

REGULAR COUNCIL MEETING AGENDA



AUGUST 28, 2017 - 7:30 P.M.

CITY HALL COUNCIL CHAMBERS
15 LOOCKERMAN PLAZA, DOVER, DELAWARE

OPEN FORUM - 30 MINUTES PRIOR TO OFFICIAL MEETING (7:30 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 CHAPLAIN WALLACE DIXON

PLEDGE OF ALLEGIANCE LED BY COUNCILMAN POLCE

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 AUGUST 7, 2017**
- B. SPECIAL COUNCIL MEETING OF AUGUST 14, 2017**
- C. REGULAR COUNCIL MEETING OF AUGUST 14, 2017**

2. PROCLAMATION - NATIONAL PREPAREDNESS MONTH

3. PRESENTATION - RECOGNITION OF SERVICE - JOHN TINSLEY - DOWNTOWN DOVER PARTNERSHIP BOARD OF DIRECTORS (JULY 2014 THROUGH MAY 2017)

*** 4. SPECIAL DOVER HUMAN RELATIONS COMMISSION REPORT - JULY 27, 2017**

A. ELECTION OF COMMITTEE CHAIR - EDUCATION COMMITTEE

(COMMISSION ELECTED MR. PAUL FLEMING TO SERVE AS CHAIR OF THE EDUCATION COMMITTEE)

B. DHRC COMMITTEE UPDATES

- (1) GOVERNMENT POLICY, PROGRAMS, AND PRACTICES COMMITTEE (GADDIS)**
- (2) COMMUNITY ENGAGEMENT COMMITTEE (MULLEN)**
- (3) EDUCATION COMMITTEE**
- (4) COMMUNICATIONS COMMITTEE (PAIGE)**

- * **4. SPECIAL DOVER HUMAN RELATIONS COMMISSION REPORT - JULY 27, 2017 (CONTINUED)**
- C. LIAISON TO STATE HUMAN RELATIONS COMMISSION**
(COMMISSION ELECTED MRS. SARA HERBERT TO SERVE AS LIAISON TO THE STATE HUMAN RELATIONS COMMISSION)
- D. DHRC PARTICIPATION IN RADIO SEGMENT**
(COMMISSION DEFERRED THIS ITEM)
- E. DEVELOPMENT OF DHRC BROCHURE**
(COMMISSION RECOMMENDED THAT REVEREND PAIGE AND MR. OFFREDO WORK ON THE BROCHURE, AS WELL AS ANYONE ELSE WHO WANTS TO DO SO)
- F. UPDATE OF DHRC WEBPAGE**
(DUE TO TIME CONSTRAINTS, THIS ITEM WAS DEFERRED)
- G. SPONSORSHIP OF EDUCATIONAL SYMPOSIUM**
(DUE TO TIME CONSTRAINTS, THIS ITEM WAS DEFERRED)
- H. DHRC VACANCIES**
(DUE TO TIME CONSTRAINTS, THIS ITEM WAS DEFERRED)
- 5. COUNCIL COMMITTEE OF THE WHOLE REPORT - AUGUST 15, 2017**
- * **A. UTILITY COMMITTEE**
- (1) **ALTERNATIVE SOLAR ENERGY ANNOUNCEMENT BY DSU AND EASTERN WOODLAND HOLDINGS LLC., FOR POTENTIAL PUBLIC PRIVATE PARTNERSHIP OPPORTUNITY SPONSORED BY COUNCILMAN ROY SUDLER, JR. 4TH DISTRICT AND BRIAN LEWIS 2ND DISTRICT COUNCILPERSONS**
(COMMITTEE ACTION NOT REQUIRED)
- (2) **CONWELL STREET DISCUSSION**
(COMMITTEE RECOMMENDED THAT A LEGAL OPINION REGARDING THE OWNERSHIP OF CONWELL STREET AND THE CITY'S LEGAL OPTIONS IN REGARD TO THIS MATTER BE PROVIDED AT THE NEXT UTILITY COMMITTEE MEETING)
- (3) **ANNUAL REVIEW AND APPROVAL OF GOVERNING POLICY FOR ENERGY COMMODITY RISK MANAGEMENT**
(COMMITTEE RECOMMENDED APPROVAL OF THE PROPOSED AMENDMENTS TO THE GOVERNING POLICY FOR ENERGY COMMODITY RISK MANAGEMENT, INCLUDING THE NEW TABLE)
- (4) **REVIEW OF CUSTOMER SERVICE DEPARTMENT SHUT-OFF PROCEDURES (2017 BUDGET REVIEW - HARE)**
(COMMITTEE ACTION NOT REQUIRED)
- * **B. LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE**
- * (1) **EVALUATION OF PROPOSALS - BANKING AND MERCHANT SERVICES**
(COMMITTEE RECOMMENDED AWARDING THE CITY'S BANKING SERVICES TO WSFS BANK AND MERCHANT SERVICES CONTRACT TO TSYS)
- * (2) **ACCESSIBILITY EVALUATION REPORT**
(COMMITTEE RECOMMENDED MAKING MINOR IMPROVEMENTS IN THE CURRENT YEAR AND BUDGETING FOR MAJOR IMPROVEMENTS IN FY19)
- * (3) **PROPOSED ORDINANCE #2017-12 AMENDING APPENDIX B - ZONING, ARTICLE 5 - SUPPLEMENTARY REGULATIONS, AND ARTICLE 6 - OFF-STREET PARKING, DRIVEWAYS AND LOADING FACILITIES (SPONSORS: HARE AND SLAVIN)(SEE ITEM #8-A)**
(COMMITTEE RECOMMENDED ADOPTION OF PROPOSED ORDINANCE #2017-12)

- 5. COUNCIL COMMITTEE OF THE WHOLE REPORT - AUGUST 15, 2017 (CONTINUED)**
B. LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE (CONTINUED)
(4) PROPOSED AMENDMENT TO COMMITTEES, COMMISSIONS, AND BOARDS APPOINTMENT PROCESS
 (COMMITTEE SENT THIS MATTER TO COUNCIL WITH NO RECOMMENDATION)

- 6. EVALUATION OF BIDS - TELEPHONE SYSTEM UPGRADE**
 (STAFF RECOMMENDS APPROVAL OF THE TELEPHONE SYSTEM UPGRADE FOR \$48,566.47)

- * **7. APPOINTMENT OF DELAWARE MUNICIPAL ELECTRIC CORPORATION (DEMEC) ALTERNATE DIRECTOR (LORI PEDDICORD, ACTING CONTROLLER/TREASURER)**

- 8. FIRST READING - PROPOSED ORDINANCE #2017-12**
 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 SEPTEMBER 18, 2017, AND THAT A PUBLIC HEARING BE SET FOR OCTOBER 9, 2017 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 5 - SUPPLEMENTARY REGULATIONS, AND ARTICLE 6 - OFF-STREET PARKING, DRIVEWAYS AND LOADING FACILITIES (LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE)**

- 9. ACTING CITY MANAGER'S ANNOUNCEMENTS**

- 10. COUNCIL MEMBERS' ANNOUNCEMENTS**

- 11. 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.