

REGULAR COUNCIL MEETING AGENDA



JANUARY 8, 2018 - 7:30 P.M.

**CITY HALL COUNCIL CHAMBERS
15 LOCKERMAN PLAZA - DOVER, DELAWARE**

OPEN FORUM - 30 MINUTES PRIOR TO OFFICIAL MEETING (7:00 P.M.)

THE "OPEN FORUM" SEGMENT IS PROVIDED TO EXTEND THE OPPORTUNITY TO THE GENERAL PUBLIC TO SHARE THEIR QUESTIONS, THOUGHTS, COMMENTS, CONCERNS, AND COMPLAINTS. DISCUSSION OF ANY ITEM APPEARING ON THE AGENDA AS A PUBLIC HEARING IS PROHIBITED DURING THE OPEN FORUM AS AN OPPORTUNITY WILL BE PROVIDED DURING CONSIDERATION OF THAT ITEM. CITIZEN COMMENTS ARE LIMITED TO THREE (3) MINUTES. COUNCIL IS PROHIBITED FROM TAKING ACTION SINCE THEY ARE NOT IN OFFICIAL SESSION; HOWEVER, THEY MAY SCHEDULE SUCH ITEMS AS REGULAR AGENDA ITEMS AND ACT UPON THEM IN THE FUTURE.

INVOCATION BY BISHOP W. JAMES THOMAS, II OF CALVARY BAPTIST CHURCH

PLEDGE OF ALLEGIANCE LED BY COUNCILMAN LEWIS

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**
 - A. SPECIAL COUNCIL MEETING OF DECEMBER 11, 2017**
 - B. REGULAR COUNCIL MEETING OF DECEMBER 11, 2017**

- 2. CERTIFICATES OF APPRECIATION**
 - A. FINANCE DEPARTMENT STAFF**
 - B. PLANNING, INSPECTIONS, AND COMMUNITY DEVELOPMENT STAFF**

- * 3. ECONOMIC DEVELOPMENT COMMITTEE REPORT - OCTOBER 25, 2017**
 - A. PRESENTATION - ECONOMIC DEVELOPMENT AND DOWNTOWN REVITALIZATION (MAYOR MIKE PURZYCKI, CITY OF WILMINGTON)**
(COMMITTEE ACTION NOT REQUIRED)

- * **4. DOVER HUMAN RELATIONS COMMISSION REPORT - NOVEMBER 16, 2017**
- A. DHRC COMMITTEE UPDATES**
(COMMISSION RECOMMENDED APPROVAL OF THE BROCHURE, AS AMENDED)
(COMMISSION RECOMMENDED ADOPTION OF A 10-MINUTE OPEN FORUM BEGINNING AT 6:00 P.M. WITHIN THE FORMAT OF THE DESIGNATED HOUR)
- B. STATE HUMAN RELATIONS COMMISSION LIAISON REPORT**
(COMMISSION ACTION NOT REQUIRED)
- * **5. ECONOMIC DEVELOPMENT COMMITTEE REPORT - NOVEMBER 29, 2017**
- A. UPDATE - STARTING A SMALL BUSINESS INCUBATOR (DR. MICHAEL CASSON - DELAWARE STATE UNIVERSITY UCEDIT)**
(COMMITTEE ACTION NOT REQUIRED)
- B. BUSINESS INCENTIVES FOR HIRING THE HOMELESS (HERB KONOWITZ)**
(COMMITTEE ACTION NOT REQUIRED)
- 6. COUNCIL COMMITTEE OF THE WHOLE REPORT - DECEMBER 12, 2017**
- A. LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE**
- (1) PROPOSED FOOD TRUCK PILOT PROGRAM**
(COMMITTEE RECOMMENDED APPROVAL OF THE FOOD TRUCK PILOT PROGRAM FOR 90 BUSINESS DAYS)
- * **(2) PROPOSED ORDINANCE #2017-16 - AMENDING APPENDIX B - ZONING, ARTICLE 3 - DISTRICT REGULATIONS, SECTION 28 - TRADITIONAL NEIGHBORHOOD DESIGN ZONE (TND), SUBSECTION 28.52 - NEIGHBORHOOD COMMERCIAL DISTRICT (FUEL PUMPS)(SEE ITEM #11-A)**
(COMMITTEE RECOMMENDED ADOPTION OF ORDINANCE #2017-16)
- * **(3) RECOMMENDED PROCEDURE FOR REQUESTING A LEGAL OPINION**
(COMMITTEE RECOMMENDED ADOPTION OF THE PROCEDURE)
- * **(4) RECOMMENDED PROCEDURE FOR REQUESTING AN EXCUSED ABSENCE**
(COMMITTEE RECOMMENDED ADOPTION OF THE PROCEDURE)
- * **B. PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE**
- (1) COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM ADMINISTRATION FUNDING FOR ASSESSMENT OF FAIR HOUSING (AFH) PLAN**
(COMMITTEE RECOMMENDED APPROVAL OF FUNDING SET-ASIDE FOR AFH)
- (2) COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM SEMI-ANNUAL REPORT**
(COMMITTEE ACTION NOT REQUIRED)
- (3) REVIEW OF ACTIVE RECREATION AREA PLAN (REQUEST FOR CASH-IN-LIEU) - MULTIPLEX AT 299 COLLEGE ROAD (PLANNING REFERENCE: S-17-28)**
(COMMITTEE RECOMMENDED ACCEPTANCE OF THE \$4,000 CASH-IN-LIEU OF RECREATION AREA CONSTRUCTION DONATION, AS THE AMOUNT COMPLIES WITH THE REQUIREMENTS OF THE *ZONING ORDINANCE*)
- (4) PROPOSED LAND SWAP - CITY OF DOVER AND CAPITOL BAPTIST CHURCH/MAYFAIR PARK - APPLICATION FOR APPROVAL FROM NATIONAL PARKS SERVICE**
(COMMITTEE ACTION NOT REQUIRED)

6. COUNCIL COMMITTEE OF THE WHOLE REPORT - DECEMBER 12, 2017 (CONTINUED)*** B. PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE (CONTINUED)****(5) STATUS REPORT - REQUEST FOR DOG PARK AND PASSIVE PLAYGROUND - ACORN FARMS**

(COMMITTEE TABLED THIS ITEM)

(6) DISCUSSION OF THE DEFINITION AND PERMISSIBILITY OF ROOMING HOUSES/BOARDING HOUSES IN THE ZONING ORDINANCE

(COMMITTEE ACTION NOT REQUIRED)

(7) DISCUSSION OF THE AVAILABILITY OF STORAGE LOCKERS FOR HOMELESS INDIVIDUALS

(COMMITTEE ACTION NOT REQUIRED)

*** 7. MONTHLY REPORTS - NOVEMBER 2017****A. CITY ASSESSOR'S REPORT****B. CITY COUNCIL'S COMMUNITY ENHANCEMENT FUND REPORT****C. CITY MANAGER'S REPORT****D. CITY PLANNER'S REPORT****E. CONTROLLER/TREASURER'S BUDGET REPORT****F. FIRE CHIEF'S REPORT****G. POLICE CHIEF'S REPORT****8. EVALUATION OF PROPOSAL - US 13 EAST PUMP STATION #7 UPGRADES - EXCEPTION TO PURCHASING POLICY**

(STAFF RECOMMENDS AUTHORIZING THE PURCHASE OF THE AIR SCRUBBER UNIT, TO BE CO-FUNDED WITH KENT COUNTY. MATERIALS AND INSTALLATIONS BY DOER PRODUCTS AND SERVICES, INC.)

*** 9. APPOINTMENT OF DELAWARE MUNICIPAL ELECTRIC CORPORATION (DEMEC) DIRECTOR AND ALTERNATE DIRECTOR (DONNA S. MITCHELL, CITY MANAGER, AND LORI PEDDICORD, ACTING CONTROLLER/TREASURER)***** 10. 2017/18 ANNUAL APPOINTMENT RECOMMENDED BY COMMITTEE CHAIR (DEFERRED DURING THE ANNUAL MEETING OF MAY 8, 2017) - UTILITY SUBCOMMITTEE - KATHLEEN DOYLE - ONE-YEAR TERM TO EXPIRE MAY 2018****11. FIRST READING - PROPOSED ORDINANCE #2017-16**

THE FIRST READING IS OFFERED ON THE PROPOSED ORDINANCE. AMENDMENTS TO APPENDIX B - ZONING REQUIRE A PUBLIC HEARING. IT IS RECOMMENDED FOR REFERRAL TO THE PLANNING COMMISSION ON FEBRUARY 20, 2018, AND THAT A PUBLIC HEARING BE SET FOR MARCH 12, 2018 AT 7:30 P.M., AT WHICH TIME THE FINAL READING AND COUNCIL ACTION WILL TAKE PLACE. THE ORDINANCE IS AVAILABLE AT THE ENTRANCE OF THE COUNCIL CHAMBERS, ON THE CITY'S WEBSITE AT WWW.CITYOFDOVER.COM UNDER "GOVERNMENT," OR BY CONTACTING THE CITY CLERK'S OFFICE AT 736-7008 OR CITYCLERK@DOVER.DE.US.

A. AMENDING APPENDIX B - ZONING, ARTICLE 3 - DISTRICT REGULATIONS, SECTION 28 - TRADITIONAL NEIGHBORHOOD DESIGN ZONE (TND), SUBSECTION 28.52 - NEIGHBORHOOD COMMERCIAL DISTRICT (FUEL PUMPS) (LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE)

12. CITY MANAGER'S ANNOUNCEMENTS

13. COUNCIL MEMBERS' ANNOUNCEMENTS

14. ADJOURNMENT

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EXECUTIVE SESSION PURSUANT TO:

29 DEL. C. §10004(B)(2) - PRELIMINARY DISCUSSIONS ON SITE ACQUISITIONS FOR ANY PUBLICLY FUNDED CAPITAL IMPROVEMENTS, OR SALES OR LEASES OF REAL PROPERTY;

29 DEL. C. §10004(B)(4) - STRATEGY SESSIONS, INCLUDING THOSE INVOLVING LEGAL ADVICE OR OPINION FROM AN ATTORNEY-AT-LAW, WITH RESPECT TO COLLECTIVE BARGAINING OR PENDING OR POTENTIAL LITIGATION, BUT ONLY WHEN AN OPEN MEETING WOULD HAVE AN ADVERSE EFFECT ON THE BARGAINING OR LITIGATION POSITION OF THE PUBLIC BODY;

29 DEL. C. §10004(B)(6) - DISCUSSION OF THE CONTENT OF DOCUMENTS, EXCLUDED FROM THE DEFINITION OF "PUBLIC RECORD" IN §10002 OF THIS TITLE WHERE SUCH DISCUSSION MAY DISCLOSE THE CONTENTS OF SUCH DOCUMENTS;

29 DEL. C. §10004(B)(9) - PERSONNEL MATTERS IN WHICH THE NAMES, COMPETENCY AND ABILITIES OF INDIVIDUAL EMPLOYEES ARE DISCUSSED, UNLESS THE EMPLOYEE REQUESTS THAT SUCH A MEETING BE OPEN

THE AGENDA ITEMS AS LISTED MAY NOT BE CONSIDERED IN SEQUENCE. PURSUANT TO 29 DEL. C. §10004(E)(2), THIS AGENDA IS SUBJECT TO CHANGE TO INCLUDE THE ADDITION OR THE DELETION OF ITEMS, INCLUDING EXECUTIVE SESSIONS, WHICH ARISE AT THE TIME OF THE MEETING.