REVISED
REGULAR COUNCIL MEETING

A G E N D A

April 10, 2006 - 7:30 P.M. - Council Chambers - City Hall - City of Dover

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

INVOCATION BY CHAPLAIN WALLACE DIXON

PLEDGE OF ALLEGIANCE

AGENDA ADDITIONS/DELETIONS

* **CONSENT AGENDA**

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

* 1. Adoption of Minutes - Regular Council Meeting of March 27, 2006

2. Donation of Painting - Frank Deputy

3. Annual Report Presentation - Planning and Inspections

4. Proclamation/Resolution
   A. Proclamation - Holocaust Remembrance Day
   B. Resolution - Spring Clean Up Week

5. Consolidated Plan Advisory Group - March 23, 2006
   A. Review of Grant Applications for Development of Recommendation for 2006 Proposed Community Development Block Grant Projects

6. Utility Committee Report - March 27, 2006

* A. Annexation Request - 1040 South State Street, Owned by 1040 Properties, LLC (**Adoption of Resolution Setting Annexation Referendum for April 27, 2006**)

B. Request for Alley Abandonment - Alley Located Between Forrest Avenue and Lincoln Street, East of Bertrand Drive - Union Missionary Baptist Church, Inc.

* C. DEMEC Renewable Energy Portfolio Contract

* D. Discussion - Electronic Utility Statements for Electronic Draft Customers

7. Safety Advisory and Transportation Committee Report - March 28, 2006
* A. Briefing on DelDOT Projects - *Gary Laing*
   B. Prioritization of Additional Transportation Projects
      b-1. Water Street Railroad Crossing - Eden Hill Farm
      b-2. Inter-modal Transportation Terminal
* C. Briefing by City Manager - Support of Grant Application for Federal Funding of Parking Facility

8. Special Utility Committee Report - April 10, 2006
   A. Division Street Water Main/Bayard Avenue Water Main Project Budget Increases
   B. Authorization to Purchase Security Fencing With Card Reader - Electric Department and Power Plant

9. Quarterly Revenue Report

* 10. Preliminary Report of the 2005 Charter Review Committee

11. Final Reading - Proposed Ordinances
    The First Reading of the following proposed ordinances was accomplished during the Council Meeting of March 27, 2006. Copies of the proposed ordinances are available at the entrance of the Council Chambers.

    A. Appendix D - Downtown Dover Business Improvement District, Article II - Definitions, Section 3 - Assessment Zone
    B. Appendix D - Downtown Dover Business Improvement District, Article III - Establishment of the Dover Downtown Business Improvement District
       b-1. Section 3 - Geographic Boundaries
       b-2. Section 9 - Method of Assessment, Paragraph (f)
    C. Chapter 22 - Buildings and Building Regulations, Article I - General, Section 22-2 - Housing Authority
    D. Chapter 106 - Traffic and Vehicles, Article III - Stopping, Standing, and Parking, Division 1 - Generally, Section 106-111 - Parking Authority
    E. Proposed Budget Revisions

12. Council Members Comments

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THE AGENDA ITEMS AS LISTED MAY NOT BE CONSIDERED IN SEQUENCE. THIS AGENDA IS SUBJECT TO CHANGE TO INCLUDE THE ADDITION OR THE DELETION OF ITEMS, INCLUDING EXECUTIVE SESSIONS.

REGULAR COUNCIL MEETING

The Regular Council Meeting was held on March 27, 2006 at 7:30 p.m. with Council President Williams presiding. Council members present were Mr. Carey, Mr. Sadusky, Mrs. Russell, Mr. Slavin (departed at 8:00 p.m.), Mr. Ritter, Mr. Hogan, Mr. Salters, and Mr. Ruane. Mr. Sadusky was absent.

Council staff members present were Police Chief Horvath, Ms. Russell, Mrs. Mitchell, Mrs. Townshend, Deputy Fire Chief Osika, Mr. DePrima, City Solicitor Rodriguez, Mrs. Green, and Mayor Speed (departed at 8:00 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.

Mrs. Evelyn Greenwood, 547 Pennsylvania Avenue, relayed concerns regarding the recent action by Council in adopting the Resolution for Censure of Councilman Ritter on March 13, 2006. She indicated her support for her councilman and does not feel he has done anything that warrants this action, noting that censure is a very serious charge. She stated that Councilman Ritter represents his constituents well; he was elected by the people, and the people like what he stands for. It was her feeling that Council acted without following proper procedure and that Councilman Ritter is entitled to an investigation of the charges by an impartial committee. Mrs. Greenwood urged members to remove the censure from the record, explaining that it is not only a mark on a Councilman but that of the entire Council.

Mr. Tom Keitel, 212 Meadow Drive, addressed members regarding the explosion of home growth in the area and the impact that it has had and will continue to have on the school districts. Both the Capital and Caesar Rodney School Districts are effected by actions of Council. The new home growth brings with them children that are welcomed; however, it is necessary to educate these children. Referendums continue to fail and he suggested that developers be responsible for providing $5,000 - $7,000 for each new home. Mr. Keitel requested that members consider requiring an impact fee or surcharge for new homes in the City that would provide funding for our schools.

Mr. Robert Peilmeier, Camden, requested Council's assistance in providing much needed funding for schools. He noted that many school referendums continue to fail because those residents that have been here do not feel it is fair to pay for something needed without assistance of these builders. Although Kent County Levy Court is currently considering applying such a fee to benefit schools, this would not affect homes built within the jurisdiction of municipalities. The proposal being considered by Kent County would cost an additional fee of $2,688 for a $275,000 home to be applied when application is made for a building permit. Although there have been a substantial number of homes recently built, Mr. Peilmeier stated that there are a lot more planned to be built. He submitted a copy of the draft ordinance being considered by Kent County Levy Court and a table depicting quantitative figures on the various surcharges proposed and the benefits that could be provided to the schools. He requested that the City consider a surcharge similar to Kent County.

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

Council President Williams introduced and welcomed the new Director of Planning and Inspections, Mrs. Ann Marie Townshend.

AGENDA ADDITIONS/DELETIONS

Mr. Hogan requested the deletion of item #14 - Request of League of Women Voters, noting that as a result of newspaper articles, various organizations have agreed to contribute and a facility has been secured. Mr. Salters requested that item # 9C - Recommended Budget Amendment for the John W. Pitts Recreation Center be considered along with item #8D - Mid-Year Review. Council President Williams requested that items #4 and #5 be switched in their order

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

Mr. Ruane requested that item #11C - City Assessor's Report, be removed from the Consent Agenda. Council President Williams requested that item #12B - Annual Report Presentation of the Planning and Inspections Department be considered under the Consent Agenda, with the understanding that a Presentation will be made by Mrs. Townshend at the next meeting.

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

ADOPTION OF MINUTES - REGULAR COUNCIL MEETING OF MARCH 13, 2006

The Minutes of the Regular Council Meeting of March 13, 2006 were unanimously approved (Mr. Sadusky absent) by motion of Mr. Carey, seconded by Mrs. Russell and bore the written approval of Mayor Speed.

CERTIFICATE OF RECOGNITION - BAXTER WEBER

At the request of Mr. Slavin, Mayor Speed presented a Certificate of Recognition to Mr. Baxter Weber for service and dedication to the residents of White Oak and Towne Pointe as President of the Civic Association and Chairman of the Neighborhood Watch. Mayor Speed advised members that there is a lot of work involved with these positions and commends Mr. Baxter for his service.

As representatives of the Third District, Councilmen Ritter and Slavin relayed their appreciation for the service provided by Mr. Weber to the citizens of his community and wished him the very best.

RECOGNITION OF AWARD - PATROLWOMAN JENNIFER M. KING - B.P.O. ELKS LODGE #1903 - POLICE OFFICER OF THE YEAR

Mayor Speed was joined by Chief Horvath in paying special recognition to Patrolwoman Jennifer M. King for receiving Police Officer of the Year by the B.P.O. Elks Lodge #1903. As an officer for the City of Dover, they relayed appreciation to Officer King for her dedication and commitment. Mayor Speed read an excerpt from the nomination letter that was written by Major Taraila, as follows:

"As a Patrol Officer, Ptlw. King takes great pride in her profession and ensures that crime victim's and the public at large are treated fairly and professionally. She ensures that her investigations are complete and thorough and remains committed to a case all the way through a successful prosecution. She has been commended by judges for her professionalism and courtroom demeanor.

While on duty, Ptlw. King patrols in a manner to always be on the lookout for criminal activity and yet remains highly visible to those in need of police assistance. Her efforts have paid off, whereas she has detected crimes in progress and subsequently made apprehensions of criminals for crimes such as vehicle thefts, and drug offenses."

Mayor Speed advised members that during 2005, Officer King was nominated by her Sergeant to be considered for the Department's Officer of the Quarter for both the 2nd and 4th quarters. Due to her efforts in apprehending criminals and her diligence for follow-up investigations, she was named Officer of the Quarter for the 4th quarter of 2005.

PROCLAMATIONS

The City Clerk read the following Proclamations into the record:

Fair Housing Month

WHEREAS, fair housing issues are of concern to all citizens; and

WHEREAS, discrimination continues against minorities in several areas of housing, including lending practices, areas of ownership & restrictive covenants dealing with the sale of homes; and

WHEREAS, the members of Dover's City Council have committed thousands of dollars in Community Block Grant Funds to support efforts to increase home ownership within the City of Dover; and

WHEREAS, many groups in Delaware remain committed to fair housing for all citizens, including the Delaware State Housing Authority, Delaware Housing Coalition, Housing Opportunities of Northern Delaware, and the Statewide Association of Tenants; and

WHEREAS, the City of Dover has partnered with other groups to facilitate and advance housing issues.

NOW, THEREFORE, I, STEPHEN R. SPEED, MAYOR OF THE CITY OF DOVER, DELAWARE do hereby proclaim the Month of April 2006 as FAIR HOUSING MONTH in the City of Dover and commend this observance to all of our citizens.

Military Retiree Appreciation Day

WHEREAS, the Military Retiree is an integral part of the Dover community and it is especially appropriate at this time to give special recognition to those who have served our country; and

WHEREAS, these outstanding citizens have devoted a major portion of their lives to the preservation of our heritage and freedom; and

WHEREAS, we gratefully acknowledge that we live in freedom today because of the many sacrifices that have been made by valiant servicemen and women; and

WHEREAS, these patriots of Dover and many other communities will gather at the Dover Air Force Base for the Annual Retiree Appreciation Day celebration.

NOW, THEREFORE, I, STEPHEN R. SPEED, MAYOR OF THE CITY OF DOVER, DELAWARE, do hereby proclaim Saturday, April 8, 2006 MILITARY RETIREE APPRECIATION DAY in the City of Dover and urge all citizens to honor these brave and heroic members of our community.

Mayor Speed presented the Proclamation to Lt. Col. Ken Smith, Director of Retired Activities at DAFB. Lt. Col. Smith relayed appreciation for the recognition and advised members that there are 2,200 retirees and 500 retiree widows that have chose to reside in the City of Dover and that he expects there will be many more in the near future.

PRESENTATION OF AWARDS BY MAIN STREET DOVER - ST. PATRICK'S DAY PARADE

Council President Williams acknowledged the efforts of the committee members of the 13th Annual St. Patrick's Day Parade held on March 11, 2006, which was co-sponsored by Comcast Cablevision of Delmarva, Inc., as follows: Paul E. Lakeman (MSD Board President) Tom Smith and Barbara Burkert (Parade Co-Chairs), Carole Gallagher (Event Coordinator), Steve and Connie Welde, Jeff Reed, Cathy Marker, Michelle Robinette, Barbara Williams, Dan Houghtaling.

Mr. Lakeman, Main Street Dover Board President, relayed appreciation to the many people that participated in this year's event and a special thank you to the Dover Police Department and Fire Department for their assistance in making this a successful event.

Mr. Ed Perez, Main Street Director, and Mr. Lakeman presented the following awards for the 13th Annual St. Patrick's Day Parade:

Category	Recipient
Pot O' Gold - Anything with Wheels Award:	Nur Shrine Potentate & Divan Members
The Blarney Award - Best Mascot	South Dover PTA
The Green Machine Aware - Best Float	Irish Society of Dover
The Aran Award - Best Animal	Robert & Tally Bodner Irish Pomeranians
The Harp Award - Best Musical Group	Academy of Dover Marching Band
The Shamrock Award - Most Authentic Irish Theme	Steppin Seniors
Leprechaun Award - Best Brigade/Marching Unit	Dover High School Jr. ROTC Color Guard and Marching Unit
Mary Fitzpatrick Award (Best Overall)	Smyrna's Citizens Band
Mr. & Mrs. Steve Welde	10 Years of Devoted Service to the St. Patrick's Day Parade

PRESENTATION - CITY OF DOVER SAFETY COMMITTEE

Mr. DePrima, City Manager, advised members that there was a Safety Committee established in keeping with the Success Factor is safety and employee satisfaction. As a result, there is now a Citywide safety program and he wanted to make members aware of the importance of their work as well as their accomplishments.

Mr. Frank Szyjka, Human Resources Director, stated that the City's insurance carrier, St. Paul Insurance had suggested that the City establish a citywide safety program. A committee was formed and in April 2004, this committee held their first meeting, with a goal of establishing and enhancing safety in the City of Dover. He introduced Mrs. Kim Hawkins, Human Resources and Safety Coordinator for the City.

Mrs. Hawkins stated that there are 11 members that serve on the City's Safety Committee and introduced those that were in attendance. She provided a brief overview of the program by giving a Power Point Presentation **(*Exhibit #1*)**.

PRESENTATION - UPDATE - COMPREHENSIVE STUDY OF DOWNTOWN DOVER

Representing the Greater Dover Committee, Mr. Greg Moore and Ms. Lisa Ratliff, Executive Director, provided an update on the Comprehensive Study of Downtown Dover. Mr. Moore reminded members that the Greater Dover Committee, along with several other key organizations downtown, has hired a consultant to complete a comprehensive study of Downtown Dover. Approximately one (1) year ago, there was a change in leadership and as a result, the Greater Dover Committee established several focus groups. From the information gathered by these groups and listening to the community, it was evident that there are two (2) dire needs of this community: 1) vitalization of downtown; and activities for youth. Mr. Moore stated that as Chairman of the Downtown Revitalization Program, it is his intentions to provide periodic updates on this program.

Mr. Moore explained that the Greater Dover Committee has teamed with various organizations associated with downtown, such as the Downtown Dover Development Corporation (DDDC), Dover Parking Authority, First State Heritage Park, and Kent County Tourism. Meetings have been held over past few months in an effort to select a consultant which would provide guidance on how to approach revitalizing downtown. Considering the vibrant growth being experienced throughout the Kent County area, it is apparent that there is not enough stimulation in our downtown. The goal is to make downtown as vibrant everyday as it was during the St. Patrick Day Parade. The planned approach is holistic; improve businesses, add restaurants and residents, increase residential properties, and to make downtown a safe place, one that serves as a destination point.

The Greater Dover Committee has brought interested groups together to serve as a team to improve downtown and to use their resources for securing an outside consultant to complete a comprehensive study of Downtown Dover. After reviewing and interviewing several firms, the firm of HyettPalma was selected to complete the work. Mr. Moore advised members that HyettPalma is a national firm from Alexandria Virginia, one that is most recognized in the country for knowing how to improve downtowns. It is hoped that through this process, a unified vision will be developed for the revitalization of downtown Dover that will, in turn, guide the implementation of suggested projects which will be in the form of an action plan. The action plan will be prioritized and give details with

respect to which organization should lead specific projects, who should fund specific projects, etc. The study is being jointly funded by such organizations as the Greater Dover Committee, the Parking Authority, and the Downtown Dover Development Corporation. In addition, several grants have been awarded including a $10,000 Livable Delaware grant and a $5,000 grant from the Delaware River and Bay Authority.

Mr. Moore stated that at this time, the first matter of business is to create a Process Committee and they would like for a Council representative to serve on this committee (*City Clerk's Office Note: The appointment will take place during the latter part of the meeting*). Mr. Moore stated that it is his intentions to provide members of City Council periodic updates on this project.

ANNEXATION/REZONING PUBLIC HEARING/FINAL READING - PROPERTY LOCATED AT 1542 AND 1554 NORTH LITTLE CREEK ROAD (OWNED BY JOYCE A. BORDLEY AND ROJAN MEADOWS, LLC) AND 1566 AND 1572 NORTH LITTLE CREEK ROAD (OWNED BY TIMOTHY W. AND LYNNE V. MAURER)

An annexation referendum was held on March 16, 2006 for property located at 1542 and 1554 North Little Creek Road, owned by Joyce A. Bordley and Rojan Meadows, LLC., and 1566 and 1572 North Little Creek Road, owned by Timothy W. and Lynne V. Maurer.

Referendum Results

The City Clerk reported that the referendum was held with four (4) eligible voters. Four (4) votes were cast in favor of the annexation, with no votes cast against annexation.

Mr. Salters moved to accept the referendum results, seconded by Mr. Hogan and unanimously carried.

Annexation

By motion of Mr. Hogan, seconded by Mr. Salters, Council adopted the following Resolution by a unanimous roll call vote (Mr. Sadusky and Mr. Slavin absent):

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:

ED00-068.20-01-06.00 - 1542 NORTH LITTLE CREEK ROAD (BORDLEY)

BEGINNING at a found pipe in the southerly right-of-way line of North Little Creek Road at the northwest corner for this lot running S 05^{O} 22' 32" W, 155.09' to a found pipe at the southwest corner for this lot and in the line of lands now or formerly of Mast and Associates, L.L.C.;

THENCE turning and running with the line of lands now or formerly of Mast and Associates, L.L.C. and the southerly line of a 10.00' wide easement for an alley S 76^{O} 20' 26" E, 60.00' to the southeast corner of this lot and in the line of lands now or formerly of Rojan Meadows, L.L.C.;

THENCE turning and running with the easterly line of lands now or formerly of Rojan Meadows, L.L.C., N 05^{O} 22' 32" E 155.04' to the northeast corner of this lot and the southerly right-of-way line of North Little Creek Road;

THENCE turning and running with the southerly right-of-way line of North Little Creek Road N 76^{O} 17' 39" W, 60.00' to the point and place of beginning.

Containing 9,206$^{+/-}$ square feet of land.

ED00-068.20-01-07.00 - 1554 NORTH LITTLE CREEK ROAD (ROJAN MEADOWS)

BEGINNING at a found pipe in the southerly right-of-way line of North Little Creek Road at the northwest corner of lands now or formerly of Joyce A. Bordley;

THENCE running from said point along the southerly right-of-way line of North Little Creek Road S 76^{O} 17' 39" E 60.00' to the northeast corner of lands now or formerly of Joyce A. Bordley to the point and place of beginning;

THENCE running from said point of beginning with the easterly line of lands now or formerly of Joyce A. Bordley S 05^{O} 22' 32" W 155.04' to a corner for this lot and for lands now or formerly of Joyce A. Bordley and in line of lands now or formerly of Mast and Associates L.L.C. and in the southerly line of a 10' wide alley easement;

THENCE turning and running with lands now or formerly of Mast and Associates, L.L.C. and with the southerly line of 10' wide alley easement S 76^{O} 20' 26" E 179.82' to a found concrete monument at the southeast corner for this lot and in the line of lands now or formerly of Mast and Associates, L.L.C.;

THENCE turning and running with the westerly line of lands now or formerly or Timothy W. Maurer N 05^{O} 59' 59" E 159.71' to the northeast corner of this lot and in the southerly right-of-way line of North Little Creek Road;

THENCE turning and running with the southerly line of North Little Creek Road N 76^{O} 17' 39" W 177.93' to the northwest corner of this lot and in the southerly right-of-way line of North Little Creek Road;

THENCE turning and running S 05^{O} 22' 32" W 5.05' to the point and place of beginning.

Containing 28,034$^{+/-}$ square feet of land.

ED00-068.20-01-09.00 - 1572 NORTH LITTLE CREEK ROAD (MAURER)

All that certain lot, piece or parcel of land with the improvements thereon erected situated in East Dover Hundred, Kent County, State of Delaware, lying on the southerly side of North Little Creek Road between Fox Road and Dover; being all of Lot 9 as shown on a plan of Millington Farm and being more particularly bounded and described in accordance with a recent survey by Robert L. Larimore, RLS, dated July 22, 1986, as follows, to wit:

Beginning at a point in the south line of North Little Creek Road at a corner for this lot and for Lot 10, said point being located the following two courses and distances from the center of the intersection of North Little Creek Road with Fox Road: (1) running in a westerly direction along the centerline of North Little Creek Road 1,691.7 feet to a point; thence (2) crossing North Little Creek Road South 15 deg. 21 min. West 35.37 feet to said beginning point; thence from said beginning point along line of Lot 10 South 15 deg. 21 min. West 154.95 feet to a point at a corner for Lot 10 in line of lands now or formerly of Ernest V. Keith; thence along line of lands now or formerly of Ernest V. Keith and with the southerly line of a ten foot easement for an alley North 66 deg. 24 min. West 60.00 feet to an iron pipe found at a corner for Lot 8; thence along line of Lot 8 North 15 deg. 21 min. East 154.95 feet to a point at a corner for Lot 8 in the south line of North Little Creek Road; thence along the south line of North Little Creek Road South 66 deg. 24 min. East 60.00 feet to the place of beginning and containing 9,201 square feet of land, be the same more or less.

ED00-068.20-01-08.00 - 1566 NORTH LITTLE CREEK ROAD (MAURER)

All that certain lot, tract, piece or parcel of land, with improvements, situated in East Dover Hundred, Kent county and State of Delaware, and lying on the southerly side of the public road leading from Dover to Little Creek, known as the North Little Creek Road, bounded on the North by said North Little Creek Road; on the East by Lot no. 9 as shown on plot of Part of Lands of Edgar D. Loper as laid out by Charles C. Brown in February 1951, plot of which is of record in the office of the Recorder of Deeds at Dover, in and for Kent County, in Plot Book 2, Page 32, and which said Lot no. 9 was conveyed unto Mildred Albers; on the South by other lands of Edgar D. Loper; and on the West by Lot No. 7 as shown on said plot, said lot hereby conveyed being designated as Lot No. 8 on the plot aforesaid, and having a frontage on said north Little Creek Road of sixty (60) feet and extending back therefrom a distance of one hundred sixty (160) feet, be the contents thereof what they may.

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 28th day of March, 2006 at 12:01 a.m. o'clock.

ADOPTED: MARCH 27, 2006

Public Hearing - Zoning Classification

Mrs. Townshend, City Planner, 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 RG-1 (General Residence) upon annexation.

Council President Williams declared the public hearing open.

Mr. Keith Kooker, Landmark Engineering, appeared before members on behalf of the applicants Rojan Meadows and Joyce Bordley. He explained that the proposed use would be to demolish the existing structures, re-subdivide the land into four (4) lots and construct four (4) new structures.

Responding to Mr. Ruane, Mr. Kooker stated that there was a Traffic Study done involving several developments in this area and incorporated proposed lots. The Study developed a series of recommendations that each developer must meet in order to receive entrance plan approvals for the projects. He assured members that the developer is aware of the requirements as a result of the Traffic Study. He explained that there are already three (3) existing homes and that the plan would take two (2) of these entrances off of Route 8 and onto Rojan Meadows; however, they will not be considered a part of the Rojan Meadows development. He does not know the specifics regarding the additional properties proposed for annexation owned by Timothy and Lynne Maurer.

Council President Williams declared the public hearing closed.

Mr. Salters moved that the property be zoned RG-1 (General Residence) as recommended by the Planning Commission. The motion was seconded by Mr. Carey and by a unanimous roll call vote (Mr. Sadusky and Mr. Slavin absent), Council adopted the following ordinance (the First Reading of the proposed ordinance was accomplished during the Council Meeting of January 23, 2006.)

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER BY CHANGING THE ZONING DESIGNATION OF PROPERTY LOCATED AT **1542 AND 1554 NORTH LITTLE CREEK 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 **RMH** - **Residential Manufactured Home** (Kent County zoning classification) to **RG-1** - **General Residence** (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 **RMH** (Kent County zoning classification) to **RG-1** (City of Dover zoning classification) on that property located at **1542 and 1554 North Little Creed Road**, owned by **Rojan Meadows, LLC and Joyce Bordley**.

ADOPTED: MARCH 27, 2006

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE REPORT - MARCH 13, 2006

The Legislative, Finance, and Administration Committee met on March 13, 2006 with Chairman Salters presiding.

Discussion - Increase of Bond Limit

During their Regular Meeting of February 13, 2006, members considered increasing the debt limit. Staff was requested to provide the dollar amount that the debt limit of $1,000,000 would be if it were adjusted for inflation from the time the limit was set and a schedule of the debt limits of other municipalities in Delaware for consideration at the next meeting.

Mrs. Mitchell presented a PowerPoint Presentation which included responses to questions previously raised by the committee and provided additional information regarding Debt Management Policies and Referendum requirements. It was Mrs. Mitchell's opinion that both a policy and referendum would not be necessary; however, that is a policy decision that should be made by Council. She further explained the purpose and reasons for Debt Management Policies, as well as conditions for debt issuance.

Staff recommended authorization to develop a Debt Management Policy that would: 1) incorporate capital planning and affordability analysis to determine if current revenues can support additional debt or if rate/fee increases would be necessary or if there is a potential additional revenue source; 2) debt service financed through taxes and rates of those who benefit from the project; and 3) include conservative policy elements, such as general obligation aggregate indebtedness, General Obligation Bonded debt per capita; annual debt service, and sinking fund requirements. Should members wish to keep some type of referendum requirement, rather than a fixed dollar amount, Mrs. Mitchell suggested that the allowable debt be subject to a percentage and recommended that an additional debt service equate to a property tax rate increase greater than 10% (example for current values, at $.033 rate would equal $771,258 in receipts towards debt service payment of $770,000 or $7 million bonded indebtedness).

Members noted that the Charter Review Committee is in the process of reviewing this matter and felt that further consideration would take place once a recommendation is brought forward. Mr. Ruane relayed concern with delaying consideration due to its effect on potential capital projects. Mr. Slavin cautioned members not to allow particular projects to dictate the type of amendments that should be considered. He suggested that the Charter Review Committee be requested to give Section 50 expedient attention, since this may be a time sensitive issue.

The committee recommended acceptance of the report. It was also suggested that Mrs. Mitchell make a presentation to the Charter Review Committee for their review and recommendation.

Noting that Mrs. Mitchell indicated that it would take a minimum of two (2) months to develop a comprehensive Debt Management Policy, members felt that the Charter Review Committee could bring forth a recommendation with regards to Section 50 of the Charter at the same time that staff submits a recommendation for a Debt Management Policy.

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

Pay for Performance Evaluation Changes

Feedback received from department heads following last year's PFP evaluations included suggestions to better define a performance rating definition and revising the PFP Evaluation document to combine a redundant core competency. It as noted that there was an error on the action form and that *"and address concerns about the overall scoring for commendable and outstanding employees"* should be deleted.

Mr. DePrima, City Manager, noted that the performance rating definition of "Needs Improvement" was changed to "Acceptable with Some Improvement Needed" to better reflect that the employee has not failed entirely in an area but has not performed the assigned duties in a fully competent manner, thus requiring additional support of others. He also noted that the competency elements were reduced from seven (7) to six (6) by combining the somewhat redundant competencies of Work Management and Accountability and Leadership into the suggested revised competency of Accountability/Leadership/Work Management. These revisions, along with developing a user friendly, electronic evaluation system were developed for use effective May 1, 2006.

The committee recommended approval of the new electronic form and changes to the PFP Evaluation, as recommended by staff.

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

Proposed Ordinance - Appendix D - Downtown Dover Business Improvement District (DDBID) Area

In updating the BID District map (GIS), it was discovered that the map was in conflict with the text. The proposed ordinance amendments to Appendix D - Downtown Dover Business Improvement District, Article II - Definitions, Section 3 - Assessment Zone, and Section 3 - Geographic Boundaries and Paragraph (f) of Section 9 - Method of Assessment of Article III - Establishment, of the Dover Code would correct and update the map describing the BID District.

Staff recommended adoption of the proposed Ordinance amendments to Appendix D - Downtown Dover Business Improvement District of the Dover Code.

The committee recommended approval of staff's recommendation.

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

Proposed Ordinance - Reaffirmation of Dover Parking Authority and Dover Housing Authority

While working with the 2005 Dover Code (Green Book), it was discovered that there was little to no mention of a Housing Authority or Parking Authority for the City of Dover. In researching this matter, it was determined that the 1981 Dover Code (Black Book) included a reference to both as an "Editor's Note" in Chapter 2 - Administration. This reference was simply that the City had created the authorities in accordance with Delaware Code. The 1968 Dover Code (White Book) included separate divisions for each in the "Administration" Section that simply noted their creation as provided by the Delaware Code.

In talking with the Deputy City Solicitor, it was suggested that Council adopt ordinances that create the Housing Authority and Parking Authority for the City of Dover in accordance with the Delaware Code. Once these ordinances are adopted, the City Solicitor's Office will assist the City in executing confirmatory deeds for all properties that were reconveyed to the Parking Authority when it was revived.

Staff recommended adoption of the proposed Ordinance amendments to Section 22-2 - Housing Authority and Section 106-111 - Parking Authority of the Dover Code.

The committee recommended approval of staff's recommendation.

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

State of the City Budget - Mid-Year Review

Mr. DePrima, City Manager, presented members with the mid-year review of the Fiscal Year 2006 City of Dover Budget. The purpose of this report is to give City Council a mid-year picture of the City's operating expenses and revenues for all City budgets. This should be considered a proactive exercise so that Council can take necessary actions to adjust budgetary behavior if necessary.

Mr. DePrima stated that, overall, the report projects that the General Fund Budget Balance will increase by $785,230 to $3,768,431. The combined Water/Wastewater Fund Budget is projected to decrease by $29,649 to $1,238,302. The Electric Fund will also decrease by $14,000 to $3,916,880. He reported that "managing to the budget" continues to be successful and that the City Manager and the Finance Director continue to monitor budgets closely.

Mr. DePrima reviewed the details provided and noted that as recently requested, staff provided members with budget replacement pages reflecting the proposed mid-year review budget amendments. If members recommend approval, staff will develop budget ordinance amendments that will be presented to City Council for First Reading on March 27, 2006.

During the committee meeting, Mr. Ruane noted that staff included information for the Recreation Center Funding Plan. The Plan reflects a $400,000 requirement of additional funds, which is anticipated to be funded by the State of Delaware payment in lieu of taxes, as well as private funding in fiscal year 2007. Since the fund balance exceeds the 8% requirement by $715,382 in the General Fund, Mr. Ruane suggested that it would behoove the City to provide all funding necessary for this project and suggested an additional $400,000 be transferred to the Parkland/Recreation Reserve.

Mr. Ruane suggested that members consider designating any residual funds from the carry forward balance to a new account for funding a new Library. He explained that until the City shows some type of commitment, other agencies and organizations are reluctant to do so.

The Legislative, Finance, and Administration Committee recommended approval of the Mid-Year Budget Review for Fiscal Year 2006, as presented by staff.

Mr. Salters advised members that during the Parks, Recreation, and Community Enhancement Committee Meeting of March 14, 2006, members discussed the possibility of including all funding necessary for the John W. Pitts Recreation Center at this time since the fund balance exceeds the 8% requirement by $715,382 in the General Fund. Members were provided a budget sheet for the Parkland/Recreation Reserve depicting an additional amount of $439,891 necessary to fully fund this project.

The Parks, Recreation, and Community Enhancement Committee recommended the additional allocation of $439,891 be transferred to the Parkland/Recreation Reserve and included in the budget amendments proposed by the Legislative, Finance, and Administration Committee. *City Clerk's Office Note: Since the Committee Meeting, the Budget Administrator and Finance Director reviewed the account balance and noted that some contributions were not included; therefore, the amount to be proposed to complete the funding would reflect this change.*

Mr. Salters moved for approval of the budget amendments as recommended by the committee, including the adjustments recommended by the Parks, Recreation, and Community Enhancement Committee recommendations, seconded by Mr. Carey.

For clarification, Mr. Ruane noted that the motion is for approval of the budget ordinance that reflects an addition in the amount of $1,174,850 to the Parkland/Recreation Reserve (purple pages) rather than the budget ordinance that reflects an addition in the amount of $834,850 to the Parkland/Recreation Reserve (white pages).

The motion for approval of the budget amendments as recommended by the committee, including the adjustments recommended by the Parks, Recreation, and Community Enhancement Committee was carried with Mr. Ritter voting no (Mr. Sadusky and Mr. Slavin absent). ***The First Reading of the ordinance will take place during the latter part of the meeting.***

Mr. DePrima reminded members of the purpose of the State of the City Budget and read an explanation recently provided to him by the City's Finance Director/Treasurer, Mrs. Mitchell, as follows: *"budgets are dynamic and not static. The City, much like the State, periodically reviews their actual revenues and compares them to budget revenues and if they are found to be higher than the anticipated revenue forecast, it is revised. Some revenues are unexpected and one-time receipt, but because we are mandated to require a balanced budget, it is necessary to increase the other side of this equation. This increase could be put in the form of increasing budget balances, paying unfunded liabilities, transfers to the capital projects, and various reserve accounts to save money for other items. Very seldom does the City use increased revenues to increase the current year's operating costs."*

Mr. DePrima noted that there is no net increase in spending by departments reflected in the budget amendments. The only concern of staff is the increase in gas prices and the effect it could have on the budget, explaining that there could be an additional cost estimated at $90,000. It was his opinion that the manner in which the City budgets proves effective budget management. There were over 72 strategic goals included in the budget that are proudly included in the budget for public knowledge.

Mr. DePrima advised members that the City is exceeding the budget balance goals established for each fund for their carry forward balance. He also explained that the reserve balances equates to approximately half of the total operating budget. Most financial planners, at a personal level, would advise their clients to have about half of their annual income in some sort of savings. Mr. DePrima indicated that the City does this and in total, the City has approximately $50M in savings, of which over $30M is related to the electric fund. The City has a responsibility, not only for the future of our employees and retirees, but also to be prepared for any contingency. He felt that Council can be proud that they have positioned the City to be financially secured in the various ways the City saves money. Staff is on target for the completion of capital projects. There is approximately $2.5M in the proposed budget amendments that have increased the budget because the projects were carried forward from last year. Mr. DePrima noted that with the anticipated increase in electric rates to occur this summer, department heads have been given a budget goal in preparing next year's budget for no tax increase, no increases in the water and sewer rates, and no increases in fees. Overall, it was Mr. DePrima's opinion that the City's fiscal picture looks very good and that staff has done a good job of applying prudent budget practices.

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

PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE REPORT - MARCH 14, 2006

The Parks, Recreation, and Community Enhancement Committee met on March 14, 2006 with Chairman Sadusky presiding.

Engineering Services Agreement - Alum Injection/Silver Lake (Silver Lake Commission Recommendation)

Mr. Scott Koenig, Director of Public Works, advised members that the Silver Lake Commission, City staff, the Department of Natural Resources (DNREC), and other interested parties have been working on plans to improve the overall water quality in Silver Lake for several years. In the fall of 2005, City staff requested statements of qualifications from consulting engineering firms to pursue

the possible addition of alum to control the seasonal bloom of nuisance algae in Silver Lake. URS Corporation Americas was the only consulting firm that submitted a statement of qualifications to perform the requested work. Representatives from the Silver Lake Commission, City staff, and DNREC interviewed URS Corporation and have determined that they are qualified to undertake the requested work plan.

Members were advised that URS submitted a cost proposal based on discussions with the interview team. Prior consulting work indicated that alum would produce the desired effect on the lake; however, jar test samples from last summer were inconclusive. Therefore, the first issue that will need to be addressed by URS is the validity of the potential injection of alum into Silver Lake. The cost proposal submitted by URS includes three (3) specific areas, as follows: 1) Investigation and Assessment - $30,000; 2) Alum Treatment Design - $50,000 to $75,000; and 3) Management Options - $30,000 to $40,000. It was noted that the estimated fees are preliminary at this time due to the potential unknowns.

Mr. Koenig indicated that the project will be totally funded by the State of Delaware's 21st Century Funds (Dover/Silver Lake Water Quality Improvement Project) and that the requirement of the City's 25% match for this project will be the City acting as the agent to manage the consultant, which would be the existing salaries of employees. Staff recommended authorization to execute the engineering services agreement with URS Corporation in an amount not to exceed $145,000.

The Silver Lake Commission, advised members that the Commission has considered this matter and recommended approval of the agreement with URS Corporation.

The committee recommended approval of staff's recommendation.

By consent agenda, Mr. Carey moved to authorize staff to execute the engineering services agreement with URS Corporation in an amount not to exceed $145,000. The motion was seconded by Mrs. Russell and carried by a unanimous roll call vote (Mr. Sadusky absent).

Presentation by the Ingerman Group - Capitol Green Apartments Renovation Plan

Mr. Christopher J. Lamb, Attorney at Law with Pepper Hamilton LLP, indicated that he was representing the Ingerman Group, which has the Capitol Green Apartments under agreement of sale. Mr. Lamb stated that the Ingerman Group's goal is to revitalize the apartments utilizing financing from the Delaware State Housing Authority and also obtaining low income housing tax credits. In order to comply with the requirements of the Delaware State Housing Authority, a letter of governmental support from the Mayor of Dover, certification that the property is located within a community revitalization area, and receipt of a local contribution. This contribution could be accomplished through property tax exemption or abatement.

Mr. Lamb indicated that the property currently consists of 16 buildings with 145 units. After the renovation, the units would be reduced to 131, with numerous outside improvements being made as well. The Ingerman Group has entered into an agreement with the Boys and Girls Club for leasing space to use for an after school care program at a cost of the utilities only. Mr. Lamb stated that due to the renovation, residents would be provided alternate housing for a period of four (4) to five (5) months at no additional cost and would not be permanently displaced. He also noted that the Ingerman Group rehabilitated the Clear Field Apartments.

Mr. DePrima stated that the sole purpose of this meeting is for the Ingerman Group to meet the requirement of holding a public hearing. As far as the local contribution, it was decided it would be best for the Ingerman Group to submit an application for funding through the Community Development Block Grant. Mr. DePrima stated that he would look into the requirement for a revitalization certificate.

During the committee meeting, Mayor Speed stated that this project would be a great improvement to the City of Dover and also noted that the City does not receive taxes from the properties because they are owned by the State of Delaware. He suggested that when ownership does transfer, the City should consider some type of tax assistance to benefit the Ingerman Group. Concurring, Mr. Salters suggested that the City draft an ordinance that would provide for tax credits for companies that would improve the City in this way.

The committee recommended endorsement of a letter from the Mayor in support of the Capitol Green Apartments renovation project to be sent to the Delaware State Housing Authority.

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

Status Report on John W. Pitts Recreation Center - Recommended Budget Amendment
City Clerk's Office Note: Action regarding this matter was considered during the Legislative, Finance, and Administration Report, State of the City Budget - Mid-Year Review earlier in the meeting. The First Reading will take place during the latter part of the meeting.

By consent agenda, Mr. Carey moved for acceptance of the Parks, Recreation, and Community Enhancement Committee Report, seconded by Mrs. Russell and carried by a unanimous roll call vote (Mr. Sadusky absent).

CONSOLIDATED PLAN ADVISORY GROUP REPORT - MARCH 14, 2006
The Consolidated Plan Advisory Group met on March 14, 2006 with Chairman Sadusky presiding.

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.

The committee held a public hearing regarding the Community Development Block Grant applications, with the following testimony heard:

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.

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.

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.

Members were advised 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.

City Clerk's Office Note: A Special Meeting was held on March 23, 2006 to review the applications and for the committee to formulate recommendations on which projects should receive funding. This recommendation would be submitted to City Council on April 10, 2006.

By consent agenda, Mr. Carey moved for acceptance of the Consolidated Plan Advisory Group Report, seconded by Mrs. Russell and carried by a unanimous roll call vote (Mr. Sadusky absent).

MONTHLY REPORTS - FEBRUARY 2006

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

Budget Report
Chief of Police Report
City Manager's Report
Mayor's Report
Planning and Inspections Report
Robbins Hose Company No. 1 Report

In reviewing the City Assessor's Report, Mr. Ruane stated that it is evident that the work being performed has resulted in additional revenues. Concurring, Mr. DePrima stated that there has been improvements to the Assessor's Report and commended Ms. Russell for these efforts. He advised members that it was discovered that there were 500-600 building permits from previous years that had not been processed, which are of major properties. He stated that these properties have been properly assessed during these past two (2) months and thanked Ms. Russell and Tyler Technologies (previously known as CLT) for their commitment to complete this task. There are several hundred additional building permits that are of a lower ranking (less than $10,000 in value) that Ms. Russell and Tyler Technologies have developed methods to begin processing in order to have all permits completed.

Mr. DePrima stated that the Assessor's Office is also looking into the valuation of Cell Towers located within the City of Dover. He advised members that there have been several large, very expensive, cell towers built in the City, which have not been included in our tax rolls. The Assessor's Office is in the process of locating and conducting data collection in order to assess them in accordance with City ordinance for July 2006 tax billing. In addition, the Assessor's Office is reviewing agricultural land exemptions to re-validate whether they are still valid exemptions under the Agriculture Land laws.

The Assessor's Office is also in the process of reviewing Senior Citizen Reduction Applications. Mr. DePrima announced that these applications must be received by the Assessor's Office by April 28, 2006. Those that are 60 years of age would be considered for this reduction. He noted that the report contains new information regarding Sales Ratio, which will measure the City assessment ratios and compare them with IAAO standards.

Mr. Ruane moved for acceptance of the Assessor's Report, seconded by Mr. Carey and unanimously carried.

PRESENTATION - POLICE DEPARTMENT ANNUAL REPORT

The Police Department submitted their Annual Report to City Council during their Regular Meeting of March 13, 2006. At the request of Mayor and Council, Chief Horvath provided a Power Point Presentation (***Exhibit #3***), depicting highlights of the report.

PLANNING AND INSPECTIONS - ANNUAL REPORT

By consent agenda, Mr. Carey moved for acceptance of the Planning and Inspections Department Annual Report, seconded by Mrs. Russell and carried by a unanimous roll call vote (Mr. Sadusky absent).

EVALUATION OF BIDS - SYSTEM OPERATIONS RADIO REPLACEMENT

In 2004, the State of Delaware's Communications Division suggested that the City of Dover replace its existing radio equipment since replacement parts are no longer available. Dover contracts with the State of Delaware to maintain our radio system. Members were advised that the replacement plan was developed from the State's recommendations and that the State provided an integration strategy among several vendors to provide a modern two-way radio system for Dover's Utility Division. The State will assist with the final testing to assure product compatibility and reliability. The new radio network will share the City's existing fiber optic network from the Electric Administration Building to City Hall and Weyandt Hall. When the project is complete, the City will be able to eliminate several leased telephone lines, saving approximately $8,000 per year.

The radio replacement project involves upgrading the dispatcher consoles, base radio stations and office remote units. These radio items are located in City Hall, Weyandt Hall, and the Electric Administration Building which support the Electric, Water, Wastewater, and Public Works Departments' two-way radio communications. Funding will be shared between the Electric and Public Works Departments. Staff recommended awarding the project to three (3) vendors, as follows: 1) Motorola - $28,641.31; 2) Telex Vega Communications - $29,850.55; and 3) B&B Electronics - $744.80. In addition, staff recommended that the State of Delaware's Communications Division install the equipment using the current radio contract.

Mr. Hogan moved for approval of staff's recommendation, seconded by Mrs. Russell and carried by a unanimous roll call vote (Mr. Sadusky and Mr. Slavin absent).

APPOINTMENT OF COUNCIL PRESIDENT WILLIAMS TO PROCESS COMMITTEE FOR COMPREHENSIVE STUDY OF DOWNTOWN DOVER

As requested by the Greater Dover Committee earlier during the meeting, Council President Williams recommended that she be appointed to serve on the Process Committee for the Comprehensive Study of Downtown Dover.

Responding to Mr. Ritter, Council President Williams assured members that no staff members will be providing staff support. It was her understanding that this committee is being developed by the Greater Dover Committee who will be responsible for staff support. She offered to provide copies of this committee's minutes to members of Council to assist in keeping them abreast of this matter.

Mr. Ruane moved to confirm the appointment of Council President Williams to serve on the Process Committee for the Comprehensive Study of Downtown Dover, seconded by Mr. Hogan and unanimously carried.

FIRST READING - PROPOSED ORDINANCES

Council President Williams reminded the public that copies of the proposed ordinance are available at the entrance of the Council Chambers or can be obtained from the City Clerk's Office. Final action by Council on the proposed ordinances will take place during the Council Meeting of April 10, 2006.

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

A. APPENDIX D - DOWNTOWN DOVER BUSINESS IMPROVEMENT DISTRICT, ARTICLE II - DEFINITIONS, SECTION 3 - ASSESSMENT ZONE
B. APPENDIX D - DOWNTOWN DOVER BUSINESS IMPROVEMENT DISTRICT, ARTICLE III - ESTABLISHMENT OF THE DOVER DOWNTOWN BUSINESS IMPROVEMENT DISTRICT, SECTION 3 - GEOGRAPHIC BOUNDARIES
C. APPENDIX D - DOWNTOWN DOVER BUSINESS IMPROVEMENT DISTRICT, ARTICLE III - ESTABLISHMENT OF THE DOVER DOWNTOWN BUSINESS IMPROVEMENT DISTRICT, SECTION 9 - METHOD OF ASSESSMENT, PARAGRAPH (F)
D. CHAPTER 22 - BUILDINGS AND BUILDING REGULATIONS, ARTICLE I - GENERAL, SECTION 22-2 - HOUSING AUTHORITY
E. CHAPTER 106 - TRAFFIC AND VEHICLES, ARTICLE III - STOPPING, STANDING, AND PARKING, DIVISION 1 - GENERALLY, SECTION 106-111 - PARKING AUTHORITY
F. PROPOSED BUDGET REVISIONS

COUNCIL MEMBERS COMMENTS

Mr. Ruane announced that there is a meeting of the MCWMII Civic Associations scheduled for March 29, 2006 at 7:00 p.m. at the W. Reilly Brown School located on Webbs Lane for the purpose, in addition to regular business, of sponsoring a "Candidates Night" which will include the Mayor and Second District Council Candidates.

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

Meeting Adjourned at 9:19 P.M.

JANICE C. GREEN
CITY CLERK

All orders, ordinances, and resolutions adopted by City Council during their Regular Meeting of March 27, 2006, are hereby approved.

STEPHEN R. SPEED
MAYOR

/JG
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Exhibits Attached to Original Minutes and File Copy
Exhibit #1 - City Safety Committee Power Point Presentation
Exhibit #2 - Petition to Annex and Zone property, the Cost/Revenue Analysis, and the Plan of Services Report for Property located at 1542, 1554, 1566, & 1572, owned by Joyce A. Bordley, Rojan Meadows, LLC., and Timothy W. & Lynne V. Maurer
Exhibit #3 - Power Point Presentation - Police Department Annual Report

PROCLAMATION

WHEREAS, the history of the Holocaust offers an opportunity to reflect on the moral responsibilities of individuals, societies and governments; and

WHEREAS, we should always remember the terrible events of the Holocaust and remain vigilant against, hatred, persecution, and tyranny; and

WHEREAS, we the people of the City of Dover should actively rededicate ourselves to the principles of individual freedom in a just society; and

WHEREAS, the Days of Remembrance have been set aside to remember the victims of the Holocaust and to understand the need for respect of all peoples, no matter their race, religion or ethic group; and

WHEREAS, pursuant to an Act of Congress, on October 7, 1980, the U.S Holocaust Memorial Council designates yearly Days of Remembrance for the victims of the Holocaust.

NOW, THEREFORE, I, STEPHEN R. SPEED, MAYOR OF THE CITY OF DOVER, DELAWARE, do hereby proclaim April 25, 2006

Holocaust Remembrance Day

in memory of the victims of the Holocaust, and in honor of the survivors, as well as the rescuers and liberators, and further proclaim that we, as citizens of the City of Dover should strive to overcome intolerance and indifference through learning and remembrance.

Stephen R. Speed
Mayor

RESOLUTION

WHEREAS, we are fortunate to live in a City so abundantly blessed with natural assets and we have a continuing responsibility for preserving our environment by keeping it clean, healthy, and beautiful; and

WHEREAS, the Annual Old Dover Days celebration, a period set aside to honor the heritage of the City, will be celebrated on May 5 - May 7, 2006; and

WHEREAS, during this celebration we have the opportunity to demonstrate to ourselves, our neighbors, and our visitors, our commitment to a clean and beautiful city.

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

1. That the week of April 24 - 28, 2006 is designated as SPRING CLEANUP WEEK in the City of Dover.

2. That all organized and individual segments of our population participate in this noble effort by developing and carrying out imaginative clean-up, paint-up, and fix-up projects which will serve to enhance, restore, or maintain the beauty of all properties in our community.

3. All Spring Cleanup debris should be placed for pickup along with regular household garbage during the week of April 24 - 28, 2006 so that our City will exemplify cleanliness and beauty during the Old Dover Days celebration.

ADOPTED: *

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SPECIAL CONSOLIDATED PLAN ADVISORY GROUP

The Special Consolidated Plan Advisory Group Meeting was held on March 23, 2006 at 1:11 p.m. with Chairman Sadusky presiding. Members present were Mr. Ruane, Mr. Long, Mrs. Russell, and Mr. Truitt (departed 3:24 p.m.). Others present were Councilmen Salters and Carey, and Mayor Speed (departed 2:57 p.m.).

AGENDA ADDITIONS/DELETIONS

Mr. Ruane moved for approval of the agenda, seconded by Mr. Long and unanimously carried.

REVIEW OF GRANT APPLICATIONS FOR DEVELOPMENT OF RECOMMENDATION FOR 2006 PROPOSED COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS

During their meeting of March 14, 2006, members were provided a Community Development Block Grant (CDBG) Program Overview and Grant and Program Request for Fiscal Year 2006 which summarized the grant and program requests. 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. It was decided that a special meeting would be held and an orientation would be given defining the Community Development Block Grant, what the goals are, program criteria, funding criteria, and history of past funding and to rank and assign points to each funding request once Mrs. Harvey, Director of Community Development 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.

Mrs. Harvey presented members with a program overview regarding scope and applicability, Consolidated Plan goals, program design and national objectives, eligible CDBG activities, and history of funding levels **(*Attachment #1*)**. It is required that each activity meet at least one of the three national objectives. Mrs. Harvey advised members that the one objective that is being met by all eligible CDBG activities is to benefit low- and moderate-income persons.

Responding to Mr. Ruane, Mrs. Harvey stated that the objectives being met by the applicants are Public Facilities and Improvements, Public Services, Rehabilitation, Homeownership Assistance, and Program Administration Costs.

Mr. Ruane suggested explaining why the City of Dover is a recipient of these funds and what is the criteria to be a sub-recipient. Mrs. Harvey stated that before 1996, the City fell under the State and received funds from Delaware State Housing Authority for the City's grant program. After 1996, the City of Dover became an entitlement program and started to receive Federal funds directly from HUD for the City's grant program. To be an applicable sub-recipient of this grant, applicants must meet the National objective and must service low- and moderate-income persons.

Mr. DePrima stated that after the funds have been awarded HUD will audit the applicants to determine if the money is being used as originally stated. Mrs. Harvey also stated that her office will receive a copy of that audit report and monitor the applicants as well.

City of Dover

Office of the Mayor

TO: Members of City Council

FROM: Stephen R. Speed, Mayor

DATE: April 4, 2006

RE: **Funding of Police Overtime**

At the April 10, 2006 City Council Meeting, you will be considering the recommendation of the Consolidated Plan Advisory Group (CPAG) for the disposition of this coming fiscal year's Community Development Block Grant (CDBG) funds. The CPAG has recommended that the Dover Police Department's (DPD's) request for $25,000 for overtime patrols not be granted. To my knowledge, this would be the first time that no CDBG funds will be allocated to DPD for overtime patrols.

Before you accept the recommendation of the CPAG, please consider the following information:

1. In calendar year 2005, the DPD used $20,800 in CDBG funds and $131,414 in Weed & Seed funds for overtime patrols in Dover's downtown area.

2. The City of Dover's Weed & Seed program funding expired in February of this year. The City's application for a new Weed & Seed area and new federal Weed & Seed funding was not approved. That means that the City of Dover is not receiving any of these funds for police overtime and will not receive any in the foreseeable future.

3. In calendar year 2005, these combined funds resulted in 2,411 extra police patrol hours and 1,094 extra special operations hours, a total of 3,505 hours of police overtime.

4. These extra hours in 2005 resulted in 7,475 citizen contacts and 1,330 arrests.

At every neighborhood association meeting in the City, I hear requests for additional police presence. I have also had recent requests for additional police presence from business people in the downtown area. The combination of the Weed & Seed program expiration and elimination of CDBG funding for overtime patrols will remove these officers from the streets unless the City Council provides additional funds through the normal budget process. The City Manager has included funding specifically for this purpose in the current draft of the fiscal year 2006-2007 budget.

The DPD will continue to allocate resources to the areas of the City which are in the greatest need. Without the overtime funding, police resources will need to be diverted away from many areas of the City where the people have requested an increased presence. These are people who you represent.

I urge you to provide the police presence that your constituents want by funding the DPD's CDBG request or by ensuring that similar overtime funding remains in regular City of Dover budget.

Please feel free to give me a call if you have any questions or concerns.

UTILITY COMMITTEE

The Utility Committee Meeting was held on March 27, 2006 at 5:44 p.m. with Chairman Carey presiding. Members present were Mr. Ruane, and Mr. Cregar. Mr. Snaman and Mr. Sadusky were absent. Members of Council present were Mr. Hogan (arrived at 5:52 p.m.), and Mr. Salters (arrived at 6:05 p.m.). Mayor Speed was also present.

AGENDA ADDITIONS/DELETIONS

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

Annexation Request - Property Located at 1040 South State Street, Owned by 1040 Properties, LLC

Members were provided the Petition to Annex and Zone Property for property located at 1040 South State Street, consisting of $.6303^{+/-}$ acres, owned by 1040 Properties, LLC (Lands of Robert Fox).

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 $5,650 over ten (10) years. Staff recommended annexation of the property.

Mr. Cregar moved to recommend adoption of a resolution setting the annexation referendum for property located at 1040 South State Street, consisting of $.6303^{+/-}$ Acres, owned by 1040 Properties, LLC (*Attachment #1*). The motion was seconded by Mr. Ruane and unanimously carried.

Request for Alley Abandonment - Alley Located Between Forrest Avenue and Lincoln Street, East of Bertrand Drive - Union Missionary Baptist Church, Inc.

Members reviewed a request received from Union Missionary Baptist Church, Inc. for abandonment of a 15-foot alley located between Forrest Street and Lincoln Street, east of Bertrand drive and west of Gibbs Drive. The Planning staff reviewed the request and recommended abandonment with conditions. It was noted that there are multiple property owners adjacent to this alley and that it is unimproved. There is an existing drainage easement for a portion of the alley's length. An overhead electric utility line also transverses the length of the alley. The Electric Department does maintain an existing pole line and will require an easement for the entire length and width of the alley.

Mrs. Townshend advised members that during their meeting of March 20, 2006, the Planning Commission considered the request and heard public testimony from several adjacent property owners who had relayed opposition to the alley abandonment. It was noted that there was no representation of the Union Missionary Baptist Church to address the opposition. The Planning Commission recommended denial of the alley abandonment request.

Responding to Mr. Cregar, Mr. DePrima confirmed that, when considering such abandonments, it has been the City's practice to require consensus from adjacent property owners since it would directly affect them and they would incur the expense of transferring the property. He indicated that the procedure for abandonment requires a public hearing before City Council, which would provide adjacent property owners, including the requestor, the opportunity to address the issue.

Mr. Cregar moved to recommend denial of the request for abandonment, noting that it has been the City's practice to require consensus from adjacent property owners and there has been opposition relayed by the adjacent property owners for abandonment of the alley. The motion was seconded by Mr. Ruane and unanimously carried.

DEMEC Renewable Energy Portfolio Contract

Members were reminded that the State of Delaware created a new law entitled "Renewable Energy Portfolio Standards", which requires all electric providers in the State to provide a Green Energy Program to their customers. Starting in 2007, a minimum of 1% of the City's electric supply must be from green energy and this percentage increases to 10% by the year 2019. Dover's Energy RFP requires a green energy provision; however, no specific arrangements have been made at this time.

As an alternative, the law allows the municipal electric systems in Delaware to create a special Green Energy Fund administered by the Delaware Municipal Electric Corporation (DEMEC). Municipalities must contribute at a rate of $0.178 per megawatt hour. For the City, based on 2005 sales, staff anticipates 731,635 Mwh times $0.178, equaling a total of $130,231. The funds collected will be used to provide partial funding for green energy projects requested by our customers, such as solar heating units, fuel cells, and geothermal heating units.

The Green Energy Program can be funded through costs to the customer and/or the City of Dover. Although other municipalities will reflect these monthly charges on the customer's utility bill as a special Green Energy Charge mandated by State Legislature, staff has not concluded how these charges will be funded at this time. Staff recommended that the City Manager be authorized to execute an agreement with DEMEC to participate in the Green Energy Fund.

Mr. Pat McCullar, DEMEC, stated that the initial intention was to brief members on the action steps to take to implement this new renewable energy standard that the State is instituting. However, he advised members there has been new legislation that substantially changes the provisions of the renewable energy project and green energy fund. He explained that DEMEC will need to evaluate the effects of this new legislation before providing recommendations for implementation. As a result, members have been requested to defer any action; however, they are urged to move forward with executing the agreement with DEMEC so that they can efficiently implement whatever requirements are approved. Mr. McCullar also suggested that members of DEMEC communicate to their customers that "there will be a new green energy program implemented effective June 1, 2006 with details to follow". Final conditions and terms have not been settled and may not be known for several weeks.

Responding to Mr. Carey, Mr. McCullar stated that the rate of contribution is mandated by the State of Delaware, which currently is $0.178 per Mwh ($0.000178 per Kwh). The new proposed legislation would double the contribution to $0.356 per Mwh ($0.000356 per Kwh). As a part of this proposed legislation, they are proposing to change the application of the monies so that 50% would continue to be spent on renewable energy projects; however, the other 50% would be designated toward energy efficiency. It was Mr. McCullar's understanding that this was intended to be included in the original legislation. He stated that if the new proposed legislation is passed, as written, DEMEC members could either contribute and administer their own fund or they could contribute

to the State fund with the State being obligated to assure that the amount of money is returned to the municipality's community, less any administrative costs, in terms of grants and programs to the municipality's consumers, which will be beneficial to municipalities.

In response to Mr. Ruane, Mr. McCullar stated that the DEMEC members have not yet determined whether the contributions will be a separate line item assessment on the utility bill or if it will be contributed out of utility revenues and not specified as a separate charge. He anticipates that some members will show the cost as a separate item on the utility bills and others will embed the cost in the rates. Mr. McCullar explained that approval of the agreement will allow DEMEC to act as the City's agent in the implementation of the State legislation, which includes: account for the monies (whether paid into the State's program or DEMEC) allocated by the communities and assure it was spent on grant programs within the communities in proportion to the amount contributed; all communication and administrative contact with State Energy Office, Department of Management and Budget, and DNREC. He stated that it is an agency agreement to allow for DEMEC to handle all of it rather than nine (9) separate communities trying to report differently. They would also be responsible for submitting the annual report to the State Legislature, which is required to document that the goals of the Renewable Energy Program are being met. If members chose to buy renewable energy, DEMEC would jointly purchase green energy.

Since the City of Dover has not yet determined how these charges will be funded, Mr. Ruane stated that he would not want it to be perceived that it would obligate the City to some charges that are not budgeted. Responding, Mr. Carey reminded members that the State is mandating that the City provide a Green Energy Program to our customers. Mr. DePrima stated that the funding will be included in the FY2007 City Budget. Staff recommended authorizing the City Manager to execute an agreement with DEMEC to participate in the Green Energy Fund

Mr. Ruane moved to recommend authorizing the City Manager to execute an agreement with DEMEC to participate in the Green Energy Fund, with the understanding that this action does not specifically obligate City funds. The motion was seconded by Mr. Cregar and unanimously carried.

Discussion - Electronic Utility Statements for Electronic Draft Customers

A letter was received from Mr. Schaeffer, a utility customer, suggesting that the City consider sending electronic statements to customers who use automatic bank draft to pay their bills. Estimating that it costs the City $1 to send the statements through the mail system, he felt that this cost could be saved if customers were notified electronically.

Mrs. Tieman, Senior City Administrator, researched the suggestion and advised members that, at this time, the City has no automated means of faxing or emailing our customers. The HTE software does not currently support such automated billings; therefore, the process would have to be handled manually. There are currently 1,541 customers utilizing bank drafting and faxing or emailing their statements manually would cost more than the $1 per customer savings estimated by Mr. Schaeffer. Also, there is doubt that all bank drafting customers have the means to receive faxes or emails.

Mrs. Tieman advised members that the Information Technology Department is working on e-commerce which would enable customers to retrieve customer information over the Internet. The capability to fax and email customers will probably automatically be added as part of the e-commerce goal. This suggestion has been referred to our Technical Advisory Committee to include it in the Information Technology's e-commerce plan, which will occur within the next 2-5 years.

Although it was not his opinion that faxing would be beneficial, Mr. Ruane agreed that there could be substantial cost savings to the electronic notification of utility billings.

Mr. Ruane moved to recommend that electronic notification of utility billings for the City be one of the priorities of the IT Department as part of the e-commerce plan. The motion was seconded by Mr. Cregar and unanimously carried.

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

Meeting Adjourned at 6:28 P.M.

Respectfully submitted,

Carleton E. Carey, Sr.
Chairman

CEC/TM/jg
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Attachments to Original Minutes and File Copy:
Attachment #1 - Annexation Resolution - Property Located 1040 South State Street

UNION
MISSIONARY BAPTIST CHURCH, INC.

883 Lincoln Street Dover, Delaware 19904
Church Office (302)736-1097 Pastor's Study (302)736-9849
Web-Site = www.unionmbc.org

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George E. Balentine
Senior Deacon

Mary E. Balentine
Senior Deaconess

Office of the City Clerk
City of Dover
P. O. Box 475
Dover, DE 19901

Dear Ms. Green,

Grace be unto to you and peace from God our Father and the Lord Jesus, the Christ of God.

This letter is to request that our petition to for the alley abandonment remain on the City Council agenda for consideration on April 10, 2006 and be scheduled for a public hearing on April 24, 2006.

We are the owners of all of the property that runs the 458 feet of the east side of the alley and 178 feet of the west side of the alley. We have maintained it, along with our neighbors, at no expense to the City for over 3 decades.

Our intentions are to connect our driveway at 922 Forest St. to the parking area we have at the rear of our church at 883 Lincoln St. in a way that conforms to the City Planning Department requirements. We have contracted a planning engineer who is preparing a set of drawings that will show our proposed driveway and parking plans. We hope to present these to our neighbors before the City Council meeting and elicit their support.

If I can provide any additional information to encourage favorable action to this request, please to don hesitate to contact me.

In His Service,

Dr. R. G. Moore, Jr.
Senior Pastor

City Clerk's Office Note: **The Utility Committee has recommended that the alley abandonment request be denied. Due to the receipt of a letter from Union Missionary Baptist Church, should members of Council wish to pursue this possibility, the City's policy requires a Public Hearing to be held. The policy provides for Council to adopt a Resolution proposing the abandonment and setting the date of the Public Hearing. If adopted, the Resolution will be posted in 5 public places, at least 5 days prior to the public hearing.**

If the above Resolution is adopted, the City Clerk's Office will prepare a separate Resolution for abandonment of said alley which will be presented to Council for consideration after the Public Hearing.

Approval of the Utility Committee's recommendation will NOT cause adoption of the following Resolution. A separate motion would be required.

RESOLUTION

A RESOLUTION PROPOSING THE VACATING AND ABANDONMENT OF CERTAIN ALLEYS SITUATED IN THE CITY OF DOVER.

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

Section 1. The Council of the City of Dover favors the vacating and abandoning of the following alleys:

> All that certain piece or parcel of land situated in City of Dover, Kent County, State of Delaware, a public alley running north to south connecting Forrest Street and Lincoln Street and located east of Bertrand Drive and west of Gibbs Drive being 15 feet wide and approximately 458 feet in length, comprising 6,870 square feet, more or less.

Section 2. The Council of the City of Dover will sit on Monday, April 24, 2006, at 7:30 p.m., in the Council Chambers at City Hall, Dover, Delaware, to hear the objections of such residents of the City or owners of the property affected as shall attend, in accordance with the provisions of Section 27 of the Charter of the City of Dover (Chapter 158, Volume 36, Laws of Delaware).

Section 3. The Clerk of Council is hereby directed to post copies of this Resolution in five or more public places in the City of Dover.

ADOPTED: *

JANICE C. GREEN
CITY CLERK

SAFETY ADVISORY AND TRANSPORTATION COMMITTEE

The Safety Advisory and Transportation Committee Meeting was held on March 28, 2006, at 5:06 p.m. with Chairman Hogan presiding. Members present were Mr. Carey. Mr. Lakeman, Mr. Link, and Mr. Ritter were absent. Members of Council present were Mr. Ruane and Mrs. Russell (arrived at 5:15 p.m.). Due to the lack of a quorum, no official action was taken.

AGENDA ADDITIONS/DELETIONS

There were no additions or deletions. Members accepted the agenda as presented.

BRIEFING ON DELDOT PROJECTS (Gary Laing)

Mr. Laing, Municipal Liaison for DelDOT, advised members that the Wyoming Mill Extension Project had been prioritized as a project for the Fiscal Year 2006 Earmark Program. He also stated that DelDOT's Director of Finance will review the appraisal which was provided by the City of Dover for the donated land.

Mr. Laing stated that the South Governors Avenue Project final right-of-way plans should be completed by the end of the year. If pending funding is received for the acquisition of the rights-of-way, construction could start in the Spring of 2008. DelDOT is working with the Bond Bill Committee and has submitted a project prioritization list, which was compiled using the letter and the City of Dover project prioritization list previously submitted by the City.

Mr. Laing advised members that the North Dover Toll Plaza at Scarborough Road will become an automated toll plaza on or about April 1, 2006. It was determined that over seventy-five (75%) percent of the vehicles using that toll plaza utilized e-z pass. The toll workers for that plaza will be reassigned to other locations and a change machine will be installed.

Mr. Hogan stated that a letter was sent to Secretary Wicks and each of the local Legislators requesting a meeting with them to discuss the City transportation projects. Mr. Laing advised members that he would contact Secretary Wicks to determine if this meeting could be scheduled for May.

Mr. Carey suggested that signs be installed at both ends of Crawford Carroll Drive. He also advised members that the wrong street sign may be installed at the end of Rustic Lane, which runs along the Lowe's store. Mr. Laing stated that he would look into both issues.

PRIORITIZATION OF ADDITIONAL TRANSPORTATION PROJECTS

Water Street Railroad Crossing - Eden Hill Farm

Mr. DePrima, City Manager, introduced Dr. Tom Barnett, partner in the development of the Eden Hill Medical Facility, and presented members with an overview of the project area to illustrate the entrances, which are projected to be located at Saulsbury Road, Clarence Street, and in the vicinity of the current farm entrance. Since the State of Delaware does not allow any new railroad crossings, another option is to reopen the Water Street crossing. Mr. DePrima stated that this entrance could

be used to access the downtown area, as well as Kent General Hospital. He also noted that this project should be listed on the City's project prioritization list because of its importance and suggested that a letter be sent to Secretary Wicks requesting this consideration.

Dr. Barnett advised members that the 140,000 square foot medical office building, which has been fully leased, is expected to be constructed by March or May of 2008. BDL Medical Facilities, an Albany, New York, group that does a significant amount of medical office building construction, has been hired for the construction. Dr. Barnett noted that more office space is needed since he and four (4) other surgeons, along with two (2) more surgeons starting this summer, will be working in a 3,000 square foot office. A second medical office building is currently in the design phase and will include a daycare facility, elderly care facility, and a coffee shop. Dr. Barnett noted that a Water Street crossing would expedite trips to Kent General Hospital. He stated that his group has been involved in the process of developing the pattern book for the development of the Eden Hill Project and if Clarence Street is brought through from Forrest Avenue and the Water Street railroad crossing is built, it would make the project easily accessible. Dr. Barnett noted that he has meetings scheduled with DelDOT officials to further discuss these issues.

Mr. Ruane asked if the Kesselring railroad crossing could be traded for the crossing that is needed at Water Street. Mr. DePrima noted the crossing was a product of DelDOT analysis and is a part of the land use plan by DelDOT. He also noted that the Kesselring railroad crossing could not be traded for the Water Street crossing because it is considered a driveway. Mr. Laing noted that there were two railroad crossings closed in the Town of Wyoming.

Mr. Hogan advised members that, due to the lack of a quorum, the Request for Prioritization of the Water Street Railroad Crossing - Eden Hill Farm would be forwarded to Council without a recommendation from the committee.

Intermodal Transportation Terminal

Mr. DePrima stated that at one time, consideration was given to converting the current Water Street bus stop into parking for the courthouse and combining the local and interstate bus service at a site near the future rail service. He noted that Ms. Juanita Wieczoreck, Director of the Dover/Kent County Metropolitan Planning Organization (MPO), suggested a more enhanced intermodal transportation center with supporting utilities, such as office space and housing. Mr. DePrima suggested that a letter be sent to Secretary Wicks regarding this consideration.

Ms. Wieczoreck stated that DelDOT has proposed a transit oriented development which would enhance the land use by combining residential, retail, or office development. She noted that the proposal includes a one (1) story building that could be utilized by both local and interstate bus services. By having the site as an activity center, people would be present most of the time, which would increase the safety of the location and support the transit activity. Ms. Wieczoreck suggested that this project could become a public/private partnership in which a private entity would construct the facility in exchange for the lease of the space.

Mrs. Gloria Coleman, 122 Sweetgum Drive, stated that she was concerned with the decency and safety of the present location of the interstate bus station. She noted that there is no shelter for bus patrons other than the Shell gas station, and no separation between the drop-off location and vehicles patronizing the gas station. Mrs. Coleman felt this was a catastrophe waiting to happen. She proposed that a meeting be scheduled with DelDOT, a representative from both Greyhound and Trailways, and concerned citizens to discuss the issue.

Mr. DePrima stated that the bus station was moved from its original location at Bay Court Plaza to a site outside the City and then relocated to its current Dover Shell location at 127 South DuPont Highway. There had been numerous issues with that location, including buses dropping off and picking up patrons in wrong locations, bus patrons parking their vehicles on the neighboring properties, patrons going to neighboring properties and asking for change or to use the restroom. Mr. DePrima noted that the Dover Shell is zoned for multiple uses and a site plan has been submitted which shows drop off and pick up locations, and parking areas for gas patrons, bus patrons and buses. He also stated that there is a March 31, 2006 deadline for having these areas striped in the parking lot and there is a $100/ per day fine for each day after the deadline that the striping is not complete.

Mr. Carey suggested that the newest building at the George & Lynch site could be utilized as a bus station until funding becomes available for development. This would provide a safe environment for picking up and dropping off bus patrons. Mr. Laing stated that it would require an expenditure of money that is not currently available. He noted that it would also present security and legal issues.

Mr. Ruane stated that he appreciates the City enforcing the zoning laws; however, there should be a larger responsibility of protecting the welfare, safety, and health of the citizens. He questioned how the City can allow a licensed carrier to provide such inadequate services. Mr. Ruane's understanding was that there was no rent paid, only that the ticket salesperson would receive a rebate for the number of tickets that have been sold. He felt that a meeting should be held with the Division of Carrier Licensing to determine what guidelines have to be met in order to be a licensed bus service.

Mr. Cecil Wilson, former Dover NAACP President, noted that there was a great deal of opposition to the location of the bus station, fearing that crime would increase and it would attract low income people. Mr. Wilson felt that transportation should be for all people, not just low income or homeless people. Mr. Ruane advised members that the Federal Transportation Bill establishes intermodal facilities as a priority and includes a section that covers this issue. He noted that the State of Delaware has the option of utilizing Federal transportation funds. Ms. Wieczoreck noted that it is a new funding program and they are considered discretionary funds.

Mr. Hogan advised members that, due to the lack of a quorum, the Request for Prioritization of the Intermodal Transportation Terminal would be forwarded to Council without a recommendation from the committee.

BRIEFING BY CITY MANAGER - SUPPORT OF GRANT APPLICATION FOR FEDERAL FUNDING OF PARKING FACILITY

Mr. DePrima advised members that Mayor Speed and Council President Williams sent a letter to Senator Thomas Carper requesting that $4M be included in the Transportation HUD bill for the construction of a parking facility within the City of Dover. He noted that it is a HUD Economic Development Initiative Grant that requires submission by Legislatures and Federal Representatives. Mr. DePrima advised members that possible sites for a parking garage would be the City Hall or Bradford Street parking lots. He also noted that the Schwartz Center was previously awarded a grant from the same program in the amount of $1M. Dr. Barnett advised members that a parking garage has been planned for the Eden Hill Development.

There being no further business, Chairman Hogan declared the meeting adjourned.

Meeting Adjourned at 6:18 P.M.

Respectfully submitted,

Kenneth L. Hogan
Chairman

KLH/jcr
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ACTION FORM

PROCEEDING: Utility Committee and Council	**AGENDA ITEM**: 4/10/06 – 1 & 4/10/06 - 11
DEPARTMENT OF ORIGIN: Public Works	**DATE SUBMITTED**: 3/30/06
PREPARED BY: Scott D. Koenig, P.E., Public Services Manager	
SUBJECT: Division Street Water Main/Bayard Avenue Water Main Project Budget Increases	
REFERENCE: N/A	
RELATED PROJECT: N/A	
APPROVALS: City Manager	
EXHIBITS: N/A	
EXPENDITURE REQUIRED: $1,270,000 +/- for Division Street/Bayard Avenue Water Main Upgrades **AMOUNT BUDGETED**: $785, 866 plus an additional $227,348 transferred from other project budgets **FUNDING SOURCE (Dept./Page in CIP & Budget)**: Pages 187, 202, 343 & 344 of the 2005 Annual Operating Budget	
TIMETABLE: The Time and Materials contract portion of the Division Street/Bayard Avenue Water Main Upgrades will be completed during the first half of April.	
RECOMMENDED ACTION: Recommend the transfer of up to $260,000 from the Water/Wastewater Capital Asset (Brown Water) Reserve to the Division Street Water Main and Bayard Avenue Water Main Projects.	

BACKGROUND AND ANALYSIS

The original intent for the Division Street Water Main Upgrade Project was to improve the water supply from the east side of the City to the west side by replacing old 8-inch and 14-inch cast-iron pipes with a new 16-inch pipe. In addition, the project became an important part of the City's program to eliminate brown water. Construction on the Division Street Water Main Upgrade Project began on Monday, September 19, 2005 and has progressed continuously since that date under a Time & Materials contract with George & Lynch, Inc. The contract was approved by City Council on June 13 2005. The project was budgeted in FY 04/05 at $660,000; and $585,886 was carried into FY 05/06. The project budget was increased to $785,866 as part of the November 14, 2005 budget amendment when it had already appeared that the project was running over the projected costs.

A number of obstacles including unmarked old utilities, uncertain Miss Utility markings, changes in service shutdown schedules, unexpected pavement materials (concrete vs. hot mix), and changing roadway restoration requirements have caused significant construction challenges and cost overruns for this project. The cost overruns were not detected in advance of the approved budget because a weekly cost monitoring system was not in place. A weekly monitoring system will be required for all future Time and Materials contracts. Segment 1 of the Division Street Water Main Upgrade Project (from State Street to the St. Jones River) is now in service. Segment 2 (from the St. Jones River to Bayard Avenue) is awaiting the results of bacteriological testing and will be tied in and placed into service as soon as acceptable results are received. A few minor restoration requirements for Segment 2 remain.

In addition, the Director of Public Works authorized the purchase of additional pipe to upgrade pipe from Division Street to the Bayard Avenue Water Tank in January 2006 to address pipe issues associated with the old

pipe segment located in Bayard Avenue. This pipe segment has been identified in various public presentations related to brown water and is consistent with the Cast Iron Replacement/Relining project identified in the budget document. It should be noted that $76,000 in pipe material costs could have been charged to the Cast Iron Pipe Replacement Program which was funded in the amount of $100,000. However, it was decided to simply add it to the Division Street Water Main Project.

The project costs for both projects as billed to date and estimated for March & April are:

FY-2006 Construction Project Start thru December 31, 2005	$ 582,484.85	
January 2006 Invoice (including pipe material for Bayard Avenue)	$ 409,120.99	
February 2006 Invoice (labor, equipment & misc. materials)	$ 147,610.93	
March 2006 Invoice (labor, equipment & misc. materials)	$ 100,000.00	(estimate)
April 2006 Invoice (labor, equipment & misc. materials)	$ 30,000.00	(estimate)
Total	$1,269,216,77	(estimate)

The construction obstacles and the additional pipe for Bayard Avenue have put the project $483,350.77 over budget. Some of the cost overage has been addressed by transferring moneys from other project accounts as follows:

Project		$ Transfer	Status
Cast Iron Pipe Replace	WS0502	$ 100,000	- Both Bayard & Division Street meet objective of this project fund.
Misc. Distr. Imp.	WS0602	$ 30,000-	Both Bayard & Division Street meet objective of this project fund.
U.S. 13 N. Water Main Crossing	WD0403	$ 35,000	- Project completed, these funds remain in account.
SE Water Loop	WD0701	$ 8,000	- Project contracted, contract below budget.
Vehicle #681 (Water Fund Only)		$ 41,850	- Purchase deferred, need will be re-evaluated by Public Utilities Manager.
Construction Budget Lease (40-42)		$ 12,498	- Leased Vehicle transferred.
	Total	$ 227,348	

With the use of these transferred funds, the project is still estimated to be over budget by approximately $260,000. The City Manager is requesting to transfer up to $260,000 from the Water/Wastewater Capital Asset Reserve account to allow the project charges to be paid.

The George and Lynch contract work will stop on Division Street at Bayard Avenue. The Bayard Avenue pipe will be installed by our own utility construction crew. How the new 16-inch Division Street Water Main west of Route 13 will be connected to the line east of Route 13 will be re-evaluated by the Public Utilities Manager and engineers to develop the most cost-effective route.

ACTION FORM

PROCEEDING: Utility Committee and Council	A**GENDA ITEM NO.:** 4/10/06- 2 & 4/10/06-10
DEPARTMENT OF ORIGIN: Electric	**DATE SUBMITTED**: 4/3/06
PREPARED BY: Steve Sax, Electric Department Director/ Scott D. Koenig, Public Services Manager	
SUBJECT: Authorization to Purchase Security Fencing With Card Reader - Electric Department and Power Plant	
REFERENCE: N/A	
RELATED PROJECT: N/A	
APPROVALS: City Manager, Finance Director	
EXHIBITS: N/A	
EXPENDITURE REQUIRED: $39,500.00	**AMOUNT BUDGETED**: $ 0.00
FUNDING SOURCE (Dept./Page in CIP & Budget): Federal FY-2005 Homeland Security grant funds (Physical Security Enhancements); this purchase was not part of the original FY-2006 spending plan for the Electric Department.	
TIMETABLE: Issue award letter on Tuesday, April 11, 2006, pending Council authorization. The target completion date for the fence installation will be May 31, 2006.	
RECOMMENDED ACTION: Authorize staff to use Federal FY-2005 Homeland Security grant funds to purchase and install a 30 foot slide gate with all electric controls at the Electric Administration Building and McKee Run Power Plant. Installation will be completed by the City's authorized fence contractor, Duck's Quality Fences, using some of the items on the annual fence contract. The electronic components of this purchase have been negotiated with the fence contractor. Staff will adjust the final budget to reflect this purchase as well as the receipt of the grant funds.	

BACKGROUND AND ANALYSIS

The City of Dover has requested Federal FY-2005 (Physical Security Enhancement) grant funds for improvements to various sites within the City of Dover's utility systems. The proposed fencing project would limit access to the rear of the administration building where equipment, vehicles, tools, and project materials are stored. This project will also limit access to the Electric Department's designated environmental hazard area.

In addition to the new fencing, an electronic gate reading card will be installed that will only allow access for employees of the Electric Department and McKee Run Power Plant. This type of fencing was listed on the City's annual fencing contract which was awarded to Duck's Quality Fences earlier this fiscal year. Duck's Quality Fences will complete the fencing installation for this project upon authorization by the City of Dover. Electric Department staff is awaiting the signed authorization from DEMA for this improvement and will utilize the sub-grant process offered by DEMA to complete the project. Staff is anticipating the written authorization of the sub-grant from DEMA by April 11, 2006.

This purchase will be included in the final budget revisions and will be 100% reimbursed through the Homeland Security Grant Program.

CITY OF DOVER
FISCAL YEAR JULY 1, 2005 TO JUNE 30, 2006
REVENUE FORECAST
APRIL, 2006

GENERAL FUND	REVISED BUDGET	MARCH YTD RECEIPTS	75.0% % BUDGET RECEIVED	FY06 PROJ'D	FY07 PROJ'D	COMMENTS	FY04 RECEIPTS	FY05 RECEIPTS
Property Taxes	$ 8,755,590	$ 8,753,437	100.0%	$ 8,806,471	$ 8,862,916		$ 7,183,124	$ 7,370,318
Transfer from Electric Fund	5,716,956	3,800,000	66.5%	5,716,956	5,700,000		4,701,664	5,463,008
Intrafund Service Receipts Electric	3,998,495	2,300,323	57.5%	3,978,943	4,153,622		3,151,045	3,536,040
Transfer Tax	2,400,000	2,403,074	100.1%	2,900,000	2,750,000		1,627,172	2,379,548
Business Licenses	1,309,128	1,295,783	99.0%	1,310,000	1,310,000		1,155,139	1,243,327
Intrafund Service Receipts Water/Wastewater	1,101,076	662,617	60.2%	1,102,939	1,227,092		846,864	932,708
Trash Fees & DSWA Rebate	1,241,560	973,389	78.4%	1,252,036	1,282,540	Avg. trend + DSWA Rebate	1,083,894	1,081,064
Permits & Other Licenses	922,102	746,810	81.0%	975,500	1,000,000		862,148	1,007,765
Transfer from Municipal Street Aid Fund	659,704	380,155	57.6%	659,704	660,000		794,301	792,242
Fines & Police Revenue	877,020	587,208	67.0%	810,520	824,000		619,493	858,604
Court of Chancery Fees	700,000	457,800	65.4%	710,000	710,000		559,260	710,380
Transfer from Water/Wastewater Fund	535,785	500,000	93.3%	535,785	535,000	4% of W/WW Revenues	831,000	848,016
Transfer from Civil Traffic Penalties Fund	730,515	499,793	68.4%	730,515	850,000	FY06 projected based on prior years & ytd trend; FY07 = 2%	-	258,837
Library Revenues & County Reciprocal Pymt.	428,450	339,748	79.3%	393,000	399,500	County receipts - quarterly trends	333,157	346,652
Police Extra Duty Fees	300,688	152,653	50.8%	270,000	350,000		307,426	303,195
Franchise Fees	409,748	204,294	49.9%	409,748	410,000		462,859	395,821
Grants	778,081	548,203	70.5%	808,081	348,500	Longwood & Welfare Foundation $300,000	398,312	483,820
Other Miscellaneous Receipts/Interest	423,213	350,725	82.9%	559,261	533,052	$50,000 Dover Downs donation for Pitts Rec Center	322,205	259,552
Transfer from Reserves	-	-	0.0%	-	964,800	Construction of Recreation Center included in Dept. Expense	859,816	-
TOTALS	$ 31,288,111	$ 24,956,012	79.8%	$ 31,929,459	$ 32,871,022		$ 26,098,879	$ 28,270,897

WATER/WASTEWATER FUND	REVISED BUDGET	MARCH YTD REVENUES	75.0% % BUDGET RECEIVED	FY06 PROJ'D	FY07 PROJ'D	COMMENTS	FY04 REVENUES	FY05 REVENUES
Water Fees	$ 4,275,173	$ 3,177,636	74.3%	$ 4,166,162	$ 4,222,500		$ 3,769,635	$ 3,791,254
Wastewater Fees	2,646,507	1,957,216	74.0%	2,583,132	2,618,250	Less reclass $.45 rate to County Treatment; FY07 prjctd. T/gallons	2,521,499	2,361,738
Wastewater Adjustment Fees - County Trtmt	3,725,357	2,765,176	74.2%	3,717,296	3,761,010	Plus reclass $.45 rate to County Treatment; FY07 prjctd. T/gallons	2,743,359	2,969,129
Impact Fees	920,000	718,152	78.1%	950,000	750,000		555,764	1,229,737
Water Tank Space Leasing	303,000	254,168	83.9%	303,000	303,000		227,325	264,926
Other Miscellaneous Revenues & Interest	153,902	131,458	85.4%	156,750	163,750	Increase sale of meters, installations, & interest	219,473	133,585
State Reimbursement/Grants	-	-	0.0%	-	-		17,893	42,830
Transfer from Reserves	-	-	0.0%	-	-		80,000	60,420
TOTALS	$ 12,023,939	$ 9,003,806	74.9%	$ 11,876,340	$ 11,818,510		$ 10,134,948	$ 10,853,619

ELECTRIC REVENUE FUND	REVISED BUDGET	MARCH YTD REVENUES	75.0% % BUDGET RECEIVED	FY06 PROJ'D	FY07 PROJ'D	COMMENTS	FY04 REVENUES	FY05 REVENUES
Sales to Customers	$ 57,157,712	$ 44,031,034	77.0%	$ 57,157,712	$ 57,157,712		$ 55,203,287	$ 54,843,536
Purchased Power Adjustment	6,561,106	5,153,408	78.5%	6,561,106	6,561,106		974,014	4,294,232
Utility Tax	1,245,946	844,247	67.8%	1,245,946	1,245,946	Avg. % of service revenues or 1.74%	974,508	1,032,656
Miscellaneous Revenue & Interest (no Duke rebate)	667,000	769,474	115.4%	901,012	767,210	Higher receipts due to return checks/reconnect fees/new services	1,220,514	1,742,060
Rental Income	170,885	139,010	81.3%	170,885	170,885		215,538	171,753
TOTALS	$ 65,802,649	$ 50,937,173	77.4%	$ 66,036,661	$ 65,902,859		$ 58,587,861	$ 62,084,237

March 30, 2006

The Honorable Stephen R. Speed, Mayor
The Honorable Beverly C. Williams, Council President
15 E. Loockerman Street
Dover, DE 19901

Dear Mayor Speed and Council President Williams:

On May 23, 2005, City Council established a priority of conducting a Comprehensive Review of the City of Dover Charter. It would be the first thorough review of the document since 1986. Council adopted a resolution to appoint a "Blue Ribbon Panel" to serve as the Charter Review Committee.

Upon invitation of the Council, Mr. Robin R. Christiansen, Mrs. Evelyn Greenwood, Mr. Willie Jones, Mrs. Holly Malone, Mr. Robert Merritt, Dr. Scott D. Miller, Mr. Daniel Scheller, and myself agreed to serve and were formally appointed on August 8, 2005. Mr. Merritt was unable to serve and was subsequently replaced by Mrs. Mary Merritt.

The Chair and Council President reviewed with the Committee its charge at the first meeting on September 15, 2005. This included:

- A comprehensive review of the City Charter;
- Proposed changes in the "form of government" to reflect a more contemporary model;
- A review of the election process;
- A review of terms of office; and
- "Other amendments deemed necessary to assure the continued orderly growth and efficient management of the City, while being mindful of an abiding respect for the history and traditions of our proud City."

The Council President underscored the timetable for the Committee's work:

- Periodic meetings as set by the Chair and Committee;
- Public hearings—preferably in each district--to allow citizen input;
- A preliminary report to the Mayor and Council within six months; and
- A final report within 12 months.

The City of Dover provided extensive historical data and materials to facilitate the work of the Committee. The Committee wishes to thank Traci McDowell for her diligent work and assistance throughout our proceedings.

The Committee has met on a monthly basis since accepting the charge. During that time period, the Committee has accomplished the following:

- Extensively reviewed a Comparative Table of the City of Dover Charter and the *Model City Charter - 8 Edition - Defining Good Government in a New Millenium* (National Civic League). The group made preliminary recommendations regarding proposed code and charter changes that would provide the basis for our future work.

- Extensively reviewed the form of government, options for the number of Council districts and election processes, and certain election processes (i.e. eliminating the requirement that Council members must relinquish their seat in order to run for another office; runoff election procedures, etc.)

- Conduct a Second District Public Hearing to permit citizens to share their thoughts and opinions.

Opinions have varied drastically, but the Committee has been open to input from everyone. We have operated in a transparent fashion to underscore the value of community input.

Much has been completed and much work remains. We anticipate increasing the frequency and pace of our meetings during the next six months to meet our deadline. We are optimistic that the work will be completed on time.

We thank the people of the City of Dover and you for your confidence and support as we complete this important work. It has been a pleasure to serve the citizens of this great City.

On Behalf of the 2005 Charter Review Committee

Thomas J. Leary, Chair
TJL

Appendix D - Downtown Dover Business Improvement District, Article II - Definitions, Section 3 - Assessment Zone

Section 3. [Assessment zone.]

Assessment zone means an area of the [Downtown] Dover Business Improvement District designated by the city to fund a certain percentage of the district's annual budget within which the assessment rate is uniform.

There shall be three assessment zones in the district. A smaller core assessment zone [shall be] centered around Loockerman Street (bounded by the farthest points of Queen, Reed, State and North Streets) that would provide half of the budget through assessments. The larger remaining portions of the district shall be the outer zones and shall provide half of the budget through assessment. ***The limits of each zone shall be presented by map to City Council for approval at the time of approval of the BID budget as prescribed in Section 9(f).***

Appendix D - Downtown Dover Business Improvement District, Article III - Establishment of the Dover Downtown Business Improvement District, Section 3 - Geographic Boundaries

Section 3. Geographic boundaries.

The geographic boundaries of the DDBID shall ***not exceed*** ~~be the same as~~ the boundaries of the downtown redevelopment target area as defined in appendix C [to the Code].

Amend Appendix D - Downtown Dover Business Improvement District, Article III - Establishment of the Dover Downtown Business Improvement District, Section 9 - Method of Assessment, Paragraph (f)

(f) The annual budget ***and assessment zones*** shall be established by the management company and submitted to [the] city council for approval on or before the first council meeting in May each year. The budget shall be based on services and improvements authorized by this ordinance and shall be approved by [the] council on or before the second meeting in June. Once the budget is approved by [the] city council, the city assessor shall supply to the management company the necessary information to determine the assessments and assessment rate. The assessment rate shall be approved and accepted by [the] council on or before the second meeting in June each year. The billing and assessment year shall run from July 1 to June 30. Assessment notices shall be mailed on or before the tenth working day of July each year. Assessments not paid by August 1 shall bear a penalty of 1½ percent per month.

/jg
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FINAL READINGS

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

That Chapter 22 - Buildings and Building Regulations, Article I - General, be amended by adding a new Section 22-2 - Housing Authority, as follows:

Section 22-2. Housing Authority Created; Purpose

(a) *Created; Purpose.* There shall be a Housing Authority as provided in 31 Del. Code.

ADOPTED: *

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

That Chapter 106 - Traffic and Vehicles, Article III - Stopping, Standing, and Parking, Division 1 - Generally, be amended by adding a new Section 106-111 - Parking Authority, as follows:

Section 106-111. Parking Authority Created; Purpose.

(a) *Created; Purpose*. There shall be a Parking Authority as provided in 22 Del. Code.

ADOPTED: *

/jg
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PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE RECOMMENDATION

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:
The amounts hereinafter named in various City funds are changed from the currently approved revenues/receipts and appropriations to the revised revenues/receipts and revised appropriations for use by the various departments of the Municipal Government for

A. GENERAL FUND

REVENUES	Current Adjusted Budget	Additions (Reductions)	Revised Adjusted Budget
FINES AND POLICE REVENUE	$ 728,020	$ 85,000	$ 813,020
KENT COUNTY BOOK REIMBURSEMENT	375,000	7,000	382,000
BUSINESS LICENSES	1,275,000	34,128	1,309,128
PERMITS AND OTHER LICENSES	871,400	50,702	922,102
MISCELLANEOUS CHARGES	44,650	25,000	69,650
POLICE EXTRA DUTY	377,720	(77,032)	300,688
PROPERTY TAXES	8,585,623	169,967	8,755,590
FRANCHISE FEE	360,000	49,748	409,748
COURT OF CHANCERY FEES	540,000	160,000	700,000
SALE OF ASSETS	-	59,850	59,850
RECREATION GRANTS	-	325,000	325,000
INSURANCE FIRE SAFETY GRANT	-	4,500	4,500
CIVIL TRAFFIC PENALTIES	500,000	230,515	730,515
NET ADJUSTMENTS		**$ 1,124,378**	

EXPENDITURES	Current Adjusted Budget	Additions (Reductions)	Revised Adjusted Budget
TAX ASSESSOR	$ 168,400	$ 23,718	$ 192,118
PLANNING	256,846		256,846
INSPECTIONS	1,022,441	(59,926)	962,515
STREETS	1,305,412	24,994	1,330,406
CITY MANAGER	462,205	152,599	614,804
INFORMATION TECHNOLOGY	998,842	(27,863)	970,979
CUSTOMER SERVICES	1,119,930	(164,224)	955,706
MAYOR	109,239	5,000	114,239
TRANSFER TO OPEB (POST-RETIREMENT BENEFITS) RESERVE	150,000	100,000	250,000
TRANSFER TO PARKLAND/RECREATION RESERVE	*333,743*	*1,174,850*	*1,508,593*
CURRENT YEAR BALANCE	*2,983,201*	*(104,770)*	*2,878,431*
NET ADJUSTMENTS		**$ 1,124,378**	

B. WATER/WASTEWATER FUND

REVENUES	Current Adjusted Budget	Additions (Reductions)	Revised Adjusted Budget
WATER FEES	$ 4,120,930	$ 154,243	$ 4,275,173
WASTEWATER FEES	3,191,760	(545,253)	2,646,507
WASTEWATER ADJUSTMENT FEES	3,690,948	34,409	3,725,357
IMPACT FEES	665,000	255,000	920,000
MISCELLANEOUS SERVICE FEE	41,950	71,952	113,902
NET ADJUSTMENTS		**$ (29,649)**	

EXPENSES	Current Adjusted Budget	Additions (Reductions)	Revised Adjusted Budget
CURRENT YEAR BALANCE WATER	$ 1,684,571	$ 190,219	$ 1,874,790
CURRENT YEAR BALANCE WASTEWATER	669,775	389,493	1,059,268
CURRENT YEAR BALANCE KCSA	(1,086,395)	(609,361)	(1,695,756)
NET ADJUSTMENTS		**$ (29,649)**	

C. WATER/WASTEWATER I&E FUND

EXPENSES	Current Adjusted Budget	Additions (Reductions)	Revised Adjusted Budget
WATER CONSTRUCTION	$ 103,199	$ (24,994)	$ 78,205
CURRENT YEAR BALANCE - WATER	42,778	12,497	55,275
CURRENT YEAR BALANCE - WASTEWATER	56,629	12,497	69,126
NET ADJUSTMENTS		$ -	

D. ELECTRIC REVENUE FUND

REVENUES	Current Adjusted Budget	Additions (Reductions)	Revised Adjusted Budget
MISCELLANEOUS REVENUE - ELECTRIC NEW SERVICE	$ 496,000	$ 216,960	$ 712,960
DUKE CONTRACT REVENUE	-	2,163,830	2,163,830
NET ADJUSTMENTS		**$ 2,380,790**	

EXPENSES	Current Adjusted Budget	Additions (Reductions)	Revised Adjusted Budget
ADMINISTRATION	$ 668,246	$ 80,000	$ 748,246
TRANSFER TO RATE STABILIZATION RESERVE	-	2,314,790	2,314,790
CURRENT YEAR BALANCE	3,930,880	(14,000)	3,916,880
NET ADJUSTMENTS		**$ 2,380,790**	

E. ELECTRIC IMPROVEMENT & EXTENSION FUND

EXPENSES	Current Adjusted Budget	Additions (Reductions)	Revised Adjusted Budget
TRANSMISSION AND DISTRIBUTION	$ 1,480,486	$ 191,994	$ 1,672,480
ENGINEERING	3,849,503	(111,994)	3,737,509
CURRENT YEAR BALANCE	883,625	(80,000)	803,625
NET ADJUSTMENTS		$ -	

F. ELECTRIC RATE STABILIZATION

REVENUES	Current Adjusted Budget	Additions (Reductions)	Revised Adjusted Budget
RECEIPT FROM ELECTRIC REVENUE FUND	$ -	$ 2,314,790	$ 2,314,790
NET ADJUSTMENTS		**$ 2,314,790**	

EXPENSES	Current Adjusted Budget	Additions (Reductions)	Revised Adjusted Budget
CURRENT YEAR BALANCE	$ 2,690,331	$ 2,314,790	$ 5,005,121
NET ADJUSTMENTS		**$ 2,314,790**	

G. OPEB (POST-RETIREMENT BENEFITS) RESERVE

REVENUES	Current Adjusted Budget	Additions (Reductions)	Revised Adjusted Budget
TRANSFER FROM GENERAL	$ 150,000	$ 100,000	$ 250,000
NET ADJUSTMENTS		**$ 100,000**	

EXPENDITURES	Current Adjusted Budget	Additions (Reductions)	Revised Adjusted Budget
CURRENT YEAR BALANCE	$ 2,794,314	$ 100,000	$ 2,894,314
NET ADJUSTMENTS		**$ 100,000**	

H. PARKLAND/RECREATION RESERVE

REVENUES	Current Adjusted Budget	Additions (Reductions)	Revised Adjusted Budget
GENERAL FUND APPROPRIATION	*$ 333,743*	*$ 1,174,850*	*$ 1,508,593*
NET ADJUSTMENTS		**$ 1,174,850**	

EXPENDITURES	Current Adjusted Budget	Additions (Reductions)	Revised Adjusted Budget
CURRENT YEAR BALANCE	*$ 1,350,259*	*$ 1,174,850*	*$ 2,525,109*
NET ADJUSTMENTS		**$ 1,174,850**	