ANNUAL COUNCIL MEETING
REVISED
A G E N D A

May 8, 2006 - 7:30 P.M. - Council Chambers - City Hall - City of Dover

INVOCATION BY REVEREND JOHN G. MOORE, SR.

PLEDGE OF ALLEGIANCE

AGENDA ADDITIONS/DELETIONS

1. Adoption of Minutes - Regular Council Meeting of April 24, 2006

2. Proposed Resolution/Presentation - Robert M. Sadusky

3. Oaths of Office - Administered by The Honorable Henry DuPont Ridgely - Justice, Supreme Court

Mayor	-	Stephen R. Speed
Council - First District	-	Beverly C. Williams
Council - Second District	-	William P. McGlumphy
Council - Third District	-	Timothy A. Slavin
Council - Fourth District	-	Sophia R. Russell

4. Election of Council President/Vice-Mayor

5. Recess (for photographs) - Mayor and Council

* **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.

6. Proclamations
   A. Military Spouse Appreciation Day
   B. Foster Care Month

7. Proposed Resolution/Presentation - Janice C. Green

8. State of the City Message - Mayor Stephen R. Speed

9. Rezoning - Final Reading - Property located north of but not adjacent to College Road, north of Raymond Street and east of the railroad corridor and Railroad Avenue with the eastern boundary of the subject area being the St. Jones River, consisting of four (4) parcels containing 30.776+/- acres (owned by College Road Management, Inc., Kent Storage Facilities, LLC, and Loralex Company, LLC.) ***(Council Deferred Action During Their Regular Meeting of April 24, 2006)***

   Final Reading of Proposed Ordinance to amend the zoning designation from IG - General Industrial, RS-1 - Single Family Residential, and RMH - Residential Manufactured Home (Kent County) to M - Manufacturing (City of Dover) *The First Reading of the proposed ordinance was accomplished during the Council Meeting of February 13, 2006*

10. Utility Committee Report - April 24, 2006

* A. Annexation Request - 1600 North Little Creek Road, Owned by Christopher J. and Rebecca R. Raubacher

B. Bayard Avenue Water Main Project - Time and Cost Estimate

* C. Internal Controls for Time and Material Projects

* 11. Safety Advisory and Transportation Committee Report - April 25, 2006

A. Authorization to Purchase - Reverse 911 Telephone System (Police)

B. Public Hearing - Parking of Boats, Motorhomes, Trailers, etc. in Residential Neighborhoods

* 12. Approval of CDBG 5-year Consolidated Plan and Proposed Resolution

* 13. Council Appointments - 2006/2007

A. Building Inspector
B. City Clerk
C. Assistant City Clerk
D. Fire Marshal
E. City Planner
F. City Solicitor
G. Deputy City Solicitor
H. Tax Assessor
I. Treasurer/Finance Director
J. Assistant Treasurers

14. Committee Appointments - Council President

A. Legislative, Finance, and Administration Committee
B. Parks, Recreation, and Community Enhancement Committee
C. Safety Advisory and Transportation Committee
D. Utility Committee
E. Civilian Pension Board
F. Construction Code Board of Appeals
G. Police Pension Board

15. Miscellaneous Appointments - Council President
    A. Chamber of Commerce & Greater Dover Committee Liaison Members
    B. City/County Liaison Committee
    C. Kent County Tourism

* 16. Committee Appointments - Mayor
    A. Dover 4th of July Celebration Committee
    B. Dover Public Library Advisory Commission
    C. Downtown Dover Development Corporation
    D. Election Board
    E. Housing Code Board of Appeals
    F. Silver Lake Commission

* 17. Authorization Signature Resolution

18. Annexation/Rezoning Request - First Reading *(Recommended for referral to the Utility Committee on May 22, 2006, the Planning Commission on June 19, 2006, and that a Public Hearing be set for July 24, 2006 at 7:30 p.m.)*

    A. 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 and Nancy Baker. The present zoning classification is AC - Agricultural Conservation and RS-1 - Single Family Residence (Kent County) and the proposed zoning classification is R-10 - One Family Residence (City of Dover)

    B. Property located on the south side of Forrest Avenue, approximately 1,495.5 feet west of Mifflin Road, containing $5.0^{+/-}$ acres, owned by Edwin B. Baker, III, Donald Carey, and Ruth Carey. The present zoning classification is RS-1 - Single Family Residence (Kent County) and the proposed zoning classification is A - Agricultural (City of Dover)

19. Council Members Announcements

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REGULAR COUNCIL MEETING

The Regular Council Meeting was held on April 24, 2006 at 7:30 p.m. with Council President Williams presiding. Council members present were Mr. Carey, Mr. Sadusky, Mrs. Russell, Mr. Slavin, Mr. Ritter, Mr. Hogan, Mr. Salters, and Mr. Ruane.

Council staff members present were Police Chief Horvath, Mrs. Mitchell, Deputy Fire Chief Osika, Mr. DePrima, Deputy City Solicitor Pepper, Mrs. Green, and Mayor Speed (departed at 9:18 p.m.).

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.

Ms. Pauline Koff and Mr. Robert Hollingsworth of Mallard Pond requested that members provide improvements to their neighborhood and surrounding areas, which would include an improved walkway to the park and drainage at the end of the walkway. Whenever there is heavy rain, it becomes flooded at the foot of the walkway making it impassable. Ms. Coff also advised members that there is a problem with litter in the area and that the lake is in need of algae clearing. She also noted that the drainage ditches need cleaning. At the Marsh Creek Lane entrance of the park, the residents feel it would be advantageous to have a designated parking area. There should be signage erected warning visitors that snapping turtles live in the area and other signs reminding those who brings their dogs to cleanup any excrement.

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

AGENDA ADDITIONS/DELETIONS

Council President Williams requested the deletion of item #8E - Monthly Report for the Robbins Hose Company No. 1 at the request of Chief Bashista.

Mr. Carey requested the deletion of item #12 - Power Supply and Plant Management Contracts. He explained that it was anticipated that a final agreement could be presented at this time; however, during the executive session held earlier in the evening, Dover's consultant presented several matters that require further refinement which would make a final recommendation at this time premature. Mr. Carey stated his expectation that the matters discussed during this executive session would be resolved in a timely manner and a final agreement would be available to Council in the near future.

Mr. Salters requested the deletion of item #13 - Clarification of Policy for Training and Conference Reimbursement - Explanation of Request for Reimbursement for Attending Organizational Leadership and Behavior Course. He requested that this matter be referred to the Legislative, Finance, and Administration Committee for their review and recommendation.

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

Mr. Carey moved for approval of the Consent Agenda, as amended, seconded by Mr. Salters and carried by a unanimous roll call vote.

ADOPTION OF MINUTES - REGULAR COUNCIL MEETING OF APRIL 10, 2006

The Minutes of the Regular Council Meeting of April 10, 2006 were unanimously approved by motion of Mr. Carey, seconded by Mr. Salters and bore the written approval of Mayor Speed.

CERTIFICATE OF RECOGNITION - HOUSE OF PRIDE

Mayor Speed presented a Certificate of Recognition to Ms. Marian Harris, as well as staff and clients of the House of Pride for the service given to those in need, particularly those efforts to provide shelter to the homeless during the inclement weather this past winter. The following Certificate of Recognition was read into the record by Mayor Speed:

Certificate of Recognition

presented to

Marian Harris
Staff & Clients of the House of Pride

for years of dedication, support and service given to those in need. Your efforts to provide shelter to the homeless during the inclement weather are sincerely appreciated.

The City of Dover extends sincere thanks and best wishes.

Monday, April 24, 2006

Ms. Harris thanked the Mayor and City Council for the recognition and those members of her staff who assisted with these efforts. She also recognized Mr. Jack Willis from Wesley United Methodist Church who coordinated the volunteers who also assisted with these efforts.

PROCLAMATION - DOVER HIGH SCHOOL BOYS LACROSSE WEEK

The City Clerk read the following Proclamation into the record:

WHEREAS, by playing lacrosse, many young men cultivate strong moral and athletic character by dedicating themselves to countless hours of physical conditioning and practice drills in order to perform at their best; and

WHEREAS, the discipline they develop both on and off the lacrosse field sets a good example for other young men to follow; and

WHEREAS, more than ever, the youth in our community need the strong and constructive guidance athletic programs offer and the valuable lessons on how to be good sportsmen; and

WHEREAS, team oriented sports programs help young people develop the essential traits and characteristics that comprise good character and help them become valued members of society; and

WHEREAS, on April 26 and April 28 at 4:00 P.M., the Dover High School Boys Lacrosse team will host two visiting boys high school lacrosse teams.

NOW, THEREFORE, I, STEPHEN R. SPEED, MAYOR OF THE CITY OF DOVER, DELAWARE, do hereby proclaim the week of April 24, 2006 as ***Dover High School Boys Lacrosse Week*** *and urge the citizens of Dover including students from Dover High School and other Capital School District schools to show their support of the Dover High School Boys Lacrosse team by attending the home games scheduled on April 26 and April 28 at 4:00 P.M. and to recognize the outstanding efforts made by these young men to participate in the physically demanding sport of lacrosse for Dover High School.*

Mayor Speed presented the Proclamation to Mr. Bill Malone (President) and Mr. Ron Silverio (Vice-President).

Mr. Malone relayed appreciation for the recognition, advising members that although Lacrosse may not be as well known as football and basketball, it is known as the fastest sport on two (2) feet. He invited everyone to attend an upcoming game and lend their support to the students who participate.

PROCLAMATION - ARBOR DAY

The City Clerk read the following Proclamation into the record:

WHEREAS, in 1872 J. Sterling Morton proposed that a special day be set aside for the planting and appreciation of trees; and

WHEREAS, this holiday, called Arbor Day, is now observed throughout the nation and the world; and

WHEREAS, the City of Dover was once again named a Tree City USA in 2005 for the seventeenth consecutive year by the National Arbor Day Foundation; and

WHEREAS, once again the City of Dover has applied for and received funds to plant more than 160 trees through the Weed & Seed and the Urban & Community Forestry Programs; and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, reduce heating and cooling costs, moderate the temperature, clean the air, produce oxygen, and provide habitat for wildlife; and

WHEREAS, in 2005, the City of Dover also received a grant through the Delaware Coastal Program to fund a comprehensive tree inventory and management plan. This plan enables the City to assess the condition of existing trees, give priority to the trees that need the most attention and plan for future tree planting and maintenance; and

WHEREAS, the planting and caring for trees is a very special gift that one generation gives to the next.

*NOW, THEREFORE, I, STEPHEN R. SPEED, MAYOR OF THE CITY OF DOVER, do hereby proclaim April 28, 2006 as **Arbor Day** in the City of Dover, and urge all citizens to support the efforts to care for our trees and woodlands.*

Mayor Speed presented the Proclamation to Mr. Bill Cooper, Grounds Superintendent, and relayed appreciation for staff's phenomenal job in making the City of Dover a beautiful City.

Mr. Cooper advised members that staff takes trees seriously in the City, especially with the two (2) Arborists, Mr. Dave Morgan and Mr. James Lewis, who are very dedicated employees. He invited the public, Mayor, and Council to help plant trees on Arbor Day, Friday, April 28, 2006, at 11:30 a.m. at Park Drive.

PRESENTATION - CITY OF DOVER FLOWER DISPLAY (BILL COOPER)

Mr. Cooper, Grounds Superintendent, presented a Power Point Presentation of the City of Dover Flower Display (***Exhibit #1***).

ANNEXATION/REZONING PUBLIC HEARING/FINAL READING - PROPERTY LOCATED NORTH OF BUT NOT ADJACENT TO COLLEGE ROAD, OWNED BY COLLEGE ROAD MANAGEMENT, INC., KENT STORAGE FACILITIES, LLC, AND LORALEX COMPANY, LLC

An annexation referendum was held on April 13, 2006 for property located north of but not adjacent to College Road, north of Raymond Street and east of the railroad corridor and Railroad Avenue with the eastern boundary of the subject area being the St. Jones River, consisting of four (4) parcels, containing $30.776^{+/-}$ acres, owned by College Road Management, Inc., Kent Storage Facilities, LLC, and Loralex Company, LLC.

Referendum Results

The City Clerk reported that the referendum was held with one (1) vote cast in favor of the annexation, and no votes cast against annexation.

Mr. Carey moved to accept the referendum results, seconded by Mr. Sadusky and unanimously carried.

Annexation

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

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 TRACT PIECE OR PARCEL of land situated in the East Dover Hundred, Kent County and State of Delaware and being more particularly described as follows:

COMMENCING at a point on the easterly line of the Delaware Railroad Company at its intersection with the northerly right-of-way of College Road (variable width right-of-way) and being the southwest corner of lands now or formerly belonging to Delaware State College as recorded in deed Book U, Volume 52, at page 253; thence the following two courses and distances: 1) N 22-52'-34" W along the easterly line of said Delaware Railroad Company lands for a distance of 381.38 feet to a point being the northwest corner of said Delaware State College lands; 2) N 67-24'-13" E along the northerly line of said Delaware State College lands for a distance of 35.00 feet to a point being on the easterly right-of-way of Railroad Avenue (35 foot wide right-of-way) and the southwest corner of the parcel herein described to the TRUE POINT OF BEGINNING: thence n 22-52'-34" w ALONG THE EASTERLY RIGHT-OF-WAY OF SAID Railroad Avenue for a distance of 1,085.09 feet to a point being on the southerly line of lands now or formerly belonging to Marian F. Smith and Martha E. Baynard as recorded in deed Book U, Volume 36 at page 95 and Will Book IS, Volume 22 at page 445 and being the northwest corner of the lands herein described; thence N 46-30'-26" E along the southerly bounds of said Smith and Baynard for a distance of 1,305.12 feet to a point in the centerline of the Saint Jones River, also known as the Dover River and Fork Branch; thence southerly along the centerline of the Saint Jones river the following twelve courses and distances:

1) S 56-11'-34" E for a distance of 112.22 feet;
2) S 12-39'-00" E for a distance of 170.04 feet;
3) S 13-06'-47" E for a distance of 139.98 feet;
4) S 00-32'-36" E for a distance of 79.38 feet;
5) S 03-13'-28" E for a distance of 83.29 feet;
6) S 74-32'-12" E for a distance of 65.67 feet;
7) S 42-36'-43" E for a distance of 221.72 feet;
8) S 43-22'-37" E for a distance of 148.00 feet;

9) S 40-20'-24" E for a distance of 106.69 feet;
10) S 80-17'-38" E for a distance of 89.65 feet;
11) S 58-50'-04" E for a distance of 126.37 feet;
12) S 45-09'-26" E for a distance of 42.51 feet to a point being on the northerly right-of-way of Jason Street (35 foot wide right-of-way); thence S 56-40'-15" W along the northerly right-of-way of said Jason Street for a distance of 648.40 feet to a point being the southeast corner of lands now or formerly belonging to The Mishoe Trust being Parcels 'H' and 'I' as recorded in deed Book C, Volume 54, at page 162; thence along the Mishoe Trust lands the following four courses and distances; 1) N 23-27'-10" W for a distance of 310.52 feet to a found concrete monument; 2) S 56-37'-50" W for a distance of 475.00 feet to a found concrete monument; 3) S 23-27'-10" E for a distance of 113.50 feet to a found concrete monument; 4) S 57-12'-26" W for a distance of 238.53 feet to a point on the westerly right-fo-way of the former Grove Street and the lands herein described; thence S 22-52'-34" E along the westerly right-of-way of the former Grove Street for a distance of 200.00 feet to a point on the northerly right-of-way of the former Jason Street; thence S 32-47'-34" E for a distance of 35.00 feet to a point on the southerly right-of-way of the former Jason Street and being on the northerly line of lands now or formerly belonging to The Mishoe Trust being Parcel 'G' of deed Book C, Volume 54, at page 162; thence S 57-12'-26" W along the northerly one of said Mishoe Trust and the northerly line of the aforesaid Delaware State college for a distance of 206.12 feet to the point of beginning and containing 30.776 acres, as surveyed by McCrone, Inc. In December 2005.

Being the same lands as conveyed unto Kent Storage Facilities, LLC and Loralex, LLC from Jemm Investors by deed dated September 3, 2004 and recorded among the land records of Kent County, Delaware in deed record D 649/106 and all of the lands conveyed unto College Road Management, Inc. From Jemm Investors by deed dated September 3, 2004 and recorded among the land records of Kent County, Delaware in deed record D 649/110.

Together with an easement from Delaware State College to Loralex Company, LLC and Kent Storage Facilities, LLC as recorded in deed Book 649 at page 264.

Subject to a Reserved Lease Agreement from Atlantic Coast Environmental, Inc. To Loralex Company, LLC and Kent Storage Facilities, LLC as recorded in deed Book 649 at page 99.

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 April, 2006 at 12:01 a.m. o'clock.

ADOPTED: APRIL 24, 2006

Public Hearing - Zoning Classification

Mr. Koenig, Director of Public Services, reviewed the Petition to Annex and Zone property, the Cost/Revenue Analysis, and the Plan of Services Report ***(Exhibit #2)***. The Planning Commission

recommended that the zoning classification of this property be approved as M (Manufacturing) upon annexation.

Mr. Ruane noted the reference to a Brownfield area on these parcels of land and questioned its consequences in terms of development. Responding, Mr. Koenig stated that lands that are designated as Brownfield areas restrict certain types of activities such as residences. Any Brownfield development would require a limited use development proposal on that site such as warehousing, possibly office space, depending on the extent of the Brownfield management plan.

Mr. Ruane questioned if the County zoning classification were to be maintained, would the actual uses be permitted under a Brownfield designation. It was Mr. Koenig's understanding that any prohibition or development concerns would be consistent under a county development as they are under the proposed development. Although he agreed that it would be an accurate statement that the proposed uses is one of the few possible uses because of the nature of the Brownfield, Mr. Koenig suggested that the applicant comment on the accuracy of this statement.

Council President Williams declared the public hearing open.

Mr. Connie Malmberg and Mr. Mark Schaeffer, owners of the properties, addressed members of Council regarding their request. Mr. Malmberg advised members that the properties total approximately 30 acres and that the Comprehensive Plan designates this property for Industrial use. He suggested that the Manufacturing zoning classification would allow less intense uses than an Industrial zoning classification. The proposed use for the property is for mini-warehousing which would provide low traffic volume and low impact on neighborhood properties. Mr. Malmberg indicated that he and Mr. Schaeffer acquired the properties through the State of Delaware's Brownfield Redevelopment Program. He explained that the State favors the redevelopment of Brownfields as some useable development rather than sitting idle. The majority of the site has been through the remediation process. Mr. Malmberg stated that there is approximately 1½ acres that was more contaminated and is proceeding through a program with DNREC, as well as the former owner of the site, and will be until at least the year 2019, which would eliminate this portion of the property from being useable in the foreseeable future. He advised members that the intended use of the property is for mini-storage facilities, which would provide a lot of impervious surface that will prevent percolation through the ground and causing further distribution of contaminants, if present.

Dr. Wilma Mishoe, 353 Rita Wilma Road, relayed concern with the rezoning of this property, which is currently predominately zoned residential lands, as manufacturing. Her belief is that the rezoning of this land to manufacturing could significantly impact the quality of life for the residents who live there now as well as those of the future. Dr. Mishoe stated that she understands that the intended use of the lands is for mini-storage facilities; however, the owners could change the use as well as any future owners. The question then is to consider what a manufacturing zoning classification would allow. There are no guarantees that there would not be the possibility that this property would be used for other purposes that could create environmental pollution. Dr. Mishoe reminded members that there are several residential developments located within the near vicinity of this property, as well as an elementary school and an assisted living, senior citizens and medical facility. She requested that members of Council consider the future possibilities, if a Manufacturing zoning

classification is approved, of the uses of this properties, and suggested that the zoning classifications remain or another classification be assigned that would ensure that construction of environmental pollutants would not occur.

Mr. Hogan noted that there are four (4) parcels involved with a variety of zoning classifications. He requested a description of the current classifications as zoned in the County and the portions of the land currently zoned Industrial. Responding, Mr. Koenig indicated that the exhibits provided with the packets did not specifically identify this information. Mr. Schaeffer stated that the majority of the property is zoned Industrial; however, he could not provide specific percentages.

In the future, when similar matters are brought before Council that involve multiple zoned property, Mr. Hogan suggested that the packet material include specific details of the zoning classifications for the property.

Council President Williams declared the public hearing closed.

Mr. Sadusky moved that the property be zoned in accordance with the recommendation of the Planning Commission. The motion failed due to the lack of a second.

Mr. Hogan moved to defer action on the rezoning of the property to allow for detailed information to be provided on the current zoning classifications assigned by the County. The motion was seconded by Mr. Carey and unanimously carried.

PUBLIC HEARING/PROPOSED RESOLUTION - ALLEY ABANDONMENT - FORREST AVENUE AND LINCOLN STREET

A public hearing was duly advertised for this time and place to consider abandonment of an unimproved alley located between Forrest Avenue and Lincoln Street, east of Bertrand Drive.

Mr. Koenig briefed members on the alley abandonment request and reminded members that the Planning Commission and Utility Committee recommended denial of the requested abandonment. However, it was noted that since these meetings, a letter was received from Union Missionary Baptist Church requesting that Council move forward with the alley abandonment request. During their Regular Meeting of April 10, 2006, Council adopted a Resolution setting a public hearing for this time and place.

Mr. Ruane reminded members that in formulating their recommendations, there was discussion regarding the City's practice for abandoning alleys that required concurrence from adjacent property owners and that there has been opposition relayed by the adjacent property owners for abandonment of the alley.

Mr. Koenig advised members that the current practice is that if the alley abandonment is approved, every contiguous property would be deeded their portion of the alley (the alley is divided equally to adjacent property owners). There is a cost for this conveyance for the recordation of the new deed.

Mr. Salters questioned if there would be any legal ramifications for the action of Council with an abandonment. Responding, Deputy City Solicitor Pepper stated that if Council voted not to abandon the alley, it would be difficult for a challenger to have that action overruled; however, if Council voted for approval of the alley abandonment, the possibility of a successful challenge would be increased, although he felt it would not be likely.

Responding to Mr. Ruane, Mr. Koenig stated that there are nine (9) adjacent properties with five (5) different adjacent property owners, noting that some adjacent property owners own multiple adjacent properties. The petition was received by only one (1) of the adjacent property owners, which was Union Missionary Baptist Church, who is a multiple property owner of the alley.

Council President Williams declared the public hearing open.

Reverend R.G. Moore, Jr., Pastor of Union Missionary Baptist Church, advised members that he is representing the congregation of the Church, which consists of approximately 380 members. He clarified the ownership of the adjacent properties to the alley, noting that the Church recently purchased two (2) additional adjacent properties. He explained the reasons for submitting the request for the alley abandonment, stating that the Church is attempting to add additional off-street parking spaces. When the Church was approached regarding the purchase of additional property on Forrest Street, members began considering the possibility of creating a one-way entrance to the proposed additional parking lot from Forrest Street. Reverend Moore stated that there currently are driveways to the properties on Forrest Street and that the purchase of these properties was with the understanding that one of the driveways could be extended to the back of the Church's current lot and tie into their parking lot. Vehicles would then exit onto Lincoln Street, which would provide safety for vehicles exiting by use of stop signs and signals.

Reverend Moore stated that he has made attempts to contact adjacent property owners to assure them, based on his understanding of the opposition, that the driveway would not extend through to Lincoln Street and that the Church would address any security issues. Unfortunately, he was not able to meet and talk with all adjacent property owners. He assured members that the Church is willing to work with adjacent property owners to resolve any concerns and if any adjacent property owners are not interested in their portion of the alley, the Church would accept the addition land.

Responding to Mr. Hogan, Reverend Moore explained that the Church owns all those properties located east of and adjacent to the alley, which consists of four (4) properties, and two (2) of the properties located west of and adjacent to the alley.

Mr. Clarence Hicks, 934 Forrest Street (adjacent property owner), spoke in opposition to the alley abandonment and explained that his understanding of the intentions of the Church was to provide a private roadway. This road would begin at Forrest Street and travel through to the Church. This would require eliminating approximately 50'-60' of sidewalk in order to provide for a deceleration lane, which would be located in front of his property. He reminded members that this area currently has a heavy amount of traffic, which is a problem that worsens every day, and of the close proximity of the schools and the pedestrians and children in the neighborhoods. Mr. Hicks also relayed concern that the quality of life will be affected, noting that although there is less today, when he first

moved into the neighborhood there was wildlife and greenery, which was enjoyed by residents. In order to install the driveway proposed, the quality of life for the residents will be diminished as well as the entire community. He also advised members that the Church has access to their property from existing streets and he does not feel there is a need for this additional access.

Mr. Clarence Hicks, Jr., addressed members in support of his father and suggested that members consider the request as a quality of life issue. He also urged members to consider the traffic safety issues that would be created if the alley is abandoned and used as proposed by the Church.

Council President Williams declared the public hearing closed.

Mr. Ruane and Mr. Hogan both felt that they were of the understanding that during this time, when the matter was presented to Council for action, all adjacent property owners would be in concurrence with the abandonment. Mr. Hogan also relayed concern with the proposed roadway being installed and its probability of being used as a throughway. He suggested that the City's policy require adjacent property owners to vote and only those requests for abandonment that have all adjacent property owners' concurrence would be presented to Council for consideration.

In addition, Mr. Ritter stated that a property owner adjacent to an alley being considered for abandonment may not oppose the abandonment; however, they may not be interested in receiving their portion of the alley. He suggested that the procedure address this issue and that it be resolved before the matter is presented to Council for action.

Mr. Ruane moved to deny the Resolution vacating and abandoning the alley located between Forrest Avenue and Lincoln Street, east of Bertrand Drive. The motion was seconded by Mr. Sadusky and carried by a roll call vote of six (6) yes, two (2) no (Mrs. Russell and Mr. Slavin), and one (1) abstention (Mr. Salters).

It was Mr. Ruane's opinion that the City should review the procedure and requirements for the consideration of alley abandonments. Responding, Mrs. Green advised members that the City Charter (Section 27) authorizes Council to abandon alleys.

Mr. Ruane moved to direct staff to develop a procedure for considering alley abandonments, using the suggestions made by Council, and to provide suggested amendments to the Charter Review Committee for their review of that section of the City Charter (Section 27) that authorizes alley abandonments. The motion was seconded by Mr. Hogan and unanimously carried.

Mr. Salters moved for a 5-minute recess, seconded by Mr. Slavin and unanimously carried.

Meeting Recessed at 9:15 p.m. and Reconvened at 9:20 p.m.

PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE REPORT - APRIL 11, 2006

The Parks, Recreation, and Community Enhancement Committee met on April 11, 2006 with Chairman Sadusky presiding.

Proposed Ordinance - Chapter 22 - Buildings and Building Regulations, Article XII - Vacant Buildings

During the committee meeting of March 27, 2005, members recommended that the City move forward with the development of a vacant building and lot ordinance, covering residential, commercial, and industrial properties and that this process involve the Parks, Recreation, and Community Enhancement Committee holding public evening meetings, along with the Planning Department. When the committee report was presented to Council for their consideration, members were advised that information had been received from other interested parties regarding the development of a vacant building ordinance. It was suggested that the matter be referred back to staff to provide them the opportunity to meet with all interested parties and report back to the committee. Members of Council, during their Meeting of April 11, 2005, referred the development of a vacant building and lot ordinance for residential, commercial, and industrial properties back to staff. Since that time, staff has met with the various interested parties for developing revisions to the City's Vacant Building Ordinance, Chapter 22, Article XII, Section 22 of the Dover Code.

Ms. Cornwell, City Planner, reviewed and explained the comments and recommendations received thus far. At this time, the draft is presented to members for informational purposes only and comments. She stated that staff will continue to receive comments and will make revisions based on those comments to ensure that the final proposed ordinance will provide the best possible outcome regarding vacant buildings. Ms. Cornwell stated that staff relied heavily on the City of Wilmington in drafting the ordinance.

During the committee meeting, several members provided suggestions for possible amendments. Mr. DePrima had indicated that staff was requesting guidance regarding other groups that members may feel should be contacted for comments. Mr. DePrima suggested that staff advertise and conduct a public hearing on the ordinance in order to develop a draft ordinance to present to the committee for their review and recommendation to Council. He felt that staff could schedule a public hearing and develop a draft ordinance for presentation to the committee during their meeting in June.

Mr. Lakeman suggested that an executive summary of the draft ordinance be prepared for distribution and comments be requested for consideration.

Mr. Ruane recommended notifying neighborhood associations to receive comments on vacant housing issues in their neighborhood.

The committee recommended acceptance of staff's report on the status of the draft vacant building ordinance with the understanding that consideration of a draft ordinance, in a First Reading format, will be presented to the committee during their first meeting in June (June 13, 2006), at which time public comments will be accepted.

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

Discussion - Vacant Planner Position

Mrs. Townshend, Director of Planning and Inspections, reminded members that a planner position was included in this year's budget; however, due to the Director vacancy, Council requested that upon the hiring of the Director, the need would be evaluated and a report would be given to Council explaining the job responsibilities of the new planner prior to the position being filled. Having recently assumed the responsibilities of Director, Mrs. Townshend advised members that she has been reviewing the internal reorganization of the department and that she will be responsible for the planning and community enhancement functions, which includes community development and property maintenance and inspections. It was felt that it would be beneficial to hire a planner to focus on downtown and redevelopment issues and that this employee should have knowledge of Brownfields and experience in the review of redevelopment projects. Mr. DePrima felt that it would be beneficial to provide a requirement for candidates to have experience with economic development, statistics, etc.

The committee recommended that staff be authorized to advertise for the planner vacancy in the Planning Department, stipulating that a description of the experience required for this position would be provided to Council.

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

Status Report - John W. Pitts Recreation Center

Mr. Carter, Parks and Recreation Director, presented a Conceptual Plan depicting the proposed John W. Pitts Recreation Center, and explained the proposed changes to the plan which will provide for better control and more space. The Conceptual Design will be presented to the Planning Commission for their review in May, at which time various State and other agency comments will be provided.

By consent agenda, Mr. Carey moved for acceptance of the Parks, Recreation, and Community Enhancement Committee Report, seconded by Mr. Salters and carried by a unanimous roll call vote.

MONTHLY REPORTS - MARCH 2006

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

Budget Report
City Assessor Report
City Manager's Report
Mayor's Report
Planning and Inspections Report

CITY MANAGER'S SEMI-ANNUAL INSPECTION - ROBBINS HOSE COMPANY

Members reviewed the Semi-Annual Robbins Hose Company Inspection Report by the City Manager, Mr. DePrima. The inspection is required in accordance with Section 46-43 of the Dover Code.

By consent agenda, Mr. Carey moved for acceptance of the City Manager's Semi-Annual Inspection of the Robbins Hose Company. The motion was seconded by Mr. Salters and carried by a unanimous roll call vote.

ELECTION RESULTS - 2006 MUNICIPAL ELECTION

Mrs. Green, City Clerk, reported the results of the 2006 Municipal Election held on April 18, 2006, as follows:

TOTAL VOTES CAST - 3,168

MAYOR

William H. Daisey	1,138
Karlton H. Schmidt	131
Stephen R. Speed	**1,899**
Total Votes Cast for Mayor	3,168
Total Registered Voters	19,503

FIRST DISTRICT COUNCIL

David A. Lewis, Jr.	162
James P. Webster	160
Beverly C. Williams	**578**
Total District Votes Cast	884
Total Votes Cast for Council	867
Total Votes Cast for Mayor	880
Total Registered Voters	5,774

SECOND DISTRICT COUNCIL

William P. McGlumphy	**453**
Robert M. Sadusky	439
Total District Votes Cast	867
Total Votes Cast for Council	851
Total Votes Cast for Mayor	836
Total Registered Voters	4,882

THIRD DISTRICT COUNCIL

Timothy A. Slavin	**564**
Frederick Tolbert	433
Total District Votes Cast	975
Total Votes Cast for Council	963
Total Votes Cast for Mayor	969
Total Registered Voters	5,323

FOURTH DISTRICT COUNCIL

David L. Anderson	185
Sophia R. Russell	**193**
Total District Votes Cast	378
Total Votes Cast for Council	373
Total Votes Cast for Mayor	373
Total Registered Voters	3,524

Mr. Carey moved for approval of the Election Results as reported by the City Clerk. The motion was seconded by Mr. Salters and unanimously carried.

SETTING OF PROPERTY ASSESSMENT APPEALS AND APPOINTMENT OF ASSESSMENT APPEALS COMMITTEE

The City Assessor's Office requested that the 2006 Property Assessment Appeals be scheduled for May 22, 2006 through June 2, 2006, between the hours of 9:00 a.m. and 5:00 p.m. It was also requested that the Appeals Committee's recommendations be submitted to Council for their consideration during their Regular Meeting of June 12, 2006.

Mr. Salters moved for approval of the 2006 Property Assessment Appeals schedule as recommended by staff, seconded by Mr. Hogan and unanimously carried.

Council President Williams requested that Mr. Ruane (serving as Chair), Mr. Hogan, and Mr. Salters be appointed to the Assessment Appeals Committee.

Mr. Sadusky moved for approval of the appointments to the Assessment Appeals Committee as recommended by Council President Williams. The motion was seconded by Mr. Slavin and unanimously carried.

ANNEXATION/REZONING REQUEST/FIRST READING - 1600 NORTH LITTLE CREEK ROAD, OWNED BY CHRISTOPHER J. AND REBECCA R. RAUBACHER

A request was received for annexation and rezoning of property located at 1600 North Little Creek Road, owned by Christopher J. and Rebecca R. Raubacher. The property is currently zoned RMH - Residential Manufactured Home and BN - Neighborhood Business (Kent County) and the requested zoning is C-PO - Commercial/Professional Office (City of Dover). Staff recommended that the request be referred to the Planning Commission on May 15, 2006 and that a public hearing be set for June 12, 2006 at 7:30 p.m.

Mr. Salters moved for approval of staff's recommendation and to acknowledge the First Reading of the rezoning ordinance by title only. The motion was seconded by Mr. Hogan and unanimously carried.

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

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER BY CHANGING THE ZONING DESIGNATION OF PROPERTY LOCATED AT 1600 NORTH LITTLE CREEK ROAD.

During the Utility Committee Meeting held earlier in the evening, members reviewed the annexation request and recommended adoption of the Resolution setting the date of the Annexation Referendum for May 25, 2006 for property located at 1600 North Little Creek Road. Due to time constraints, it was necessary to forward this to City Council for action.

Mr. Salters moved for approval of the committee's recommendation, seconded by Mr. Hogan and by a unanimous roll call vote, Council adopted the following Resolution:

A RESOLUTION PROPOSING THE INCLUSION OF AN AREA WITHIN THE LIMITS OF THE CITY OF DOVER AND CALLING FOR A SPECIAL ELECTION TO BE HELD IN THE SAID AREA.

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 located at **1600 North Little Creek Road**, which is contiguous to the present City limits, into the limits of the City of Dover and within a zoning classification as recommended by the City of Dover Planning Commission.

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

1. That a special election be held for an area located at **1600 North Little Creek Road** situated in East Dover Hundred, Kent County, State of Delaware.

2. That the election be held on the **25th** day of **May, 2006** commencing at the hours of 11:00 a.m. in the City Hall Annex, 15 E. Loockerman Street, Dover, Delaware, for the purpose of submitting the question of annexation of the above area to those persons entitled to vote thereon.

3. That the election be held and conducted pursuant to the provisions of the Charter of the City of Dover as amended.

4. That this resolution be published in accordance with the City of Dover Charter.

ADOPTED: APRIL 24, 2006

REZONING REQUESTS/FIRST READINGS

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

By motion of Mr. Hogan, seconded by Mr. Slavin, Council unanimously referred the following rezoning requests to the Planning Commission for May 15, 2006 and set a public hearing for June 12, 2006 at 7:30 p.m.:

Property Located at 201, 205, and 207 West Division Street, Owned by South Smyrna Developers, LLC

A rezoning request for property located at 201, 205, and 207 West Division Street, owned by South Smyrna Developers, LLC. The property is currently zoned C-1A (Limited Commercial) and the requested zoning is C-2 (Central Commercial).

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

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER BY CHANGING THE ZONING DESIGNATION OF PROPERTY LOCATED AT 201, 205, AND 207 WEST DIVISION STREET.

Property Located at 122-128 West Division Street, Owned by South Smyrna Developers, LLC
A rezoning request for property located at 122-128 West Division Street, owned by South Smyrna Developers, LLC. The property is currently zoned C-1A (Limited Commercial) and the requested zoning is C-2 (Central Commercial).

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

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER BY CHANGING THE ZONING DESIGNATION OF PROPERTY LOCATED AT 122-128 WEST DIVISION STREET.

Property Located on West Denneys Road, Owned by Denneys Road, LLC
A rezoning request for property located on West Denneys Road, owned by Denneys Road, LLC. The property is currently zoned R-15 (One Family Residence) and C-1A (Limited Commercial) and the requested zoning is RM-1 (Medium Density Residential).

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

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER BY CHANGING THE ZONING DESIGNATION OF PROPERTY LOCATED ON WEST DENNEYS ROAD.

COUNCIL MEMBERS COMMENTS
As a reminder, Mr. Hogan announced that the Safety Advisory and Transportation Committee will be holding a public hearing on April 24, 2006 at 5:00 p.m. in reference to the parking of boats, trailers, and RV's.

Referring to the City Manager's Monthly Report, Mrs. Russell commended employees for their efforts in minimizing workman compensation claims.

Mr. Carey commended the staff of the City Clerk's Office for their efforts in conducting the Municipal Election on April 18, 2006.

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

Meeting Adjourned at 9:31 P.M.

JANICE C. GREEN
CITY CLERK

All orders, ordinances, and resolutions adopted by City Council during their Regular Meeting of April 24, 2006, are hereby approved.

STEPHEN R. SPEED
MAYOR

/JG
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Exhibits Attached to Original Minutes and File Copy
Exhibit #1 - Flower Display Power Point Presentation
Exhibit #2 - Petition to Annex and Zone property, Property located North of but not Adjacent to College Road, owned by College Road Management, Inc., Kent Storage Facilities, LLC, and Loralex Company, LLC

PROCLAMATION

***WHEREAS**, former President Ronald Reagan established Military Spouse Appreciation Day in 1984 and it has become a nationally recognized observance in May; and*

***WHEREAS**, military spouses must endure hardship resulting from separation from their loved ones, added responsibilities of maintaining home and family, and stress from not knowing the fate of the troops overseas; and*

***WHEREAS**, military spouses should be applauded for their continued support and patriotism while the difficulties they face show no mercy and do not discriminate among ranks; and*

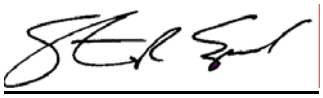
***WHEREAS**, it is through the strength of our military spouses that our troops are able to accept their deployment, knowing the courage of their spouses will prevail and that the prayers of not only their spouses but all their supporters will help them get through the darkest of times.*

.

NOW, THEREFORE, I, STEPHEN R. SPEED, MAYOR OF THE CITY OF DOVER, DELAWARE, do hereby proclaim Thursday, May 11, 2006 as

Military Spouse Appreciation Day

and encourage all citizens to be cognizant of the plight of military spouses and show support by offering friendship, empathy and understanding, realizing that they, too, are making daily sacrifices for their country.



Stephen R. Speed
Mayor

PROCLAMATION

WHEREAS, *the family serves as the nucleus by which the elements of love, identity, self-esteem and support are embedded in children at an early age; and*

WHEREAS*, thousands of children do not have stable homes but are fortunately able to be adopted or placed in loving foster homes where they are provided with safety, security and a nurturing environment; and*

WHEREAS*, Delaware statistics currently show that only 35 percent of children needing foster care can be placed due to the lack of licensed homes in which to place them, and foster families often adopt foster children resulting in a greater need for more foster families; and*

WHEREAS*, citizens, public and private organization work to increase public awareness of the needs of children in foster care and those leaving, and the work done by these groups is invaluable because the foster care system is only as good as those who choose to be a part of it.*

NOW, THEREFORE, I, STEPHEN R. SPEED, MAYOR OF THE CITY OF DOVER, DELAWARE, do hereby proclaim the month of May 2006 as

Foster Care Month

and urge all citizens to take an active role in the positive development of a child by offering their homes to a child in need, helping foster parents with the children in their care, and assisting child welfare professionals during the month of May to ensure a life of stability for our nation's children in foster care.

Stephen R. Speed
Mayor

MEMORANDUM

Department of Planning & Inspections
P.O. Box 475
Dover, DE 19903
Phone: (302) 736-7010 Fax (302) 736-4217

DATE: May 3, 2006

TO: Dover City Council

FROM: Ann Marie Townshend, AICP

SUBJECT: Zoning for Lands of College Road Management Inc., Kent Storage, LLC, and Loralex Company, LLC (AX-06-02)

In response to questions raised by City Council regarding the annexation and requested M (Manufacturing) zoning for the above property, the Department of Planning and Inspections staff have gathered additional information on the subject property's current zoning in Kent County and environmental constraints on the subject property.

Based on information obtained from Kent County Department of Planning Services (see attached map), the zoning breakdown by acreage is as follows:

Kent County Zoning	Number of Acres
RS-1 (Single Family Residential)	16.494849 ac.
RMH (Residential Manufactured Home	2.960046 ac.
IG (General Industrial)	8.837273 ac.

As shown in the attached map, the land zoned IG is along the western portion of the property, near the railroad tracks. The residentially zoned land (RS-1 and RMH) is located on the eastern portion of the property.

Additionally, staff have provided a map showing the approximate location of wetlands on the property, based on the State Wetland Mapping Project (SWMP) maps maintained by the Department of Natural Resources and Environmental Control. According to these maps, the wetlands lie along the eastern side of the subject property. While the SWMP maps give an idea where the wetlands are on the site, a field delineation of the wetlands would provide a definitive location.

A review of the Flood Insurance Rate Map indicates the presence of the 100-year flood plain along the eastern portion of the property. This floodplain extends slightly beyond the wetland

line. The Zoning Ordinance prohibits structures within 25 feet beyond the limits of the floodplain. Based on this review of wetlands and floodplains, it appears that there are natural constraints along the eastern portion of the property.

I hope that this information is helpful. If you have any additional questions, please let me know.



City of Dover

Wetlands Map for Lands of College Road Management Inc., AX-06-02

A large portion of the the east side fo the parcel is located within the 100 year floodplain.
Flood Insurance Rate Map(FIRM) 100006 0166 H May 3, 2005

Map Created By:
Department of Planning and Inspections
Date Map Created: 5-3-06
Date Map Printed: 5-3-06
Wetlands data from DNREC

Dover Parcels
Kent County Parcels
Dover Boundary

0 200 400 800 Feet

RS1
16.494849 Acres

RMH
2.960046 Acres

IG
3.768689 Acres

IG
5.068584 Acres

Legend

Zoning Information

County Zoning

- IG (General Industrial)
- RMH (Residential Manufactured Home)
- RS1 (Single Family Residential)

Annexation Information For City of Dover

Zoning & Acreage figure Relative to Annexation Request

FINAL READING

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER BY CHANGING THE ZONING DESIGNATION OF PROPERTY LOCATED NORTH OF BUT NOT ADJACENT TO COLLEGE ROAD, NORTH OF RAYMOND STREET AND EAST OF THE RAILROAD CORRIDOR AND RAILROAD AVENUE WITH THE EASTERN BOUNDARY OF THE SUBJECT AREA BEING THE ST. JONES RIVER.

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 IG - General Industrial, RS-1 - Single Family Residential, and RMH - Residential Manufactured Home (Kent County zoning classifications) to M - Manufacturing (City of Dover zoning classification).

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 IG, RS-1, and RMH (Kent County zoning classifications) to M (City of Dover zoning classification) on that property located north of but not adjacent to College Road, north of Raymond Street and east of the railroad corridor and Railroad Avenue with the eastern boundary of the subject area being the St. Jones River, consisting of four (4) parcels containing $30.776^{+/-}$ acres, owned by College Road Management, Inc., Kent Storage Facilities, LLC, and Loralex Company, LLC.

ADOPTED: *

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UTILITY COMMITTEE

The Utility Committee Meeting was held on April 24, 2006 at 5:30 p.m. with Chairman Carey presiding. Members present were Mr. Ruane, Mr. Sadusky, Mr. Cregar and Mr. Snaman. Members of Council present were Mr. Slavin, Mr. Ritter (arrived at 6:07 p.m.) and Mr. Salters (arrived at 6:07 p.m.). Mayor Speed was also present (arrived at 5:51 p.m.).

AGENDA ADDITIONS/DELETIONS

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

Annexation Request - Property Located at 1600 North Little Creek Road, Owned by Christopher J. And Rebecca R. Raubacher

Members were provided the Petition to Annex and Zone Property for property located at 1600 North Little Creek Road, consisting of $2.124^{+/-}$ acres, owned by Christopher J. and Rebecca R. Raubacher.

Staff assured members that the City is capable of providing utilities to the parcel, explaining that the cost-revenue analysis showed a positive cash flow to the City in the amount of approximately $3,134 over ten (10) years. Staff recommended annexation of the property.

Responding to Mr. Ruane, Mr. Koenig explained that the lands are identified for annexation and designated as residential in the Comprehensive Plan; however, the plan text allows analysis of surrounding land uses in determining zoning designation regardless of the map designation. The zoning classification will be reviewed by the Planning Commission and a recommendation submitted to Council for their consideration after the public hearing.

Mr. Cregar moved to recommend adoption of a resolution setting the annexation referendum for property located at 1600 North Little Creek Road, consisting of $2.124^{+/-}$ Acres, owned by Christopher J. and Rebecca R. Raubacher (*Attachment #1*). The motion was seconded by Mr. Snaman and carried with Mr. Ruane voting no. *(City Clerk's Office Note: Due to time constraints, the adoption of this Resolution will be considered by City Council during their Regular Meeting held later in the evening).*

Bayard Avenue Water Main Project - Time and Cost Estimate

During a Special Utility Committee Meeting on April 10, 2006, members reviewed a request for budget increases for Division Street and Bayard Avenue Water Main Projects. The committee recommended and Council approved, during a meeting held later that same evening, that staff confirm time and cost estimates for the Bayard Avenue Project and bring to Council in two (2) weeks.

Mr. DePrima explained that after meeting with City Engineers, staff has determined that there may be alternatives more advantageous for the City, financially, to solve the brown water problems in the Bayard Avenue area. He stated that there have been two (2) recent events that may be a part of this resolution which were not known when the pipe replacement work was being performed. He advised members that during this last flushing session, staff discovered a valve that was shut off, which was causing water to go through Bayard Avenue and the surrounding neighborhood at a high velocity instead of going in two (2) different directions. This valve has been turned back on which will slow

and allow the water to travel towards the Capital Complex. Another thing discovered during this flushing, was the need to add a hydrant much further south going towards The Laurels and The Beaches in order to perform routine flushing. Without the hydrant, staff was not able to flush that particular water line.

Prior to replacing the 14 inch pipe with 16 inch pipe as previously proposed, Mr. DePrima felt that the problems may be resolved as a result of opening the valve and the ability to flush further down the system and suggested that staff first determine if there are less complaints as a result of these alternatives. If there are less complaints received, staff would prefer to use the pipe that has been purchased as suggested in the Black & Veatch Study. Mr. DePrima explained that the study indicates that the City's system does not allow enough contact time between chlorination injection stating that there should be about 5 minutes before chlorination gets into whole water system. This is done by creating a big tank to allow contact time with water before going into the system or by building a maze to allow this water to travel before going into the system. Engineers have developed a design for the Bayard Avenue and staff would use the new pipe for this purpose. Mr. DePrima stated that these actions would possibly resolve the brown water problem. The Black & Veatch Study indicates the need for these contact areas to be built.

Mr. Ruane indicates confusion regarding the monies already approved and those that are needed for these new purposes. Responding, Mr. DePrima explained that the boring and material costs would be an additional $168,000. The action at the last meeting authorized staff to pay George & Lynch to finish the Division Street Project to Bayard Avenue. The pipe already purchased for the Bayard Avenue would be installed by City crews. He reminded members that the direction for staff was to advise Council how much it would cost to complete the Bayard Avenue Project, which has been estimated at $168,000.

Mr. Ruane requested that staff reintroduce this explanation during the Council Meeting in a manner that will provide the public an understanding of the different efforts to be made by the City to address this matter. Concurring, Mr. DePrima stated that he would include a graphic to depict the location of the valve and hydrant and an idea of what one of these mazes.

Mr. Ruane moved to recommend that a presentation be provided by staff at the next Council Meeting (that this item not be included on the Consent Agenda), to include pictures and diagrams to help explain the issue and provide a better understanding that this will be an alternative to the direction given by Council during their meeting of April 10, 2006. The motion was seconded by Mr. Snaman and unanimously carried.

Internal Controls for Time and Material Projects

During a Special Utility Committee Meeting on April 10, 2006, members reviewed a request for budget increases for Division Street and Bayard Avenue Water Main Projects. The committee recommended and Council approved, during a meeting held later that same evening, that staff design internal controls for time and materials projects and bring to Council in two (2) weeks.

As directed, staff presented a procedure for Contracted Construction Project - Weekly Monitoring, which includes a monitoring report. Mr. DePrima noted as the procedure is utilized, he anticipates

it will be necessary to make amendments to the procedure. He indicated that no action is necessary by the committee since he is authorized to institute such procedures as City Manager.

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

Meeting Adjourned at 6:12 P.M.

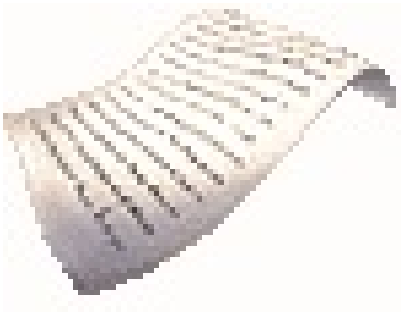
Respectfully submitted,

Carleton E. Carey, Sr.
Chairman

CEC/TM/jg
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Attachment to Original Minutes and File Copy:
Attachment #1 - Annexation Resolution - Property Located at 1600 North Little Creek Road

NOTICE





The Safety Advisory and Transportation Committee

Report of April 25, 2006

will be sent out under separate cover.

I apologize for any inconvenience. Please contact the City Clerk's Office at 736-7008 should you have any questions.

Janice C. Green
City Clerk

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INTRODUCTION

The 2006 Action Plan is submitted to continue the goals and objectives determined in the five-year Consolidated Plan (2005-2010). The Goals and Objectives focus on developing and sustaining viable communities and improving low and moderate income persons are addressed in the Consolidated Plan as part of the strategy for addressing the needs of low and moderate income people. The specific goals and objectives are presented in this Action Plan.

Each year the U.S. Department of Housing and Urban Development upon congressional approval allocates to the City of Dover Community Development Block Grant Program.

Application for Federal Assistance

The following section contains the Application for Federal Assistance from the City of Dover for the 2006 fiscal year.

CITY OF DOVER FISCAL YEAR 2006 CDBG FEDERAL RESOURCES

City of Dover
Federal Resources
CDBG Action Plan

7/01/06 – 6/30/07
Dover, DE 19901

CDBG FEDERAL RESOURCES AVAILABLE FOR USE:

CDBG Funds Allocation:	$278,833
Anticipated Program Income	10,292
Total:	$289,125

I ACTION PLAN

I.1 BACKGROUND

The Congress of the U.S., through the enactment of the "Housing and Community Development Act of 1992, has authorized that Federal funds be allocated to the entitlement community, the City of Dover, Delaware, to support Community Development activities within the boundaries of the City.

I.2 ADMINISTRATION RESPONSIBILITY AND CERTIFICATION

The Mayor and Council has duly adopted as an official act a resolution authorizing Tracey N. Harvey as the official representative of the City of Dover to submit certifications to the Federal Department of Housing and Urban Development that are required by Section 106(d)(2)(c)©(iv) of the Housing and Community Development Act of 1974, as amended by the Housing and Community Development Act of 1992. A copy of the certifications can be found in section VIII titled "Certifications" found on page AP VIII –1 in this document.

I.3 AMOUNT OF AVAILABLE FUNDS

The City of Dover is in receipt of fiscal year 2006 CDBG fund assignment. The total fiscal year 2006 fund assignment for Dover is $278,833.

I.4 PROGRAM DESIGN

The City CDBG Program has been designed so as:

- To give maximum feasible priority to activities which will benefit low and moderate income persons; or
- To aid in the prevention of slums or neighborhood blight; and to meet other Community Development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health and welfare of the community where other financial resources are not available to meet such needs.
- The funds shall principally benefit persons of low and moderate income in a manner that ensures that not less then 70 percent of such funds are used for activities that benefit low and moderate income.

I.5 CONSULTATION WITH LOCAL HOUSING PROVIDERS AND CITIZEN PARTICIPANTS

Notice of Public Hearing: March 14, 2006

NOTICE OF PUBLIC HEARING

The City of Dover announces with this notice a public hearing on the Housing and Community Development needs, which will be addressed in the City Draft Action Plan. The Action Plan and Certifications must be submitted to the U.S. Department of Housing and Urban Development (HUD) no later than May 15, 2006, will serve as the Housing Planning Document and applications for funding of the City.

The Public Hearing is to obtain views of citizens and interested organizations on housing and community development needs. Both oral and written comments will be received at the hearing and a summary of the comments and City of Dover response will be attached to the Final Action Plan submitted to HUD and will be available for public review.

If you have a vision, hearing or physical impairment that requires accommodation either in the reading of this notice or at the public hearing, the City of Dover will provide appropriate assistance, please call Community Development Office at 736-7175 between the hours of 8:30 AM and 5:00 PM. If you have a hearing impairment, the State TDD Relay Center number is 1-800-855-1155 same hours.

The Public Hearing will be held at the City of Dover, City Hall Council Chambers on March 14, 2006 at 5:30 PM.

EQUAL HOUSING OPPORTUNITY

CONSOLIDATED PLAN ADVISORY GROUP

The Consolidated Plan Advisory Group Meeting was held on March 14, 2006 at 5:48 p.m. with Chairman Sadusky presiding. Members present were Mr. Ruane, Mr. Long, and Mr. Truitt.
Mrs. Russell was absent. Others present were Councilmen Salters and Carey (departed 6:23 p.m.) and Mayor Speed (departed 6:25 p.m.).

AGENDA ADDITIONS/DELETIONS

Mr. Ruane moved that item #2, Review of Grant Applications for Development of Recommendation for 2006 Proposed Community Development Block Grant Projects, be deferred due to the absence of Mrs. Tracey Harvey, Community Development Director. The motion was seconded by Mr. Long and unanimously carried.

PUBLIC HEARING - COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATIONS

Members were provided a Community Development Block Grant Program Overview and Grant and Program Request for Fiscal Year 2006 which summarized the grant and program requests.
Mr. DePrima stated that the first seven (7) requests were from sub-recipients, which are groups not associated with the City of Dover. The groups listed under the Community Development Office heading are either operated by the City of Dover or operate as a sub-recipient with the City of Dover. He also indicated that the purpose of this committee was to decide which programs would receive funding.

Mr. DePrima indicated that during their next meeting, an orientation will be given defining the Community Development Block Grant, what the goals are, program criteria, funding criteria, and history of past funding.

Responding to Mr. Ruane, Mr. DePrima stated that, historically, this public hearing was held by staff and not the committee. It was also noted that the applicants were notified by telephone regarding this public hearing.

Chairman Sadusky declared the Public Hearing open.

Ms. Sherwanda Rachal, Community Prevention Coordinator, indicated that the City of Dover Weed & Seed Program is a community based, comprehensive, multi-agency strategy to combat violence, crime, gang activity, and drug abuse, as well as trafficking in the Dover community. She provided members with a handout which highlights the programs that fall within the guidelines of Community Development. She also indicated that ninety percent of the families fall within the guidelines of low to moderate income

programming. As of February 2006, funding had been cut for the Weed & Seed Program and they are currently seeking salary funding.

Responding to Mr. Ruane, Ms. Rachal stated that other funding is being pursued through other groups such as 21st Century and Grant In Aid.

Ms. Christine Stillson, Director and Ms. Lauren Nelson, Field Coordinator for the Emergency Home Repair Project (EHRP), 1221 College Park Drive, Suite 101, indicated that the EHRP is a long-term program of the First State Resource Conservation and Development Council, which is a local non-profit organization. Ms. Nelson stated that the EHRP is in support of the current goals of the Community Development Strategic Plan with reference to their overall support of its housing goals and preserving the existing housing stock, such as the rehabilitation of owner occupied homes for low income families. She noted that as a current sub-recipient of Community Development Block Grant Funds, she can attest for the need for continued funding to make repairs and to bring substandard housing up to code whenever possible. Ms. Nelson indicated that the EHRP addresses the most serious housing deficiencies and that during fiscal year 2006 to date, five (5) homes have received assistance from the Community Development Block Grant and an additional three (3) homes have repairs in progress, varying from roof repairs to furnace repairs. Ms. Nelson further explained the EHRP encourages the City to keep its focus on improving housing and housing opportunities for lower income residents.

Responding to Mr. Ruane, Ms. Nelson indicated that the average amount spent per home is approximately $3,000 to $4,000 and the three (3) homes with repairs in progress will cost approximately $5,000 each.

Mrs. Marion Harris, Founder/Executive Director of House of P.R.I.D.E, 105 South New Street, indicated that their request is for the rehabilitation of a home that was donated to the House of P.R.I.D.E and will be used to relocate a Hurricane Katrina family.

Mr. Scott Koenig, Public Works Director, indicated that the Downtown Revitalization Project area was identified in 2003 and its purpose is to resurface and rehabilitate concrete in that area.
Mr. Koenig stated that Community Development Block Grant funding in the amount of $138,000 was received in 2003 to perform concrete and paving improvements on Fulton and Cecil Streets. He also noted that $188,000 was received in 2004 for improvements on North Kirkwood and South New Streets, and $136,000 was received in the current budget year to perform improvements on South Queen Street. Mr. Koenig requested funding in the amount of $130,000 to perform concrete rehabilitation and paving on South Kirkwood Street, which would complete the road repairs in the Downtown Revitalization Project area. Mr. Koenig indicated that the improvements are expected to last from 20 to 25 years.

Responding to Mr. Ruane, Mr. Koenig stated that the Downtown Revitalization Project had received general fund street program funding and an appropriation has been included in this year's budget request for the Department of Public Works. Mr. DePrima indicated that due to South Kirkwood Street being the last street of this project, it has the highest priority for receiving general fund money.
There being no one else wishing to speak, Chairman Sadusky declared the Public Hearing closed.

Responding to Mr. Ruane, Mr. DePrima indicated that a special meeting will be scheduled
to rank and assign points to each funding request once Mrs. Harvey returns. Mr. Ruane suggested that the funding requests be categorized and that Staff identify which are public service, new applicants, and repeat applicants. He also requested a list of the federal requirements prior to making recommendations.

Mr. Salters stated that the Weed and Seed Program previously received funding and it is an important part of the City's overall effort to provide educational and anti-drug programs to the City's youth.

Mr. Ruane suggested that a special meeting be held on Thursday, March 23, 2006 from 1:00 p.m. to 3:00 p.m. to review the applications and formulate recommendations on which projects should receive funding.

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

Meeting Adjourned at 6:36 P.M.

Respectfully submitted,

Robert M. Sadusky
Chairman

RMS/jcr
S:\ClerksOffice\Agendas&Minutes\Committee-Minutes\2006\03-14-2006-CPAG.wpd

SIGN IN SHEET
CDBG FIRST PUBLIC HEARING
FY 2006
MARCH 14, 2006

NAME	ADDRESS	TELEPHONE #
Sherwanda Rachal	P.O. Box 475 Dover, DE	736-7050
Kim Brokenbrough	DSHA 18 The Green	739-2707
Christine Stillson	RC&D 1221 College Park Drive	424-6710
Lauren Nelson	RC&D	424-6744
Marian Harris	House of Pride	677-0173
Ray Famble	House of Pride	677-0126

NOTICE OF SECOND PUBLIC HEARING

In accordance with Federal Regulations governing the City of Dover Community Development Block Grant Program, the City of Dover will hold a second public hearing Thursday, April 13, 2006 at 5:30 PM in the City Hall Council Chambers, 15 E. Loockerman Street, Dover, to afford citizens an opportunity to comment on the proposed 2006 Action Plan and projected use of funds. The City will consider any comments or views of citizens received in writing or orally at the public hearing. A summary of these comments or views and summary of any comments or views not accepted and reasons therefore, shall be attached to the plan. Receipt of written comments will close at 5:00 PM on April 28, 2006. This Federally funded program will provide funds to support Community Development activities in eligible communities within the City of Dover. If you have a vision, hearing or physical impairment that requires accommodation either in the reading of this notice or at the public hearing, the City of Dover will provide appropriate assistance, please call Community Development Office at 736-7175 between the hours of 8:00 AM and 5:00 PM. If you have a hearing impairment, the State TDD Relay Center number is 1-800-855-1155 same hours.

EQUAL HOUSING OPPORTUNITY
Community Development Office
P.O. Box 475
Dover, DE 19901

PUBLIC NOTICE

The City of Dover 2006 proposed Action plan will be available for review and comment for a period of thirty days beginning on March 31, 2006 and ending on May 1, 2006. Copies of the Action Plan will be available at the following locations: Department of Planning and Inspections located in City Hall on Loockerman Street and the City of Dover Public Library reference desk on State Street. Comments or questions concerning the Action Plan should be in writing and directed to:

Tracey N. Harvey
Community Development Director
Fair Housing Counselor
City of Dover
P.O. Box 475
Dover, DE 19903

SECOND PUBLIC HEARING
ACTION PLAN
FY 2006 MINUTES
APRIL 13, 2006

The public hearing was called to order at 5:45 PM in the Caucus Room.

Mrs. Tracey Harvey called the meeting to order. Mrs. Harvey stated the Public Hearing was being held to inform the citizens of the proposed grant recommendations for the 2006 fiscal year, and will be open for public comments following the review of recommendations.

The proposed projects provide a recommended funding strategy that is consistent with the following 2005 Consolidated Plan goals:

1. Encourage owner occupied housing in low to moderate income areas.

2. Preserve the existing housing stock in the City of Dover.

3. Provide decent and safe neighborhoods.

4. Increase the livability of our neighborhoods.

Mrs. Harvey indicated the total grant allotment for fiscal year 2006 is $289,125 including program income. Twenty percent (20%) of the grant will be used for Program Administration to manage the Community Development Block Grant Program.

Mrs. Harvey gave an overview of the six (6) proposed projects with the recommended funding for each project.

Mrs. Harvey opened the Public Hearing for comments.

Mr. Rob Downer from the House of Pride indicated he wanted to discuss the grant proposal for the House of Pride (HOP). For nearly twenty years, (HOP) started off as a referral organization by Ms. Marian Harris and is now a corporation dedicated to the revitalization of the downtown area. We own 15 properties on New Street and 5 or 6 are rentals. I have been affiliated with (HOP) for four years, and the work that the community members through sponsorship encouragement of the (HOP) has provided in the area has drastically improved the area for residents and community members. Drug activity and other related criminal activity has been decreased. There have been positive changes within the community and that's been our mission over the years to provide

a self sustaining community which I think (HOP) has achieved. The (HOP) does all of the things that have been proposed for the 2006 Action Plan. I think the things that have been done in the community with the repavement of the streets and curbs have been great and helped our mission to improve the area. I am really happy that the city has decided to undertake that project to improve the community in that area. New Street has been completed and I think that's wonderful. One of the things we focused on for the proposal for the Block Grant is to take one of our donated properties located at 35 N. New Street which was scheduled for demolition, and convert it into a Transitional Family Home for 4 to7 individuals. We propose that all of the work will be done by members of the community and by members of the recovery program. This goes along with our mission of providing a self sustaining community where people can actually see a return investment in the community, see a return encouraging homeownership and encouraging decision making for those members of the community. I think that speaks really well to the things that are listed in the 2006 Action Plan projects and the overall mission for the city, to provide people with opportunities that otherwise would not be there for them. We propose about $42,000 with a match of $29,766 for a total of $71,766 for the total project. The administration of the project will be taken care of by the members of the House of Pride. In general that is what our project consist of. I think the previous efforts of our organization to provide rehabilitation of buildings that would otherwise be demolished or abandoned for a period time have been very successful. We actually had a project a couple of years ago called S.A.V.E. (Shelter Adoption Voluntary Efforts) that started with beautification efforts with the planting of flowers, repairing a fence and starting a garden, and it has progressed since then. A couple of the buildings we have saved from demolition and abandonment are 110 S. New Street, 38 S. New Street, 45 S. New Street and 35 N New Street would include all major renovation projects.

Mrs. Harvey asked what else needed to be done to the property at 35 N. New Street? Would it include interior work that needs to be done?

Mr. Downer replied plumbing, heating, electrical, carpet and flooring, removal of debris, and making sure the building is brought up to code.

Mrs. Harvey stated that she noticed in the application for (HOP) a contractor had already been chosen to complete the project. If you were to receive CDBG funds, you would be required to go to bid.

Mr. Downer replied okay, thank you.

Mrs. Harvey asked if there were any more comments.

Mr. Alex Martin (HOP) added they are interested in renovating the property at 35 N. New Street for a family of 4 to7 people. There is still a lot of interior work that needs to be done as well as exterior work.

Mrs. Harvey asked who will do the exterior work.

Mr. Martin replied clients and volunteers will do the work. We need contractors to complete the electrical and the plumbing; we ourselves can do most the labor.

Mrs. Harvey replied you would have to bid the work out in order to receive federal funds.

Mr. Martin responded, where we stand now at 35 N. New Street, we would need to go to bid?

Mrs. Harvey replied yes.

Mr. Downer asked when you are talking about federal funds through the block grant program; one of the guidelines when you're talking about bidding is a major part of it.

Mrs. Harvey replied HUD Federal Regulations require that subgrantees go to bid for rehabilitation projects with a least two or more responsible bidders.

With no further questions or comments, the meeting adjourned at 6:00 PM

Tracey N. Harvey
Community Development Director

SIGN IN SHEET
CDBG SECOND PUBLIC HEARING
FY 2006
APRIL 13, 2006

NAME	ADDRESS	TELEPHONE #
Rob Downer	House of Pride	677-0116
Alex Martin	House of Pride	677-0116
Randy Broadus	House of Pride	677-0116

1. STATE PROGRAMS

Housing Rehabilitation Loan Program (HRLP). Provides home improvement loans to owner-occupants or landlords interested in moderately rehabilitating existing properties. These loans, up to a maximum amount of $15,000 per unit, are made at 3% interest rate for a term up to ten years. Program is available statewide.

2. LOCAL PROGRAMS

City of Dover Community Development Block Grant (CDBG) Program. This program has been designed to expand housing opportunities and housing choices for low and moderate income persons living in targeted areas of Dover, to protect the public health and welfare of Dover citizens, especially low and moderate income persons by:

1) Preventing or eliminating slums or neighborhood blight.

2) Rehabilitation of Substandard Owner Occupied Housing.

3) Funding Special Needs Facilities.

4) Infrastructure in the Target Area.

The following is a brief list of the projects funded through the City of Dover CDBG program demonstrating the range of activities covered by the program:

- ADA improvements have been made to several city-owned buildings making them handicap accessible.

- In 2005, Dover Housing Authority was provided a grant to demolish two substandard homes in the target area to construct affordable housing for low to moderate income persons.

- From 1995 through 2005, the City of Dover Police Department has been funded to perform Operation Foot Beat, which includes community policing and drug enforcement in the downtown target area.

- Down payment and settlement assistance was provided to a total of 41 first time home buyers who are low to moderate income persons since the initiation of the Dover First Start Assistance Program.

- From 2004 to 2005 there were 8 owner occupied houses rehabilitated to meet

standards of the City Housing Code under the Homeowner Rehabilitation Assistance Program.

- From 2003 to 2005 CDBG funds were used to address the infrastructure needs of the target area with the reconstruction of the streets and curbs. This project is expected to be completed in the spring of 2007.

Target Block Program The purpose of the target block approach is to concentrate resources available to the public, private, and non-profit sector's for housing program in a specific area (known as the Target Block). The target block consists of one of Dover's oldest working class neighborhoods located in west central Downtown. This concentrated approach is to insure the likelihood of an immediate visual impact and long-term stabilizing effect of each area.

The major element of the target block program will be concentrated home-to-home internal inspection to determine deficiencies, which need to be corrected. Substandard housing requiring plumbing, electrical update to meet the Dover building code, but which is basically sound and suitable for rehabilitation have been targeted. A sufficient number of low and moderate income families must reside in the area.

Inclusionary Zoning – Unlike many communities, Dover has not practiced "exclusionary zoning" were most of the undeveloped land is designated for large lot single family detached homes. To the contrary, The Dover Plan (Dover's Comprehensive Plan) designates a large portion of undeveloped lands for moderate density housing, and a smaller but significant portion for high density housing. The land is subsequently zoned accordingly, permitting a range of residential densities and housing types. The most recent Dover Plan update was adopted in September 2003 and amended in May 2005. The Land Development Plan specifically identifies a range of residential land uses from low density to high density throughout the City.

As part of the implementation of the Comprehensive Plan update, a new ordinance was proposed and adopted establishing the Traditional Neighborhood Design (TND) zone in November 2004. The Traditional Neighborhood Design (TND) zone allows for the creation of a walkable pedestrian friendly mixed-use neighborhood with residential, commercial, and professional office areas. The tract of land known as Eden Hill Farm was rezoned to TND and the general overall master plan for the development incorporates a mix of residential types from single family homes to townhouses and the potential for apartments over commercial uses. Additional review of the project plans must be completed prior to start of development activities at the Eden Hill Farm.

Also promoting mixed residential developments is the Planned Neighborhood Design Option (PND) adopted in 1996. The Planned Neighborhood Design Option encourages superior site design by relaxing bulk standards, requiring more open space and recreational areas, permitting various housing styles in all zones, and providing

incentives to mix housing types to encourage less homogeneous development patterns. Accessory apartment associated with single family residences are permitted if certain design criteria are met. Density bonuses for community features (such as neighborhood commercial uses or day care centers) are offered. Although there are no direct requirements for affordable housing or subsidized units, clearly these types of units could easily accommodate within these style developments. Three PND developments are currently under construction (Lexington Glen, Clearview Meadows, and Village of Cannon Mill) pending promise to offer over 800 new housing units including single family detached, townhouses, duplexes, and apartment units. The Luther Village PND currently under construction focuses on a Senior Citizen Housing Option, for Low & Very Low Income Persons. Several other PND projects are in the review process.

Housing Inspection Program – The City of Dover has adopted the International Code Council 2003 Property Maintenance Code as its Housing Code and has six full time inspectors dedicated to investigating housing complaints and doing routine inspections of multiple family dwelling structures. The inspectors work throughout the City, but have targeted the older neighborhoods in west central Dover as an area where most violations exist. The housing inspectors are also an integral part of the Target Block Program. Inspections typically include all exterior and interior structural members, heating, plumbing, and venting systems, space requirements, sanitary facilities and exterior property maintenance.

PRIVATE RESOURCES

For-profit

In the for-profit area the major resources for housing will be local lending institutions that are looking for quality housing projects (ownership and rental) to support in conjunction with their requirement to comply with the Community Reinvestment Act (CRA). Several local banking institutions in response to CRA requirements have joined together to form the Delaware Community Investment Council. The Council will provide low-interest loans to non-profits for developing affordable housing.

Favorable mortgage lending terms for projects not typically financed that are in areas under-served by local financial institutions will be the primary resource expected.

Non-Profit

There are several non-profit foundations that serve the Dover area and have established housing and housing related services as priorities for their annual or semi-annual grants. Among them are the following:

Delaware Community Foundation
Crystal Trust
Milton and Hattie Kutz Foundation

Gannett Communities Funds

In addition to non-profit foundations there are several non-profit organizations that provide housing or housing related services. For example the National Council on Agricultural Life and Labor Research Fund, Inc. (NCALL) provides comprehensive home ownership counseling services and technical assistance to non-profits involved with the HOME program and Central Delaware Habitat for Humanity and Dover's First Start Home Ownership Down Payment and Settlement Program.

Public Review
2006 Proposed Action Plan
March 31, 2006

Copies of the Proposed Action Plan were on display in City Hall and the Public Library for 30 days. At the close of review, there were no public comments.

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2006 ACTION PLAN GOALS

1. Provide ownership opportunities throughout the community, especially within low and moderate income neighborhoods.

2. Preserve the existing housing stock in the City of Dover.

3. Provide decent and safe neighborhoods

4. Increase the livability of our neighborhoods

The following projects provide a recommended funding strategy for the achievement of these goals and objectives in accordance with the purpose and intent of the City of Dover 2005 -2010 Consolidated Plan.

I.6 Proposed Activities to be undertaken

The total grant allotment for fiscal year 2006 is $289,125 including program income. Twenty Percent (20%) of the grant will be used for Program Administration to manage the Community Development Block Grant Program.

The following activities are projects that are proposed to be funded by the City of Dover Community Development Office.

Project 1: Homeownership Assistance Program

The City will go into partnership with Delaware State Housing Authority, Dover Housing Authority and other housing providers to assist low to moderate income persons purchase homes in the City of Dover. This project is consistent with Goal 1: Encourage owner occupied housing in low to moderate income areas through objective 1.2 in the 2005 Consolidated Plan.

Total Funding ……. $60,000.00

Project 2: CDBG Program Administration

CDBG Funds will be used to oversee management, monitoring and coordination of the CDBG program in the City of Dover. Funding defers cost of staffing the program.

Total Funding ……. $57,825.00

Project 3: Community Revitalization Infrastructure

CDBG funds will be used to address the infrastructure needs in the target area with the reconstruction of the streets and curbs. This project is consistent with Goal 2: Preserve the existing housing stock in the City of Dover, through Objective 2.2 in the 2005 Consolidated Plan.

Total Funding …….. $60,000.00

Project 4: Homeowner Rehabilitation Assistance Program

CDBG Funds will be used to rehabilitate qualified owner/occupied homes found in violation of the City's Housing Code. This project is consistent with Goal 2: Preserve the existing housing stock in the City of Dover, through Objective 2.1 in the City of Dover 2005 Consolidated Plan.

Total Funding …… $61,300.00

Project 5: First State Resource Conservation and Development Council (RC&D)

CDBG funds will be used to assist very low income homeowners with emergency repairs to eliminate severe housing conditions that constitute health and safety hazards. This project is consistent with Goal 2: Preserve the existing housing stock in the City of Dover, through Objective 2.3 in the 2005 Consolidated Plan

Total Funding …… $25,000.00

Project 6: Dover Community Partnership, Inc. (DCP)

CDBG funds will be used to remodel homes in the target area purchased by Dover Housing Authority and then sold to low to moderate income families. This project is consistent with Goal 1: Encourage owner occupied housing in low to moderate income areas through objective 1.2 in the 2005 Consolidated Plan.

Total Funding …… $25,000.00

Total Funding……...$289,125.00

I.7 Maps of Dover

The following maps depict the City of Dover.

Map II-1 City of Dover Census Tracts and Block Groups

This map shows the various Census Tracts and Census Block Groups in the City of Dover area. The Tracts and Blocks are numbered for easy reference to sections of the text which mention specific tract and block numbers.

Map II - 2 City of Dover Areas of Minority Concentration

This map shows the areas where minorities are concentrated in the City of Dover. For more information see the City of Dover 2005 Consolidated Plan.

Map II - 3 City of Dover Low to Moderate Income Areas

This map shows Dover's low to moderate income areas, based on the 2000 US Census Block Groups. HUD has designated that for Dover, areas with more than a 49.4% population of low to moderate income persons qualify for area benefit activities. The block groups with 49.4% low to moderate income population or greater are shown in tan on Map II - 3. For more information see the City of Dover 2005 Consolidated Plan.

Map II-1 City of Dover Census Tracts and Block Groups

Map II - 2 City of Dover Areas of Minority Concentration

Map II - 3 City of Dover Low to Moderate Income Areas

II GEOGRAPHIC DISTRIBUTION:

Project 06-1 – Homeownership Assistance Program

City Wide

Project 06-2 – CDBG Program Administration

City Wide

Project 06-3 – Community Revitalization Infrastructure

Target Area

Project 06-4 – Homeowner Rehabilitation Assistance Program

City Wide

Project 06-5– First State Resource Conservation and Development Council (RC &D) .

City Wide

Project 06-6 – Dover Community Partnership, Inc.

Target Area

SERVICE DELIVERY AND MANAGEMENT:

The City of Dover Community Development Office will assume overall responsibility for the implementation of the Action Plan. In addition, the Community Development office will directly manage and administer the City of Dover Housing Rehabilitation Grant Program and Housing Rehabilitation for Home Ownership and the buyers in Dover.
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II.1 HOMELESS AND OTHER SPECIAL NEEDS ACTIVITIES:

At the present time, there are six scattered site neighborhood homes that have been developed by the Alliance for the Mentally Ill in Delaware. These homes provide housing for persons who are chronically mentally ill. The homes have been funded

through the HUD Section 202 Program so that the residents pay 30% of their adjusted gross income for rent and utilities. The homes have project based rent subsidies.

The Delaware HIV Consortium's HOPWA (Housing Opportunities for People with AIDS) program. The consortium entered into a contract with the Delaware State Housing Authority to provide tenant based rental assistance to people with HIV/AIDS in the State of Delaware. This program is now fully operational statewide. Clients are referred to the program by staff from agencies that provide HIV case management services such as Kent County Counseling Services and the Division of Public Health located in the City of Dover. In Kent County, the program currently provides rental assistance to approximately 35 families and has an additional waiting list of 270 families. Because the demand for the program is greater than can be met, staff encourages all program participants and potential program participants to apply for alternate forms of subsidized housing through such avenues as Dover Housing Authority and the Delaware State Housing Authority.

II.2 LEAD BASED PAINT HAZARD REDUCTION *(24 CFR 91.215 (f))*

The City of Dover has 10,815 housing units in its jurisdiction. Of those, 4,884 are renter-occupied and 5,931 are owner-occupied. Of the renter-occupied units, 3,376 units, or about 70% of the total were built before 1979. Of the owner-occupied units, 4,179 units, or about 80% of the total were built before 1979.

Although the City does not have detailed data on the potential incidence of the lead-based paint hazard, these statistics at least indicate that the City's housing stock is highly "at-risk". In addition, a high incidence of the rental (65%) and owner-occupied (35%) units that are "at-risk" are occupied by very-low or other-low families that are least able to be in a position to afford the abatement of the hazard if it does exist.

Currently, the State of Delaware Department of Public Health enforces lead based paint abatement within the City of Dover. Under the State's program, families with children who have been diagnosed by the Public Health centers with lead poisoning are referred to a State Lead Based Paint Inspector. The inspector then performs the relevant technical analysis of the family's residence. If lead based paint is discovered, abatement is required. The City of Dover Department of Inspections acts in partnership with the State in assuring that lead paint hazards are reduced or eliminated, and that affected housing units are brought up to code.

The City currently requires lead-based paint testing and abatement in conjunction with its CDBG rehabilitation program. The City of Dover Department of Planning and Inspections does not have the equipment necessary to accurately identify lead-based paint during housing inspections. However, the City is exploring the possibility of providing training to its housing inspectors to allow testing of lead based paint on a regular basis.

In addition to the activities of the City of Dover and the State of Delaware Department of Public Health, the Dover Housing Authority has been active in lead based paint abatement in the city. The Dover Housing Authority has tested and abated lead-based paint in all its public housing units. The Dover Housing Authority also deals with the lead paint hazard in private rental units through the enforcement of the Housing Quality Standards in conjunction with its Section 8 Rental Certificate/ Rental Voucher Program.

II.3 **ANTI-POVERTY STRATEGY***(24 CFR 91.215 **(f))***

In 2000, the US Census found that approximately 13.8% of Dover's population lived below the poverty level. This percentage was somewhat higher than surrounding areas in Kent County (which had 8.1% of the population below poverty level) and higher than the average for the State of Delaware (6.5%). Clearly, there is a concentration of persons living below the poverty level in Dover.

To address poverty within the City of Dover, a multi-faceted anti poverty strategy will be described below. This strategy stresses partnership with and the support of other agencies and organizations. Within the City of Dover there are two full service housing authorities, and various social service agencies which need and deserve the city's support. In addition to these service providers, the City of Dover will direct revitalization economic development, and code enforcement efforts at low to moderate income neighborhoods. This will provide quality places for people in these neighborhoods to live and work, and provide them with new and better opportunities to earn a living.

The following are the four main elements of the City of Dover's Anti-Poverty Strategy:

Highest Priority Given to Funding Proposals which Address or Fight Poverty: The City of Dover CDBG Committee will give the highest priority in the Five Year Plan to proposals which are targeted towards those living in poverty. These proposals must be consistent with one or more of the following Priorities identified in this plan:

Economic Development
Improve Quality of Housing Stock and Infrastructure
Aid to Special Needs Persons

Support Family Self-Sufficiency Programs and other Resident Initiatives/Counseling Programs at Dover's Housing Authorities. Both the Delaware State Housing Authority and the Dover Housing Authority provide their residents with support and assistance in job training, parenting, counseling, financial management, and other skills. These programs are integrated in the housing programs through the Family Self-Sufficiency Program and/or other Resident Initiatives. It is the position of the City of Dover that these programs provide excellent opportunities for those in public housing to become economically and socially self sufficient. The City of Dover will provide assistance and support as requested to encourage the continuance of these programs.

Support the Various Social Service Providers that serve Dover's poor. There is a network of service providers presently operating in Dover that serve the city's poor. These providers include The State of Delaware Division of Health and Social Services, the State Service Centers, and Whatcoat Social Services (which operates the Ruth N. Dorsey Shelter.) There are also numerous non-profit corporations within the City, including the Dover Housing Development Corporation and the House of Pride. The City will support the missions and the functions of these organizations by providing technical and planning support, and when possible implementing physical improvements to infrastructure, which serves these facilities.

Economic Development. The only way to solve the problem of poverty is to help families earn more money. To do so, there must be an abundant supply of jobs available to low and moderate income persons. It is the strategy of the city to use multiple approaches to job creation.

Both the Dover Downtown Development Corporation and Main Street Dover encourage the development and expansion of businesses in the Downtown Area. A special focus should be firms, which provide jobs for low to moderate-income persons. Job creation in the downtown area will serve the dual goals of maintaining and enhancing the older buildings in this historic area, and providing employment in close proximity to a low to moderate income neighborhood.

Both the Central Delaware Chamber of Commerce and the Kent County Aero Park encourage the development of new businesses elsewhere in the Dover area. The attraction and retention of new corporations and manufacturing firms to Dover will provide additional jobs for low to moderate-income persons.

III Certifications

III.1 General Certification

In accordance with the applicable statutes and the regulations governing the Consolidated Plan regulations, the jurisdiction certifies that:

Affirmatively Further Fair Housing -- The jurisdiction will affirmatively further fair housing by taking corrective actions to remedy the impediments that have been identified in the Analysis of Impediments (AI) study for the State of Delaware in which the City of Dover has been incorporated. The City has tailored the AI by addressing the impediments specifically for the City of Dover as an addendum to the State's AI and adopting the AI. The addendum has been incorporated in the 2005 Consolidated Plan.

Anti-Discrimination -- The grants will be conducted and administered in compliance with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d), the Fair Housing Act (42 U.S.C. 3601-3620), the Age Discrimination Act of 1975, Executive Orders 11063, 11625,

12138, 12432 and 12892, Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), the Americans with Disabilities Act (title II) and implementing regulations.

Anti-displacement and Relocation Plan -- It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, as required under §570.606(b) and Federal implementing regulations; and that it has in effect and is following a residential ant displacement and relocation assistance plan required under section 104(d) of the Housing and Community Development Act of 1974, as amended, and the relocation requirements of §570.606(c) governing optional relocation assistance under section 105(a)(11) of the Housing and Community Development Act of 1974, as amended;

Drug Free Workplace -- It will or will continue to provide a drug-free workplace by:

1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

2. Establishing an ongoing drug-free awareness program to inform employees about

   (a) The dangers of drug abuse in the workplace;

   (b) The grantee's policy of maintaining a drug-free workplace;

   (c) Any available drug counseling, rehabilitation, and employee assistance programs; and

   (d) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

3. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph 1;

4. Notifying the employee in the statement required by paragraph 1 that, as a condition of employment under the grant, the employee will -

   (a) Abide by the terms of the statement; and

(b) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

5. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph 4(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

6. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph 4(b), with respect to any employee who is so convicted -

(a) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(b) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

7. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs 1, 2, 3, 4, 5 and 6.

8. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)
Dover City Hall
15 East Loockerman Street
Dover, DE 19901

Check ___ if there are workplaces on file that are not identified here; the certification with regard to the drug-free workplace required by 24 CFR part 24, subpart F.

Anti-Lobbying -- To the best of the jurisdiction's knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an

officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and

3. It will require that the language of paragraph (n) of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly. The jurisdiction is in compliance with restrictions on lobbying required by 24 CFR part 87, together with disclosure forms, if required by that part.

Legal Authority -- It possesses legal authority under State and local law to make grant submissions and to execute a community development and housing programs and the jurisdiction's governing body has duly adopted or passed as an official act a resolution, motion or similar action authorizing the person identified as the official representative of the grantee to submit the housing and community development plan and amendments thereto and all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the grantee to act in connection with the submission of the housing and community development plan and to provide such additional information as may be required;

Applicable Laws -- The jurisdiction will comply with the other provisions of the Acts covering programs covered by the HCD plan and with other applicable laws.

Section 3. -The jurisdiction will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u), and implementing regulations at 24 CFR part 135.

/

Signature Date

Title

III.2 Specific CDBG Certifications

The Entitlement Community certifies that:

Use of Funds -- It has developed its HCD plan one-year projected use of funds so as to give maximum feasible priority to activities which benefit low and moderate income families or aid in the prevention or elimination of slums or blight; (the projected use of funds may also include activities which the grantee certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available); except that the aggregate use of CDBG funds received under section 106 of the Housing and Community Development Act of 1974, as amended, and if applicable, under section 108 of the same Act, during program year(s) 2005-2010 (a period specified by the grantee consisting of one, two, or three specific consecutive program years), shall principally benefit persons of low and moderate income in a manner that ensures that not less than 70 percent of such funds are used for activities that benefit such persons during such period;

Community Development Plan -- It has developed a community development plan, for the period specified in the paragraph above, that identifies community development and housing needs and specifies both short and long-term community development objectives that have been developed in accordance with the primary objective and requirements of the Housing and Community Development Act of 1974, as amended;

Special Assessments -- It will not attempt to recover any capital costs of public improvements assisted in whole or in part with funds provided under section 106 of the Housing and Community Development Act of 1974, as amended, or with amounts resulting from a guarantee under section 108 of the same Act by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements, unless:

1. Funds received under section 106 of the Housing and Community Development Act of 1974, as amended, are used to pay the proportion of such fee or assessment that relates to the capital costs of such public improvements that are financed from revenue sources other than under Title I of that Act; or

2. For purposes of assessing any amount against properties owned and occupied by persons of moderate income, the grantee certifies to the Secretary that it lacks sufficient funds received under section 106 of the

Housing and Community Development Act of 1974, as amended, to comply with the requirements of subparagraph (1) above;

Lead-Based Paint -- Its notification, inspection, testing and abatement procedures concerning lead-based paint will comply with §570.608;

Excessive Force -- It has adopted and is enforcing:

1. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and

2. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction;

_____ \ _____

Signature Date

_____

Title

III.3 OPTIONAL CERTIFICATION CDBG

Deleted

III.4 APPENDIX TO CERTIFICATIONS

INSTRUCTIONS CONCERNING LOBBYING AND DRUG-FREE WORKPLACE REQUIREMENTS:

A. Lobbying Certification

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

B. Drug-Free Workplace Certification

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification set out in paragraph (o).

2. The certification set out in paragraph (o) is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, HUD, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.

3. For grantees other than individuals, Alternate I applies. (This is the information to which entitlement grantees certify).

4. For grantees who are individuals, Alternate II applies. (Not applicable to CDBG Entitlement grantees.)

5. Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.

6. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio stations).

7. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph five).

8. Definitions of terms in the No procurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules:

   "Controlled substance" means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C.812) and as further defined by regulation (21 CFR 1308.11 through 1308.15);

   "Conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;

   "Criminal drug statute" means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;

   "Employee" means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) All "direct charge" employees; (ii) all "indirect charge" employees unless their impact or involvement is insignificant to the performance of the grant; and (iii) temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are not on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplace.

IV DEFINITIONS

Certification. A written assertion, based on supporting evidence, that must be kept available for inspection by HUD, by the Inspector General of HUD, and by the public. The assertion shall be deemed to be accurate unless HUD determines otherwise, after inspecting the evidence and providing due notice and opportunity for comment.

Consolidated plan (or "***the plan***"). The document that is submitted to HUD that serves as the planning document (comprehensive housing affordability strategy and community development plan) of the jurisdiction and an application for funding under any of the Community Planning and Development formula grant programs (CDBG, ESG, HOME, or HOPWA), which is prepared in accordance with the process prescribed in this part.

Consortium. An organization of geographically contiguous units of general local government that are acting as a single unit of general local government for purposes of the HOME program (see 24 CFR part 92).

Cost burden. The extent to which gross housing costs, including utility costs, exceed 30 percent of gross income, based on data available from the U.S. Census Bureau.

Emergency shelter. Any facility with overnight sleeping accommodations, the primary purpose of which is to provide temporary shelter for the homeless in general or for specific populations of the homeless.

Extremely low-income family. Family whose income is between 0 and 30 percent of the median income for the area, as determined by HUD with adjustments for smaller and larger families, except that HUD may establish income ceilings higher or lower than 30 percent of the median for the area on the basis of HUD's findings that such variations are necessary because of prevailing levels of construction costs or fair market rents, or unusually high or low family incomes.

Homeless family with children. A family composed of the following types of homeless persons: at least one parent or guardian and one child under the age of 18; a pregnant woman; or a person in the process of securing legal custody of a person under the age of 18.

Homeless person. A youth (17 years or younger) not accompanied by an adult (18 years or older) or an adult without children, who is homeless (not imprisoned or otherwise detained pursuant to an Act of Congress or a State law), including the following:

(1) An individual who lacks a fixed, regular, and adequate nighttime residence; and

(2) An individual who has a primary nighttime residence that is:

(i) A supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill);

(ii) An institution that provides a temporary residence for individuals intended to be institutionalized; or

(iii) A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

Homeless subpopulations. Include but are not limited to the following categories of homeless persons: severely mentally ill only, alcohol/drug addicted only, severely mentally ill and alcohol/drug addicted, fleeing domestic violence, youth, and persons with HIV/AIDS.

Jurisdiction. A State or unit of general local government.

Large family. Family of five or more persons.

Lead-based paint hazards. Any condition that causes exposure to lead from lead-contaminated dust, lead-contaminated soil, lead-contaminated paint that is deteriorated or present in accessible surfaces, friction surfaces, or impact surfaces that would result in adverse human health effects as established by the appropriate Federal agency.

Low-income families. Low-income families whose incomes do not exceed 50 percent of the median family income for the area, as determined by HUD with adjustments for smaller and larger families, except that HUD may establish income ceilings higher or lower than 50 percent of the median for the area on the basis of HUD's findings that such variations are necessary because of prevailing levels of construction costs or fair market rents, or unusually high or low family incomes.

Middle-income family. Family whose income is between 80 percent and 95 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families, except that HUD may establish income ceilings higher or lower than 95 percent of the median for the area on the basis of HUD's findings that such variations are necessary because of prevailing levels of construction costs or fair market rents, or unusually high or low family incomes. (This corresponds to the term *"moderate income family"* under the CHAS statute, 42 U.S.C. 12705.)

Moderate-income family. Family whose income does not exceed 80 percent of the median income for the area, as determined by HUD with adjustments for smaller and larger families, except that HUD may establish income ceilings higher or lower than 80 percent of the median for the area on the basis of HUD's findings that such variations are necessary because of prevailing levels of construction costs or fair market rents, or unusually high or low family incomes.

Overcrowding. For purposes of describing relative housing needs, a housing unit containing more than one person per room, as defined by the U.S. Census Bureau, for which data are made available by the Census Bureau. (See 24 CFR 791.402(b).)

Person with a disability. A person who is determined to:

(1) Have a physical, mental or emotional impairment that:

(i) Is expected to be of long-continued and indefinite duration;

(ii) Substantially impedes his or her ability to live independently; and

(iii) Is of such a nature that the ability could be improved by more suitable housing conditions; or

(2) Have a developmental disability, as defined in section 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001-6007); or

(3) Be the surviving member or members of any family that had been living in an assisted unit with the deceased member of the family who had a disability at the time of his or her death.

Poverty level family. Family with an income below the poverty line, as defined by the Office of Management and Budget and revised annually.

Severe cost burden. The extent to which gross housing costs, including utility costs, exceed 50 percent of gross income, based on data available from the U.S. Census Bureau.

State. Any State of the United States and the Commonwealth of Puerto Rico.

Transitional housing. A project that is designed to provide housing and appropriate supportive services to homeless persons to facilitate movement to independent living within 24 months, or a longer period approved by HUD. For purposes of the HOME program, there is no HUD- approved time period for moving to independent living.

Unit of general local government. A city, town, township, county, parish, village, or other general purpose political subdivision of a State; an urban county; and a consortium of such political subdivisions recognized by HUD in accordance with the HOME program (24 CFR part 92) or the CDBG program (24 CFR part 570).

V MONITORING

V.1 *General Procedures*

Monitoring is basically a review of programs, projects and activities administrative procedures as an on-going process that is implemented. When a sub-recipient receives notification of grant award the process continues through invoices, monthly report submittal, and three site visits including activity closeout.

The monitoring reports are used to determine the process and identifty problems. Staff reviews the reports with the sub-recipient and suggests changes and/or modifications as needed. If issues are identified, staff makes specific recommendations for addressing the problems and identifies action that must be taken and a deadline is included in the monitoring letter.

RESOLUTION

WHEREAS, the City of Dover is entitled to $278,833 through the United States Department of Housing and Urban Development Community Development Block Grant program; and

WHEREAS, the City of Dover has prepared the 2006 Action Plan, in accordance with the United States Department of Housing and Urban Development guidelines, that serve as the primary planning document for identifying and meeting the housing and community development needs for the low and moderate-income residents of Dover; and

WHEREAS, the City of Dover is in favor of utilizing the Community Development Block Grant funds for the community development purposes in accordance with the National Community Development objectives of benefiting low and moderate income families, eliminating slums and blight, and meeting other community development objectives; and

WHEREAS, the United State Department of Housing and Urban Development requires the City of Dover to submit a Consolidated Plan and an Action Plan for Application for Federal Assistance including the proposed use of funds and including certain certifications and policies to obtain its $278,833 entitlement; and use of $10,292 in program income for eligible activities; and

NOW, THEREFORE BE IT RESOLVED THAT THE MAYOR AND COUNCIL OF THE CITY OF DOVER APPROVE THE 2006 Community Development Block Grant Action Plan and application for Federal Assistance included in the Action Plan, along with certifications and policies attached and authorize its forwarding to the United States Department of Housing and Urban Development for consideration.

ADOPTED: *

STEPHEN R. SPEED
MAYOR

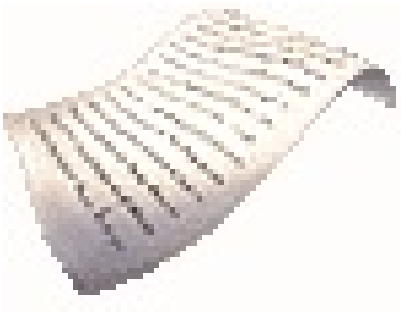
BEVERLY C. WILLIAMS
COUNCIL PRESIDENT

CITY OF DOVER
2006
ANNUAL MEETING APPOINTMENTS

COUNCIL ELECTIONS	INCUMBENTS
A. Building Inspector	Ann Marie Townshend
B. City Clerk	Janice C. Green (*through May 16, 2006)*
	Traci A. McDowell (*effective May 17, 2006)*
C. Assistant City Clerk	Traci A. McDowell (*through May 16, 2006)*
	Hollie M. Ford (*effective May 17, 2006)*
D. Fire Marshal	David J. Truax
E. City Planner	Ann Marie Townshend
F. City Solicitor	Nicholas H. Rodriguez
G. Deputy City Solicitor	William Pepper
H. Tax Assessor	Donald Capuano
I. Treasurer/Finance Director	Donna S. Mitchell
J. Assistant Treasurers	Janice C. Green (*through May 16, 2006)*
	Traci A. McDowell (*effective May 17, 2006)*
	Traci A. McDowell (*through May 16, 2006)*
	Hollie M. Ford (*effective May 17, 2006)*

Prepared by: City Clerk's Office/jg

NOTICE





The Recommendation of Appointments,
Referenced in Agenda Items #14 and #15
for the May 8, 2006 Annual Council Meeting
will be distributed to members after the
Election of Council President/Vice-Mayor (Item #4)

I apologize for any inconvenience. Please contact the City Clerk's Office at 736-7008 should you have any questions.

Janice C. Green
City Clerk

ANNUAL MEETING
MAYORAL APPOINTMENTS - 2006/2007

I. COMMITTEE APPOINTMENTS - MAYOR - During the Annual Meeting, the Mayor will present Committee Appointments for Council confirmation.

A. DOVER 4TH OF JULY CELEBRATION COMMITTEE - Shall consist of not less than five (5) members and not more than nine (9) members who shall be appointed annually upon the recommendation of the Mayor and approval of City Council. The initial Board of Directors shall serve until the City's 2005 Annual Meeting and then be appointed at the Annual Meeting each year thereafter. The membership shall include the Mayor of Dover, who shall serve in an ex-officio capacity as Chairman of the Board. Other officers shall include a President/Vice Chairman, Vice President, Secretary, and Treasurer. *(At the request of Mayor Hutchison, in 2004, Mr. Carter, Director of Parks and Recreation, and Mrs. Mitchell, Finance Director/Treasurer, served as staff liaison members).*

1. Ron Poliquin, President
2. John J. Friedman, Vice-President
3. Donna Mitchell, Treasurer
4. Dick Bundy, Military Liaison
5. Tim Slavin, Secretary
6. Elaine Brenchley
7. Jim Flood, Jr.
8. Ron Shomo, Musical Director
9. Steve Speed, Chairman (ex-officio member)

B. DOVER PUBLIC LIBRARY ADVISORY COMMISSION - Shall consist of five (5) members, with staggered five-year terms expiring June 16th, to be appointed by the Mayor and confirmed by Council. One (1) member of Council shall be appointed during the Annual Meeting to serve as a liaison member.

1. Councilman Eugene B. Ruane

C. DOWNTOWN DOVER DEVELOPMENT CORPORATION - Shall consist of fifteen (15) members appointed from three (3) categories: 1) **Five (5) members, either elected or from within the government of the City of Dover, to be appointed by the Mayor and confirmed by Council and shall remain as members so long as deemed appropriate by the Mayor and City Council, and so long as they continue to be either elected or appointed officials within the government of the City of Dover (Mayor shall serve as an ex-officio member);** 2) One (1) member appointed from within the State government, to be appointed by the Governor and shall remain so long as deemed appropriate by the Governor, and so long as he/she continues to be in State government; and 3) Nine (9) members from the private sector (these members should not hold full-time elected or appointed public office), with staggered three-year terms, to be appointed by the Mayor and confirmed by Council.

1. Councilman Carleton E. Carey, Sr.
2. Councilman Rueben Salters
3. Councilman Timothy A. Slavin
4. Anthony DePrima, City Manager
5. Ann Marie Townshend, City Planner

D. ELECTION BOARD - Shall consist of five (5) members, with staggered three-year terms, to be appointed by the Mayor and confirmed by Council during the Annual Meeting. One member appointed from each of the four council districts and one appointed from at-large. The Board shall consist of a non-elected body (or relative of), must be a citizen of U.S., a registered voter of the City, and have resided in the City for one year prior to the appointment.

1. Thomas J. Leary, Chairman First District (5/09)
2. Gerald P. Foss Second District (5/09)

E. HOUSING CODE BOARD OF APPEALS - Shall consist of three (3) members, one (1) being a resident generally selected as a representative of homeowners, one (1) representative of the local real estate industry association, and one (1) member shall be the City Manager.

1. Rexene Ornauer (Representative of Homeowners)
2. Charles Martin (Representative of Local Real Estate)

F. SILVER LAKE COMMISSION - Shall consist of seven (7) members to be appointed by the Mayor and confirmed by Council at the Annual Meeting.

1. Tricia K. Arndt
2. Cheryl A. Biddle
3. Zachery Carter
4. David L. Edgell
5. Robert Gorkin
6. Dean Holden
7. Gordon Massey, Jr.

/jg

RESOLUTION

WHEREAS, the City of Dover' s investment policy includes the investment of funds up to $100,000 per banking institution, investments in the State of Delaware Investment Pool and the purchase and sale of U.S. Treasury and agency securities; and

WHEREAS, the banking institutions, brokerage firms, trust companies and other various financial institutions require an Authorizing Resolution for the opening of accounts, and for purchasing, selling, transferring, assigning and handling securities;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Dover, that the Treasurer and Assistant Treasurers are hereby authorized to open accounts with banking institutions and purchase, sell, transfer assignment and handle securities and that they are authorized to sign all related forms;

BE IT FURTHER RESOLVED that the transactions in these accounts be carried out with any one signature; and

That, effective May 17, 2006, the following are the office holders authorized for these purposes, until further notice:

Donna S. Mitchell	-	Treasurer
Traci A. McDowell	-	Assistant Treasurer
Hollie M. Ford	-	Assistant Treasurer

ADOPTED: *

STEPHEN R. SPEED
MAYOR

BEVERLY C. WILLIAMS
COUNCIL PRESIDENT

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 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 Donald M. Carey and Nancy Baker.

ADOPTED: *

S:\ClerksOffice\Annexations\Annex-2006\S Side of Forrest Ave - 101.55 acres\Rezoning Ordinance-First Reading.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 SOUTH SIDE OF FORREST AVENUE, APPROXIMATELY 1,495.5 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 RS-1 - Single Family Residence (Kent County) to A - Agricultural (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 RS-1 (Kent County) to A (City of Dover) on that property located on the south side of Forrest Avenue, approximately 1,495.5 feet west of Mifflin Road, containing $5.0^{+/-}$ acres, owned by Edwin Baker, III, Donald M. Carey and Ruth Carey.

ADOPTED: *

S:\ClerksOffice\Annexations\Annex-2006\S Side of Forrest Ave - 5.0 acres\Rezoning Ordinance-First Reading.wpd