of Dover 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 permitted use of property described below from RC and C-4 (Recreation and Commercial and Highway Commercial) to RC (Recreation and Commercial).

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 Zoning Map and Zoning Ordinance of the City of Dover have been amended by changing the zoning designation from RC and C-4 (Recreation and Commercial and Highway Commercial) to RC (Recreation and Commercial) on a 4.505 +/- acre portion of a 69.622 +/- acre parcel, located at 1131 North DuPont Highway, owned by Dover Downs, Inc.

ADOPTED: *

S:\ClerksOffice\Rezonings\2006\1131 N DuPont Hwy-4.505\ORDINANCE.FirstRdg-1131NDuPontHwy-4.505.wpd

FIRST READING

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER BY CHANGING THE ZONING DESIGNATION OF A 21.473 +/- ACRE PORTION OF A 152.491 +/- ACRE PARCEL LOCATED AT 1131 NORTH DUPONT HIGHWAY.

WHEREAS, the City of Dover 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 permitted use of property described below from RC (Recreation and Commercial), C-4 (Highway Commercial), A (Agriculture), and R-8 (One Family Residence) to RC (Recreation and Commercial) .

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 Zoning Map and Zoning Ordinance of the City of Dover have been amended by changing the zoning designation from RC (Recreation and Commercial), C-4 (Highway Commercial), A (Agriculture), and R-8 (One Family Residence) to RC (Recreation and Commercial) on a 21.473 +/- acre portion of a 152.491 +/- acre parcel, located at 1131 North DuPont Highway, owned by Dover International Speedway, Inc.

ADOPTED: *

S:\ClerksOffice\Rezonings\2006\1131 N DuPont Hwy-21.473\ORDINANCE.FirstRdg-1131NDuPontHwy-21.473.wpd

FIRST READING

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 2 - General residence zones (RG-1 and RG-2), Subsection 2.4 (c) be amended by deleting it in its entirety and inserting in lieu thereof the following:

~~(c) Multiple dwellings, including conversions of single-family dwellings to multifamily residential dwellings.~~

(c) Multiple dwellings subject to the following restrictions:

i. Conversions of single-family dwellings to multi-family residential dwellings shall be limited to the RG-2 district.

FINAL READING

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

That Chapter 82 - Planning, Section 82-2 - City Planner, of the Dover Code be amended by striking it in its entirety and inserting in lieu thereof the following:

Sec. 82-2. City Planner.

There is hereby established the office of City Planner who shall be selected by the City Council at its annual meeting and employed at the pleasure of Mayor and Council and shall function under the administration of the City Manager.

ADOPTED:

S:\ClerksOffice\Packets\2006\Council\07-24-2006\Chapter 82 - Sec 82-2 - City Planner - Final Reading.wpd

FINAL READING

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

That Chapter 102 - Taxation, Article I - In general, of the Dover Code be amended by inserting a new Section 102-3 - Administrative reporting to read as follows:

Section 102-3. Administrative reporting.

The city assessor shall be selected in accordance with the City Charter, and shall be directly responsible to the mayor and council. The city assessor shall function under the administration of the city manager.

ADOPTED: *

S:\ClerksOffice\Packets\2006\Council\07-24-2006\Chapter 102 - Sec 102-3 - Adm Reporting - Final Reading.wpd

2006-2007 BUDGET ORDINANCES

GENERAL FUND

CASH RECEIPTS AND BUDGET FOR 2006-2007

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 Four Hundred Sixty-Four Thousand Two Hundred Forty-Nine Dollars ($37,464,249) 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, 2006, and ending June 30, 2007:

Cash Receipts Estimates	2005-2006 Revised	2006-2007 Budget
Items		
Prior Year Balance	3,223,548	4,232,792
Fines and Police Revenue	746,520	760,000
911 Fee	64,000	64,000
Interest Transfers and Earnings	187,565	290,000
Library Revenues	53,000	49,500
Kent County Book Reimbursement	340,000	350,000
Business Licenses	1,318,000	1,310,000
Permits and Other Licenses	1,118,500	1,000,000
Miscellaneous Charges	103,416	93,054
Police Extra Duty	270,000	350,000
Property Taxes	8,806,471	9,148,680
Recreation Revenue	95,500	95,500
Franchise Fee	409,748	410,000
Transfer Tax	2,900,000	2,900,000
Trash Fees	1,074,560	1,088,540
DSWA Trash Fee Rebate	167,476	170,000
Rent Revenue - Garrison Farm	28,213	28,213
Court of Chancery Fees	710,000	710,000
Internet Revenue	12,000	10,000
Curbside Recycling	10,000	24,000
Intrafund Service Receipts Water/Wastewater	1,097,747	1,176,357
Intrafund Service Receipts Electric	3,834,113	3,869,378
Grants:		
Police Related	190,000	43,000
Capital School District Revenue	112,282	106,285
Recreation Grants	300,000	300,000
Insurance Agency Fire Safety Grant	4,500	5,500
Misc Grant Revenue	100,000	-
Homeland Security Grant	213,581	69,650
Sale of Land	59,850	-
Transfers From:		
Municipal Street Aid	659,704	660,000
Civil Traffic Penalties	902,000	950,000
Water/Wastewater	535,785	535,000
Electric	5,716,956	5,700,000
Parkland Reserve	125,000	964,800
Totals	35,490,035	37,464,249

GENERAL FUND - CONTINUED

CASH RECEIPTS AND BUDGET FOR 2006-2007

Expense Summary	2005-2006 Revised	2006-2007 Budget
Department Expenses:		
City Clerk	361,757	308,362
Council	127,754	119,218
Tax Assessor	181,766	273,777
Fire	964,479	1,299,787
Grounds Maintenance	1,054,384	1,168,150
Library	973,332	1,087,627
Recreation	815,675	1,728,179
Planning	218,371	338,564
Inspections	961,472	1,191,003
Police	10,676,416	11,639,643
Police Extra Duty	395,000	425,000
Streets	1,353,472	1,359,197
Sanitation	2,320,034	2,453,231
City Manager	615,149	642,239
Information Technology	976,670	941,400
Finance	670,050	715,733
Public Works - Administration	334,843	317,485
Facilities Management	860,166	1,402,610
Public Works - Engineering	294,326	312,126
Central Services	714,792	759,832
Fleet Maintenance	668,367	676,695
Customer Services	961,159	1,036,712
Human Resources	324,909	399,475
Mayor	111,875	114,661
Department Subtotals	26,936,218	30,710,706
Other Expenses:		
Debt Service	435,247	441,232
Transfer to OPEB	250,000	250,000
Transfer to Pension Unfunded Liability	-	262,455
Transfer to Pension COLA	-	139,749
Transfer to Contingency	-	8,007
Transfer to Capital Asset Reserve	150,000	-
DSWA Recycling Program	10,000	24,000
Insurance	465,980	465,980
Retirees Health Care	644,624	763,982
Street Lights	533,000	746,200
IT Emergency Preparedness Plan	100,000	-
Homeland Security Grant	213,581	-
Transfer to Parkland/Recreation Reserve	1,508,593	350,000
Transfer to Library Reserve	-	583,500
Uncollectibles - Trash and Other	10,000	10,000
Current Year Balance	4,232,792	2,708,438
Other Expenses Subtotals	8,553,817	6,753,543
Totals	35,490,035	37,464,249

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.

2006-2007 BUDGET ORDINANCES - CONTINUED

WATER/WASTEWATER FUND

REVENUE AND BUDGET FOR 2006-2007

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

1. The amounts hereinafter named aggregating Thirteen Million Two Hundred Twenty-Two Thousand Nine Hundred Twenty Dollars ($13,222,920) 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, 2006, and ending June 30, 2007:

Cash Receipt Estimates	2005-2006 Revised	2006-2007 Budget
Items		
Prior Year Balance - Water	1,935,331	2,065,305
Prior Year Balance - Wastewater	786,706	968,218
Prior Year Balance - KCSA	(1,587,113)	(1,642,113)
Water Fees	4,316,000	4,222,500
Wastewater Fees	2745,000	2,618,250
Wastewater Adjustment Fees	3,760,000	3,761,010
Water Tank Space Leasing	327094	303,000
Impact Fees	950,000	750,000
Miscellaneous Service Fee	104,70	98,750
Interest Earnings	58,249	78,000
Totals	13,396,017	13,222,920

WATER/WASTEWATER FUND - CONTINUED

Expense Summary	2005-2006 Revised	2006-2007 Budget
Department Expenses:		
Water Construction	540,669	569,216
Water Management	755,361	962,106
Water Treatment Plant	711,415	796,627
Wastewater Management	753,782	835,162
Meter Reading	61,416	67,077
Kent County Treatment Charge	3,815,000	3,853,000
Retirees Health Care	117,511	151,220
Intrafund Service Fees	1,097,747	1,176,357
Direct Expenditure Subtotals	7,852,901	8,410,765
Other Expenses:		
Debt Service - Water	932,754	922,832
Debt Service - Wastewater	671,412	660,244
Transfer To:		
General Fund from Water	267,893	267,500
General Fund from Wastewater	267,892	267,500
Water Improvement and Extension	693,525	551,701
Wastewater Improvement and Extension	389,642	115,272
OPEB (Post-Retirement Benefits) Reserve	50,000	50,000
Transfer to Pension Unfunded Liability	-	50,225
Transfer to Pension COLA	-	39,850
Impact Fee Reserve	278,588	89,756
Capital Asset Reserve	600,000	300,000
Current Year Balance Water	2,065,305	1,976,441
Current Year Balance Wastewater	968,218	1,254,937
Current Year Balance KCSA	(1,642,113)	(1,734,103)
Other Expenses Subtotals	5,543,116	4,812,155
Totals	13,396,017	13,222,920

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.

2006-2007 BUDGET ORDINANCES - CONTINUED

WATER/WASTEWATER IMPROVEMENT AND EXTENSION FUND

CASH RECEIPTS/REVENUES AND BUDGET FOR 2006-2007

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

1. The amounts hereinafter named aggregating One Million Eight Hundred Thirty-Nine Thousand Eight Hundred Eighty-Eight Dollars ($1,839,888) 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, 2006, and ending June 30, 2007:

Cash Receipt Estimates	2005-2006 Revised	2006-2007 Budget
Items		
Prior Year Balance - Water	912,294	44,148
Prior Year Balance - Wastewater	1,025,074	258,767
Trans from Water/Wastewater for Water	693,525	551,701
Trans from Water/Wastewater for Wastewater	389,642	115,272
Transfer from Impact Fee Reserve	1,170,551	850,000
Transfer from Capital Asset Reserve - Water	321,000	-
Developer Contributions	108,767	-
State Grants/Reimbursements	83,452	-
Interest Income	-	20,000
Totals	4,704,305	1,839,888

Expense Summary		
Items		
Water	1,893,391	562,025
Wastewater	2,287,399	1,221,215
Water Meter Reading	-	5,648
Water Treatment Plant	33,630	31,000
Water Construction	78,203	-
Transfer to Impact Fee Reserve	108,767	-
Current Year Balance - Water	44,148	10,000
Current Year Balance - Wastewater	258,767	10,000
Totals	4,704,305	1,839,888

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.

2006-2007 BUDGET ORDINANCES

ELECTRIC REVENUE FUND

REVENUE AND BUDGET FOR 2006-2007

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

1. The amounts hereinafter named aggregating Ninety-Four Million Six Hundred Forty Thousand One Hundred Ninety-Eight Dollars ($94,640,198) 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, 2006, and ending June 30, 2007:

Base Revenue	2005-2006 Revised	2006-2007 Budget
Items		
Base Revenue:		
Prior Year Balance	4,066,090	4,974,107
Direct Sales to Customer	57,157,712	81,578,240
Purchase Power Adjustment	6,561,106	-
Utility Tax	1,245,946	1,937,446
Miscellaneous Revenue	698,012	584,900
Rent Revenue	170,885	145,505
Duke Contract Revenue	2,163,830	-
Transfer from Rate Stabilization	-	5,000,000
Interest Earnings	257,896	420,000
Totals	72,321,477	94,640,198

ELECTRIC REVENUE FUND - CONTINUED

REVENUE AND BUDGET FOR 2006-2007

Expense Summary	2005-2006 Revised	2006-2007 Budget
Department Expenses:		
Purchased Power	42,636,070	67,329,000
Transmission and Distribution	3,052,780	3,282,637
Electrical Engineering	1,754,658	2,001,295
Administration	747,126	562,322
Meter Reading	306,251	323,111
Utility Tax	1,245,946	1,937,446
Allow for Uncollectibles	125,000	125,000
Retirees Health Care	458,583	526,400
Intrafund Service Fees	3,834,113	3,869,378
Direct Expenditure Subtotals	54,160,527	79,956,589
Other Expenses:		
Transfer To:		
Improvement and Extension	2,829,840	-
General	5,716,956	5,700,000
Interest on Deposits	25,000	25,000
Debt Service*	2,200,257	2,149,048
OPEB (Post-Retirement Benefits) Reserve	10,000	89,271
Transfer to Pension Unfunded Liability	-	(100,000)
Transfer to Pension COLA	-	101,692
Rate Stabilization Reserve	2,314,790	500,000
Current Year Balance	4,974,107	6,018,598
Other Expenses Subtotals	18,160,950	14,683,609
Totals	72,321,477	94,640,198

* Debt Service in FY 2006 and 2007 has been reduced in order to return our bond reserve balances to normal levels.

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.