

COUNCIL COMMITTEE OF THE WHOLE

The Council Committee of the Whole met on June 23, 2026, at 6:00 p.m. with Council President Neil presiding. Members of Council present were Mr. Anderson, Ms. Arndt, Mr. Boggerty, Ms. Hall (via WebEx), Mr. Lewis, Dr. Pillsbury, Mr. Rocha, and Mr. Sudler (via WebEx). Mayor Christiansen was also present until 7:57 p.m. Civilian members present for their Committee meetings were Ms. Jackson (via WebEx) (*Safety, Advisory, and Transportation*), Mr. Iriowen (*Utility*), Mr. Garfinkel, and Mr. Shevock (via WebEx) (*Legislative, Finance, and Administration*). Ms. Kemp (*Safety, Advisory, and Transportation*) and Mr. Wilson (*Utility*) were absent.

ADOPTION OF AGENDA

Mr. Rocha moved for adoption of the agenda, seconded by Mr. Boggerty and unanimously carried.

SAFETY, ADVISORY, AND TRANSPORTATION COMMITTEE

The Safety, Advisory, and Transportation Committee met with Chairman Boggerty presiding.

Adoption of Agenda

Mr. Rocha moved for adoption of the agenda, seconded by Dr. Pillsbury and unanimously carried.

Request for Waiver – Appendix A – Subdivisions, Article VI – Subdivision – General Requirements and Design Standards, Section A – Streets, Item 15. (Plan for Lands of Wyoming LLC and Functional Properties LLC at Jefferson Terrace Extended as Ekaman Subdivision): Waiver to allow an increased percentage of Lots on Cul-de-Sac associated with the Conceptual Subdivision Plan to subdivide two existing parcels totaling 4.5754 acres into five residential lots with the residual. (Property Owner: Wyoming LLC and Functional Properties, LLC. Property Addresses: unaddressed on Jefferson Terrace extension (part of which is referenced as 3.8904 acres of Wyoming Avenue Rear). Tax Parcels: ED05-077.17-06-02.01-000 and ED05-077.17-06-13.00-000. Planning Reference: SB-25-02C) (Dawn Melson-Williams, Principal Planner)

Ms. Dawn Melson-Williams, Principal Planner, reviewed the Petition to Waive the Zoning Ordinance Provision Section A – Streets, Item 15, to allow an increased percentage of Lots on a Cul-de-Sac associated with the Conceptual Subdivision plan to subdivide two existing parcels totaling 4.5754 acres into five residential lots with the residual, as requested by Wyoming LLC and Functional Properties, LLC.

Planning Commission recommended approval of the Subdivision Waiver to allow an increased percentage of lots on a cul-de-sac.

Responding to Mr. Lewis, Ms. Melson-Williams stated that portions of the subject site are located within the 100-year floodplain and Special Flood Hazard Area. She noted that additional properties to the west had previously been developed within the floodplain; however, current regulations no

longer permit such development. She stated that the proposed subdivision did not place any new lots within the floodplain area.

Ms. Melson-Williams further explained that stormwater management for the project would be required to comply with the Delaware Sediment and Stormwater Management Regulations at the state level. Compliance would be enforced on behalf of the city through the Kent Conservation District, which serves as the delegated agency and would coordinate with the project engineer regarding approval of the stormwater management plan. She noted that the development could not generate more stormwater runoff than currently exists and that stormwater associated with additional buildings and roadway improvements would be required to be properly managed.

Additionally, she acknowledged previous flooding concerns within the Woodbrook subdivision located to the west, including issues affecting certain street areas and an upstream pond. She advised that the city had completed a Woodbrook Drainage Improvement Study through a consultant and that information from the study had been provided to the Planning Commission. Ms. Melson-Williams further noted that correspondence included in the meeting packet indicated that the proposed drainage improvement project would not impact the area proposed for development.

Responding to Ms. Arndt, Ms. Melson-Williams explained the major subdivision review process and noted that the first step involved submission of a conceptual subdivision plan to the Planning Commission, which included a public hearing opportunity. She stated that substantial public comment had been received through written submissions and public testimony was provided during Planning Commission meetings held in September and May.

Ms. Melson-Williams explained that the subdivision waiver request would be considered by the Safety Advisory and Transportation Committee and would ultimately require action by city council. She further stated that the second phase of the process involved the submission of a preliminary subdivision plan to the Planning Commission, which also included a public hearing opportunity. She noted that, unlike the conceptual plan phase, the preliminary subdivision plan included more detailed engineering information related to street design, stormwater management, tree planting requirements, active recreation requirements, and other development details.

Ms. Melson-Williams stated that the final subdivision phase was administrative and involved the Planning Office confirmation that all plan revisions had been completed and that approvals had been obtained from applicable city departments and state agencies, including the Conservation District and stormwater management authorities. She explained that once final plat approval was granted and recorded, the lots would be formally created, and building permits could then be pursued. She added that infrastructure improvements, including construction of streets and installation of water and sewer utilities, would be required prior to development of the lots.

Responding to Ms. Arndt, Ms. Melson-Williams stated that certain portions of the residual land would not be buildable under current zoning provisions. She noted that staff had recommended that a conservation easement or similar restriction be established as part of the development process to ensure it was understood that the affected area did not constitute a fully buildable lot.

She explained that the specific placement and future management of the easement would be determined through subsequent development details.

Responding to Mr. Rocha, Ms. Melson-Williams stated that the Zoning Ordinance and subdivision regulations required the provision of sidewalks. She explained that the conceptual plan depicted potential sidewalk locations, while the detailed engineering elements such as driveway curb depressions and final sidewalk placement would be addressed during the preliminary subdivision plan stage. She noted that sidewalks were required along the extension of Jefferson Terrace for the proposed new street, as well as along a segment of the residual property fronting Monroe Terrace, where the roadway curved along the site. She stated that although the sidewalk placement may appear piecemeal, it reflected the city's approach to implementing sidewalk infrastructure in areas that were previously developed without such facilities.

Responding to Mr. Rocha, Ms. Melson-Williams stated that the conceptual plan included preliminary stormwater management concepts for the proposed development. She explained that the applicant was proposing a combination of piping and swale systems to convey stormwater to an existing creek that crosses the site. She noted that the Kent Conservation District would review all associated calculations and detailed engineering submissions. She stated that, at this time, the creation of an additional stormwater pond was not anticipated. She explained that the general concept was intended to direct stormwater into the existing natural drainage system in the area in a manner consistent with site flow patterns. She further noted that the project would be required to comply with the Delaware Sediment and Stormwater Management Regulations.

Responding to Mr. Lewis, Ms. Melson-Williams stated that as part of the Planning Commission review of the Conceptual Subdivision Plan, there was a public hearing conducted at the May 18, 2026, meeting.

Responding to Mr. Lewis, Ms. Melson-Williams stated that she was present at the meeting and the minutes from the meeting were included in the meeting packet. In addition, all four public comment sets that were received from individuals regarding the application were included in the packet as well.

Responding to Mr. Lewis, Ms. Melson-Williams stated that there were four individuals who spoke at the May Planning Commission meeting. She noted that most of the individuals had concerns about the potential development for a variety of reasons. She stated that some of the concerns were related to flooding and drainage in the broader neighborhood. She reminded the committee that they were considering the subdivision waiver regarding the number of lots on the turnaround portion of the cul-de-sac.

Responding to Mr. Lewis, Ms. Melson-Williams stated that subdivision regulations limited the number of lots permitted to front on the turnaround portion of a cul-de-sac to 20 percent of the total lots within a development. She explained that, in this case, the subdivision consisted of five proposed lots and one residual parcel, totaling six lots, and that four of those lots would front on the turnaround portion of the cul-de-sac, exceeding the permitted limitation.

Ms. Melson-Williams noted that staff recognized the site as an unusually shaped property and indicated that there appeared to be no practical alternative for establishing a street network other than the proposed cul-de-sac design.

Mr. Troy Adams, Mountain Engineering Services, spoke regarding the need for the waiver and noted that Mr. Emmanuel Elize purchased the property with the mindset to create homes in the area. He noted that the residual piece of land would be used for environmental purposes to allow a water outlet source.

Responding to Mr. Anderson, Mr. Adams stated that the proposed lots were relatively large in size, ranging from approximately 0.44 to 0.62 acres, and noted that a majority of each lot would remain open or landscaped area. He explained that the anticipated development consisted of typical residential improvements, including driveways and standard-sized homes, and was not intended to create excessive impervious surface coverage. Mr. Adams acknowledged that construction of the street and required sidewalks would introduce additional impervious area but stated that he did not anticipate impacts that would prevent development of a small residential community at the site.

Steven Leboon, 1025 Westview Terrace, spoke in opposition to the waiver request. He noted previous requests were approved by the Planning Commission and subsequently denied by City Council. He commended Ms. Melson-Williams for always being thorough and providing detailed backgrounds on the requests.

Responding to Mr. Rocha, Ms. Melson-Williams stated that the city's subdivision regulations required a 60-foot right-of-way width for public streets. She explained that the right-of-way accommodated roadway elements, including paved travel lanes, on-street parking where applicable, curbing, and sidewalks.

Ms. Melson-Williams stated that the required paved street width was established by City Code and varied based on parking provisions. She noted that in residential areas without on-street parking, the minimum paved width requirement was 24 feet; where parking was provided on one side, the required width increased to 30 feet; and where parking was permitted on both sides, the required paved width increased to 36 feet.

She further explained that cul-de-sac dimensions were governed by state fire prevention regulations to ensure adequate turnaround capability for emergency apparatus. She noted that the City of Dover Fire Marshal's Office had provided comments on the proposal and that additional review and confirmation of compliance would occur during the preliminary subdivision plan review process.

Responding to Mr. Rocha, Ms. Melson-Williams stated that the Development Advisory Committee report included a summary of prior applications associated with the subject property. She explained that the property had a history of subdivision activity dating back to 2012, when a larger tract was subdivided from an existing residential property fronting Wyoming Avenue to create the current parcel configuration. She noted that a subdivision application submitted in 2013 proposed a different layout and land configuration and received conditional subdivision approval; however, the applicant did not proceed to the preliminary subdivision plan stage. Ms. Melson-

Williams stated that a conceptual subdivision plan submitted in 2023 proposed a different lot configuration and included multiple waiver requests related to increased cul-de-sac frontage, reduced lot frontage requirements, and elimination of sidewalks. She explained that the requested waivers were not approved and the project did not advance. Ms. Melson-Williams further stated that a conceptual subdivision plan submitted in 2024 proposed a different development configuration and was denied by the Planning Commission. She emphasized that the current proposal was being reviewed as a new standalone application and evaluated independently for compliance with the subdivision and zoning ordinance requirements in effect at the time of application.

Responding to Mr. Rocha, Ms. Melson-Williams stated that the City of Dover Fire Marshal's Office participates in the Development Advisory Committee meetings and reviews all applications going to the Planning Commission. She noted that the Dover Fire Department is also a member of the body. She explained that they do not have written comments from the fire department, but the fire marshal's comments were included in the packet on page 39. She noted that they included information on requirements for the cul-de-sac, placement of fire hydrants, and a reference to the state fire prevention regulations.

Responding to Mr. Rocha, Mr. Adams stated that the proposed development approach was intended to maintain the existing drainage patterns on the site. He explained that stormwater currently drained into the residual land area and ultimately discharged to an existing stream, and that the intent was not to alter that natural flow but instead to manage and control runoff through measures designed to convey and slow stormwater prior to discharge. Mr. Adams noted that detailed stormwater management measures would be subject to review through the applicable regulatory process, including review by the Kent Conservation District. He further stated that discussions had occurred regarding watershed considerations and potential stormwater solutions and that the proposed approach would ultimately be tested through submission and review of detailed engineering plans by the appropriate state agencies. He emphasized that project approval would depend upon demonstrating compliance with applicable stormwater requirements and stated that, aside from the addition of the roadway, homes, and driveways, the proposal was not intended to alter the site's existing drainage patterns.

Responding to Mr. Rocha, Mr. Adams stated that the conceptual plan currently depicted a 24-foot-wide roadway measured from curb face to curb face. He noted that the proposed right-of-way provided flexibility to increase the roadway width if necessary and stated that additional evaluation would determine whether a wider roadway configuration, including potential accommodation for on-street parking, would be appropriate as the design progressed.

Responding to Mr. Rocha, Mr. Adams stated that there is room to widen the road without requesting a sidewalk waiver. He noted that they would make it as wide as they can.

Responding to Ms. Hall, Ms. Duca stated that she had visited the site area following prior major storm events and noted concerns regarding maintenance of the residual land area. She explained that past issues had included downed trees and vegetation obstructing the stream corridor. Ms. Duca indicated that understanding the property owner's future maintenance plans for the area,

particularly to ensure continued access and proper stream function, would be an important consideration.

Responding to Ms. Hall, Ms. Melson-Williams stated that the conceptual subdivision plan had a public hearing, and moving forward, the next step would be a preliminary subdivision plan, which also requires a public hearing before the Planning Commission.

Ms. Arndt moved to approve the request for the waiver to allow an increased percentage of lots on the cul-de-sac. The motion was seconded by Dr. Pillsbury and failed by a roll call vote of six (6) no (Hall, Anderson, Rocha, Sudler, Lewis, Neil) and three (3) yes (Pillsbury, Arndt, Boggerty).

Ms. Arndt noted that she voted yes because they were only voting to increase the percentage of lots on the cul-de-sac, and other opportunities would be provided to the adjacent property owners to provide their comments on the application.

Mr. Rocha noted that although he understood what Ms. Arndt stated, he believed the petition was enough public comment from those in the existing area.

Mr. Lewis noted that based on the opposition from the residents of the community in his district, he would vote no.

Mr. Neil noted that until the water issues are resolved, he would be voting no.

Mr. Boggerty noted that based on what they were currently voting on, he would vote yes and allow it to move forward and go back to council.

Mr. Boggerty moved for adjournment of the Safety Advisory and Transportation Committee meeting, hearing no objection the meeting adjourned at 6:59 p.m.

UTILITY COMMITTEE

The Utility Committee met with Chairman Rocha presiding.

Adoption of Agenda

Ms. Arndt moved for adoption of the agenda, seconded by Dr. Pillsbury and unanimously carried.

Annexation Request – 102 Fox Hall Drive (Dawn Melson-Williams, Principal Planner)

Ms. Dawn Melson-Williams, Principal Planner, reviewed the Petition to Annex and Rezone Property located at 102 Fox Hall Drive owned by Frances L. Johnson and Bruce Johnson. Ms. Melson-Williams advised that the property was improved with an existing single-family house; however, the property owner has requested annexation into the city in order to connect to city water services. She noted that the property is already served by the City of Dover electric.

Ms. Melson-Williams stated that the property is not currently served by City of Dover water or sanitary sewer. She noted that water and sewer connections were provided on Fox Hall Drive, but no formal connection had been made to the lot. She further noted that the property owner had been in contact with staff from the Department of Water and Wastewater to learn how to make those connections.

Staff recommended, upon consideration of utility services, that if it is found that electric, water, and sanitary sewer services are provided and/or available to the property at 102 Fox Hall Drive, the property be annexed. The Electric Department and the Department of Water and Wastewater had no objection to its annexation.

Ms. Arndt moved to recommend acceptance of the recommendation for annexation. The motion was seconded by Dr. Pillsbury and unanimously carried.

Mr. Rocha moved for adjournment of the Utility Committee meeting, hearing no objection the meeting adjourned at 7:05 p.m.

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

The Legislative, Finance, and Administration Committee met with Chairman Anderson presiding.

Adoption of Agenda

Dr. Pillsbury moved for adoption of the agenda, seconded by Mr. Boggerty and unanimously carried.

City of Dover – Move to .gov Domain (Joe Simmons, IT Director)

Mr. Joe Simmons, Information Technology Director, reviewed the presentation regarding the transition to the .gov domain name change for the City of Dover.

This item was informational; committee action was not required.

Responding to Mr. Rocha, Mr. Simmons stated that an application would still need to be submitted to maintain the existing service; however, he noted that renewal would eliminate the need to purchase an additional certificate. He explained that, because much of the organization's communications and website functions would already be transitioned, the remaining need was to retain the service for receiving emails. He further stated that outgoing email functionality would likely require an SSL certificate if utilized in the future.

Responding to Mr. Lewis, Mr. Simmons stated that there was no cost associated with the transition, only lots of time and effort behind the scenes. Mr. Simmons also noted that CISA waived the cost for the .Gov domain registration for the future. He noted that there may be a nominal fee in the future, but currently there is no cost to the city.

Responding to Mr. Lewis, Mr. Simmons stated that the City of Dover currently pays the State of Delaware around three hundred dollars a year for the .us domain.

Responding to Mr. Anderson, Mr. Simmons stated that a notification email would be distributed to the general user population the following week, timed to align as closely as possible with the anticipated July 7 implementation date. He explained that the transition would occur on a department-by-department basis to support a phased rollout and minimize operational issues. He noted that the overall conversion process was expected to take approximately one to two weeks and that technical staff would be available to provide support and answer questions throughout implementation. Mr. Simmons stated that the email transition process would occur automatically and that users were not expected to experience noticeable changes when sending or receiving emails. He explained that the primary user-facing change would be the requirement to sign in using the new .gov domain.

Proposed Ordinance #2026-05 with SA#1 – Amending Chapter 70 – Offenses and Miscellaneous Provisions, Sec. 70-4. – Throwing and kicking objects and playing games in streets and public places (Eddie Kopp, Chief Code Enforcement Officer)

Mr. Eddie Kopp, Chief Code Enforcement Officer, reviewed the staff amendment to Proposed Ordinance #2026-05.

Staff recommended forwarding Proposed Ordinance #2026-05 to council for approval.

Responding to Mr. Anderson, Mr. Kopp noted that the original ordinance had no amendments to the first paragraph. The amendments before the committee were based on feedback from the committee. Mr. Kopp noted that if the committee would like to add that it is unlawful on any arterial roadway or after 11:00 p.m., he would do so.

Responding to Mr. Anderson, Mr. Kopp stated that he did not support permitting play equipment within public streets and expressed concerns regarding selective enforcement if restrictions were applied only to certain locations, such as Governor's Avenue, while permitting the activity elsewhere. He noted that maintaining consistent enforcement practices was important and indicated concern with establishing location-specific exceptions. Mr. Kopp stated that parks were the more appropriate location for recreational activities and noted that the city provided park facilities to accommodate such uses. He further expressed concern regarding the safety risks associated with play equipment being placed within streets based on observations made during normal daytime operations.

Responding to Mr. Garfinkel, Mr. Kopp stated that the 30-minute requirement functioned as a deterrent rather than a provision intended for active enforcement through time tracking. He explained that neither Code Enforcement nor the Police Department had the resources to monitor compliance in a precise manner and that enforcement would be based on observation. He noted that if an issue was observed during routine patrols, such as the equipment being present over a period of time, it would be addressed accordingly. Mr. Kopp stated that the language was developed based on prior committee comments and was amended to include the time limitation as a deterrent measure.

Responding to Mr. Garfinkel, Mr. Kopp stated that it would be ideal if they received a complaint, logged the time of the complaint, and then did proactive enforcement throughout the area.

Responding to Mr. Garfinkel, Mr. Kopp stated that Code Enforcement operations were documented through the use of timestamped photographs. He explained that in all cases, enforcement actions included photographic evidence with time and date stamps. He noted that such documentation would include photographs of observed conditions at the time of inspection and subsequent follow-up images, which would be used to support any violations issued within the City of Dover.

Responding to Mr. Garfinkel, Mr. Kopp stated that he had previously testified in court regarding timestamped photographs used in Code Enforcement cases, noting that acceptance of such evidence was ultimately determined by the court on a case-by-case basis. He explained that he was required to testify that he personally took the photographs at the stated date and time and that the authenticity of such evidence was often challenged. He stated that, as a result, the department did not accept photographs submitted by external parties and instead requested that enforcement staff personally take all photographs. He explained that this practice ensured the ability to verify that images had not been altered or manipulated and allowed staff to confirm firsthand the validity of the photographic evidence.

Responding to Mr. Garfinkel, Mr. Kopp stated that enforcement of the provision would be complaint-driven or addressed through observations made during routine proactive enforcement. He explained that the city did not have sufficient resources to dedicate staff to continuous monitoring and noted that such an effort would require significant personnel. He stated that, if a complaint were received, Code Enforcement would respond in the same manner as other complaints, and that issues observed during proactive enforcement would also be addressed. Mr. Kopp further stated that, in his view, there were more significant enforcement priorities within the city than play equipment in streets.

Ms. Hall moved to remove from section B, leave unattended for thirty minutes or more, and add that equipment must be stored out of the public right-of-way when play is not permitted from 11:00 p.m. to 7:00 a.m. The motion was seconded by Dr. Sudler.

Responding to Dr. Sudler, Mr. Kopp stated that the proposed amendments were developed based on feedback received at the previous committee meeting, including discussion related to establishing defined hours of operation and incorporating a time limitation. He explained that the 30-minute provision was included in response to concerns raised regarding brief periods when play equipment might be left unattended during activities such as meals. He further stated that the intent of the ordinance was to address an increase in complaints regarding play equipment being left in the street. Mr. Kopp noted that, if section B were removed and storage of equipment in the street were permitted outside of the hours of 11:00 p.m. and 7:00 a.m., it would undermine the intent of the ordinance.

Responding to Dr. Sudler, Mr. Kopp stated that since the last committee meeting, no one had reached out to him to provide feedback on revisions for the proposed ordinance.

Mr. Neil stated that the intent of the ordinance was to provide a mechanism for response in instances where complaints were received, rather than to proactively enforce in the absence of reported concerns. He explained that enforcement action would not be initiated if no complaints

were made regarding activity occurring in the streets. He stated that the purpose of the provision was to address situations where residents reported issues such as noise or disturbances related to street activity and to ensure that the city had authority to respond appropriately when such complaints were brought forward. Mr. Neil further stated that concerns regarding potential court challenges were unlikely to be significant and that enforcement would be reserved for more substantial issues.

Responding to Mr. Rocha, Mr. Kopp stated that the proposed hours within the ordinance were aligned with the existing noise ordinance, noting that the noise ordinance addressed activities such as yelling and shouting, which commonly occur during basketball. Mr. Kopp stated that the primary concern prompting the ordinance was not recreational activity occurring in the street itself, but repeated complaints regarding play equipment being left unattended in public streets. He noted that, although complaints had been received regarding such conditions, the existing code did not provide an enforceable mechanism to address equipment remaining in the street. He explained that the proposed ordinance was intended to establish the authority to require the removal of unattended play equipment from public rights-of-way. Mr. Kopp stated that equipment left in the street impacted vehicular travel, trash collection, and emergency services access.

Responding to Mr. Anderson, Ms. Hall expressed concerns regarding the enforceability of the proposed time limitation, questioning how compliance with the one-hour provision would be monitored given staffing and resource limitations. She stated that she understood concerns regarding equipment being left unattended in the street but suggested that aligning the language with the noise ordinance would be more efficient. Ms. Hall acknowledged issues with trash collection and questioned alternative options that would not restrict the temporary daytime placement of play equipment. She stated that, in her experience, equipment could be positioned to avoid interfering with trash collection and suggested that responsibility could remain with property owners. Ms. Hall further stated that her understanding from the prior committee discussion was that play equipment would be required to be removed from the street outside of the permitted hours of use and that she had not been aware of a time limitation being included. She indicated a preference for maintaining a requirement that equipment be removed from the street between 11:00 p.m. and 7:00 a.m.

Dr. Sudler recommended adding that the basketball court be moved to the driveway to avoid any obstruction of the right-of-way traffic. Dr. Sudler also noted that an hour to an hour and a half is a reasonable time limit.

Mr. Kopp stated that Dr. Sudler brought up a good point: basketball courts are movable by design, and relocating such equipment from the street to a driveway or another area outside of the roadway would satisfy the proposed requirements. He emphasized that the intent of the ordinance was not to prohibit the use of the equipment but to address situations where equipment was left unattended within the street. Mr. Kopp clarified that compliance would not require equipment to be fully stored or removed to the backyard but only relocated out of the public roadway when not in use.

Responding to Mr. Lewis, Mr. Kopp stated that complaints regarding play equipment were typically received during daylight hours and noted concerns regarding enforceability if the ordinance were revised to prohibit equipment in the street only between 11:00 p.m. and 7:00 a.m.

He explained that this could add additional enforcement demands on the Dover Police Department during overnight hours, which were already periods of increased operational activity. Mr. Kopp stated that, if the committee chose to proceed with that approach, enforcement resource limitations should be considered as part of implementation.

Mr. Lewis called the question, seconded by Mr. Anderson and unanimously carried.

Ms. Hall moved to remove from section B, leave unattended for thirty minutes or more and add that equipment must be stored out of the public right-of-way during the time when play is not permitted from 11:00 p.m. to 7:00 a.m. The motion was seconded by Dr. Sudler and failed by a voice vote.

Dr. Sudler moved to recommend acceptance of the staff recommendation. The motion was seconded by Mr. Lewis.

Responding to Mr. Garfinkel, Mr. Kopp stated that the City did not enforce homeowners association (HOA) guidelines or restrictions. He explained that the city's role was limited to enforcement of applicable City of Dover ordinances in response to complaints received. He further stated that matters involving HOA rules, deed restrictions, and related requirements were considered civil matters and that the city could not become involved in those issues in order to avoid interference with private enforcement mechanisms.

Dr. Sudler moved to recommend acceptance of the staff recommendation. The motion was seconded by Mr. Lewis and was carried by a roll call vote of six (6) yes (Pillsbury, Rocha, Sudler, Lewis, Neil, Shevock) and five (5) no (Hall, Boggerty, Arndt, Anderson, Garfinkel).

Mr. Anderson moved for adjournment of the Legislative, Finance, and Administration Committee meeting, hearing no objection the meeting adjourned at 8:10 p.m.

Mr. Neil moved for adjournment of the Council Committee of the Whole meeting, hearing no objection the meeting adjourned at 8:10 p.m.

Fred A. Neil
Council President