REGULAR CITY COUNCIL MEETING

The Regular City Council Meeting was held on July 13, 2026, at 6:45 p.m. with Council President Neil presiding. Council members present were Ms. Hall (via Webex in at 6:23 p.m., left Webex at 7:12 p.m., in-person at 7:13 p.m.), Mr. Boggerty, Mr. Anderson, Dr. Pillsbury, Mr. Rocha, and Dr. Sudler. Ms. Arndt and Mr. Lewis were absent.

Staff members present were Police Chief Johnson, Ms. Marney, Ms. Duca, Ms. Melson-Williams, Fire Chief Carey, Mr. Griffith, and Ms. Bennett. Mayor Christiansen was also present.

OPEN FORUM

The Open Forum was held at 6:15 p.m., prior to the commencement of the Official Council Meeting. Council President Neil declared the Open Forum in session and reminded those present that Council was not in official session and could not take formal action.

William Faust, Jr., 136 Orchard Avenue, expressed concerns with the increase in gun violence and asked if the ATF, Federal Marshals, or anyone else has been called in to assist. He highlighted that there have been three (3) major shootings recently. He suggested reaching out to Kent County Bayhealth to create a level one (1) trauma center sooner rather than later. He expressed frustration to council that citizens' concerns have not been put on the agenda unless it was something to do with damage control. Recently, there was an investigation between the Police Department, FOP, Dr. Sudler, and Mr. Lewis, and he stated that the constituents deserved to know the conclusion of the investigation because they paid for it. He expressed concerns with the budget and constituents being able to pay their bills, food, and medication.

Belinda Main, 142 Reese Street, expressed concerns regarding the delay in installing a speed limit sign in her neighborhood, public safety within the city, and the increase in utility bills. She expressed frustration that constituents were not being heard and emphasized the importance of ensuring that each district was safe for its residents. She stated that the city's utility bills were placing residents in a difficult position because many could not afford the costs.

Cleveland Wilson, 234 North Kirkwood Street, emphasized the importance of positive change within the city to restore hope among the residents.

Kim Petters, a Magnolia resident, announced that starting on July 25th, and every Saturday going forward from 8:00 a.m. to 1:00 p.m. at the Green on State Street will be a Farmer's Market. She emphasized that the Farmer's Market was to help revitalize Dover and to help local vendors make money. She noted that she worked with Booted and Suited and Newcastle County Farmer's Market. She further noted that she would be working with children and adults and offering free vision tests and ordering their subscriptions.

Bonnie Pennington, 200 North Kirkwood Street, expressed concerns about safety in the City of Dover and frustration about the trash all over the city. She stated that panhandlers were not asking anyone to stop and give them money. She emphasized that the panhandlers needed to be left alone.

Ti Lincoln, a Dover resident, expressed concerns that she does not feel safe parking in front of her home because of the ongoing prostitution, repeated trespassing, and related criminal activity occurring in the immediate area. She stated that she had been forced to park in the alley behind her home, despite the additional hardship it had caused because of her disability. She appreciated the professionalism and continued efforts of the Dover Police Department. She requested that the City of Dover coordinate a comprehensive response involving the Police Department, Planning Office, Code Enforcement, and any other appropriate agencies to identify and eliminate the conditions contributing to the ongoing public nuisance. She expressed her desire for peace and safety for everyone in the community.

Vonderlear Smack, 1001 White Oak Road, expressed concerns about individuals riding on electric motor scooters. She stated that she almost came into contact with hitting someone riding a scooter and would be terrified if she did hit someone. She suggested that council could come up with an ordinance, such as tags being on the scooters.

Via Webex, Traci Murphy, 4023 Kennett Pike, Wilmington, Executive Director for the Coalition for a Safer Delaware, stated that the community of Dover deserved to feel safe where they lived, where they worked, worshiped, and raised their families. She further stated that at the same time, preventing gun violence was not the responsibility of one (1) organization or one (1) agency. She explained that one (1) of the reasons that Dover was so vulnerable currently was because Wilmington had been stronger in their fight against violence. Wilmington knew that guns and crime would travel to the next possible location where it could take hold and root, and that was what they were seeing in Dover. She urged council to take into consideration the constituents' comments who have shown up and spoken, and that community violence intervention programs did exist.

INVOCATION
The invocation was given by Elder Ellis Louden.

PLEDGE OF ALLEGIANCE
The Pledge of Allegiance was led by Councilman Anderson.

ADOPTION OF AGENDA
Mr. Rocha moved for adoption of the agenda, seconded by Dr. Pillsbury, and unanimously carried (Arndt and Lewis absent).

ADOPTION OF CONSENT AGENDA
All Consent Agenda items are considered routine and non-controversial 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 requests, in which event the matter shall be removed from the Consent Agenda and considered a separate item.

Mr. Rocha moved for adoption of the consent agenda, seconded by Dr. Pillsbury, and carried by a unanimous roll call vote (Arndt and Lewis absent).

PRESENTATION – 2025 Annual Report – Dover Human Relations Commission

Dr. Travis Mishoe Sudler, Chairman, briefed members on the Dover Human Relations Commission 2025 Annual Report.

Responding to Mr. Rocha, Dr. Mishoe Sudler stated that he was informed by the City Clerk's Office that the Dover Human Relations Commission could only have four (4) meetings a year.

Mr. Rocha cited the City of Dover Code of Ordinances, Chapter 58 – Human Relations, Article II – Human Relations Commission, Sec. 58-33 (c) Meetings. "The commission shall hold at least five meetings per year; one each quarter and one to be determined by the commission. Special meetings may be called by the chairperson or three members of the commission."

Responding to Mr. Rocha, Dr. Mishoe Sudler stated that he was aware of the code and what it stated about how many meetings could be held.

Responding to Mr. Rocha, Dr. Mishoe Sudler stated that when he was informed, his response was that they would need to create a quorum outside of city chambers. He further stated that if they were to create a quorum, they would have to give proper notification so that the public could be notified and attend. He noted that when he came on the Dover Human Relations Commission, they always had a meeting once a month, and it has never been five (5) times a year, or once quarterly, with an extra meeting given. He believed that it was beneficial for the Dover Human Relations Commission to have monthly meetings because that helped with accessibility.

Responding to Dr. Mishoe Sudler, Mr. Rocha stated that they could revisit going back to monthly meetings if he believed that the amount of need was there for them to conduct their business; he would be amenable to that.

Responding to Mr. Rocha, Dr. Mishoe Sudler stated that meeting monthly allowed Commissioners to stay informed about issues in each district, prepare for upcoming matters, and avoid missing important discussions.

Responding to Dr. Mishoe Sudler, Mr. Rocha commended him and the Commissioners for wanting to meet regularly.

Mr. Rocha stated that the responsibility of ensuring that the vacancies were being filled was based on the recommendations of council, but the appointments came from Council President Neil. He noted that they should at least try to solicit to fill the vacancies.

Responding to Mr. Rocha, Dr. Mishoe Sudler stated that Jordan Spencer was currently a 2026 appointment, so the next annual report will include him.

Mr. Rocha suggested that they place the Dover Human Relations Commission vacancies on the Legislative, Finance, and Administration Committee to be reviewed again, if it would be amenable to the chair, and make a motion.

Mr. Anderson stated that they should not rush into changing the Dover Human Relations Commission meeting frequency. He noted that council had specifically changed that, and when meetings were being held monthly, quorum was not being met, and agenda items were not being placed on the agenda. He emphasized that it was a waste of staff time and money.

Responding to Mr. Anderson, Dr. Mishoe Sudler stated that the Dover Human Relations Commissioners were not paid because it was a volunteer committee. He noted that the only paid individual was from the City Clerk's Office and questioned whether the constituents were not worth the 12 hours of overtime paid to that employee each year.

Responding to Dr. Mishoe Sudler, Mr. Anderson stated that contrary to his assertion, Regular Council meetings did not have 10 minutes of Public Forum as was seen during the current meeting. He noted that during other Regular Council meetings, council has sat between an hour to two (2) hours listening to constituents during the Public Forum.

Responding to Dr. Mishoe Sudler, Mr. Anderson stated that it was policy. He explained that if a constituent signed up to speak during the Public Forum, they get to speak. There were times when an agenda item needed to be heard at a specific time, but then council would reopen the Public Forum afterwards. He noted, usually, council would keep the Public Forum open until constituents finished speaking, and that was policy.

Responding to Dr. Mishoe Sudler, Mr. Anderson stated that he had some good recommendations and that council looked forward to reviewing his report because some of those items were valuable.

Mr. Boggerty stated that Dr. Mishoe Sudler has a good work ethic and is dedicated to what he was committed to. When he agreed to appoint Mr. Jordan Spencer for the vacant At-Large position, he noted that Mr. Spencer has been active at Delaware State University and a leader within a fraternity. He added that he would be working with Mr. Spencer and mentoring him. He emphasized that he believed in the Dover Human Relations Commission.

Responding to Dr. Mishoe Sudler, Ms. Hall stated that she always would have her phone on for him. She noted that they had discussed using the Dover Human Relations Commission as an additional avenue for individuals who did not feel heard or were uncomfortable speaking at City Council meetings, allowing community members and constituents another opportunity to voice their concerns. She further noted that they would offer those individuals an opportunity to put together their complaints so when they did come to the Public Forum, they would be aware they had three (3) minutes to speak. She pointed out that, when she served as Chair of the Dover Human Relations Commission, she frequently observed that not many community members attended the meetings. She stated that the intent was that, if issues arose between the regularly scheduled meetings, the Commission would convene as needed to address them. She added that the Dover Human Relations Commission would remain available to address such matters. She also stated that the responsibility for taking meeting minutes had already been addressed and would not impact the Dover Human Relations Commission's budget. She added that she supported the items he presented in his report, commended his diligence, and thanked him for all of his work.

Dr. Sudler stated that the purpose of the Dover Human Relations Commission was to provide the community with an alternative forum to be heard. He explained that the Commission gathered facts, listened to community concerns, and made recommendations to City Council on policy and procedural changes to help improve the community. He noted that members of council, such as Ms. Hall, Mr. Anderson, Mr. Rocha, Mr. Lewis, and himself, all served on the Dover Human Relations Commission and knew the work that it took, so the Commission needed to meet every month. He emphasized that the Dover Human Relations Commission needed training from the State Human Relations Commission so its members would be prepared and aligned with the State Commission, as well as training regarding Robert’s Rules. He stated that it was sad to hear about the restrictions the Dover Human Relations Commission was facing. Drawing on his experience serving on the Commission for more than 10 years, including the last three (3) years as Chair, he encouraged the Commissioners to remain encouraged, continue their work, and keep bringing recommendations to City Council.

Responding to Dr. Sudler, Dr. Mishoe Sudler stated that under the SWOT analysis, he would look at strengths. He explained that the Commissioners maintained relationships with specific districts and localized parent networks and that needed to continue. He noted that the Dover Human Relations Commission has been invited to participate with local organizations involved in the city's initiatives and was asked to collaborate on activities related to Downtown Dover and Central Dover. The Dover Human Relations Commission has been authorized by the City Council to receive formal discrimination complaints and directly advocate for marginalized demographics. He noted that they have an open ear for all who come and they take the time to listen, which was a strength for the Commission. He further noted that a weakness for the Commission was the budget. The Dover Human Relations Commission has a $3,000 budget that they have only spent on for awareness purposes, business cards, and city commissioner shirts. He explained that the Dover Human Relations Commission wanted to help support particular events that included everyone, such as the African American Festival, Old Dover Days, and Comic-Con. All those events allowed the Dover Human Relations Commission an opportunity to be seen by their constituents, and for them to come up to the Commissioners. He added that he was not asking for an open check, but he was asking for a dialogue so they could come up with an adequate amount. Depending on what they were planning for the year, that would depend on the amount. He stated that vacancies were another weakness, but those were being filled. He stated that Jordan Spencer was a great appointee who has a great work ethic. He stated that the Commission's advisory role was a limitation because it could not impose legal fines or mandates without City Council approval, which was a weakness. He acknowledged that the Commission had to follow established policies and procedures, some of which could be improved. He suggested that the Commission and City Council work together to review existing policies, develop new ideas, and strengthen the Commission's ability to engage with residents, particularly those who were reluctant to speak with law enforcement or other City officials.

Dr. Mishoe Sudler stated that there was going to be a lot of money coming to the City of Dover, and he hoped that they could be good stewards of those financial funds. He further stated that the Commission has the opportunity to make the constituents aware of how they were standing in line with policies from HUD, Dover Housing Community, and State Housing Community. He emphasized that the Dover Human Relations Commission needed to have a meeting with City Council.

Responding to Dr. Mishoe Sudler, Mr. Rocha suggested that the Dover Human Relations Commission develop a budget outlining the activities and events they wanted to participate in and the estimated costs associated with each. He explained that providing estimated expenses for items such as shirts, materials, and event participation would help council make a conscious decision. He also noted that the report identified vacancies as a weakness, specifically the unfilled seats for the First District and Fourth District.

Responding to Mr. Rocha, Dr. Mishoe Sudler stated that the unfilled seats were for the At-Large and the Third District. He noted that it was a typo and that the seats were filled for the First District and the Second District.

Responding to Mr. Neil, Dr. Mishoe Sudler stated that the other eight (8) community conflicts came from the Capital School District.

Responding to Mr. Neil, Dr. Mishoe Sudler stated that Delaware's education ranking had declined from 45 to 48. He noted that the Commission had several discussions with school officials about ways to support students outside of the classroom, including the use of School Resource Officers (SROs) and bringing back the Drug Abuse Resistance Education (DARE) program. He explained that the Commission could not make any approvals on its own but had begun conversations with school district officials and City leaders on ways to address challenges that impacted students and schools from the surrounding neighborhoods.

Responding to Mr. Neil, Dr. Mishoe Sudler clarified that the conversations were just dialogues. He stated that they had an investigation regarding that particular problem, which several of the intakes were previously mentioned, such as the eight (8) community conflicts. He acknowledged that the Commission could not make decisions for the school districts but could only dialogue.

Responding to Mr. Neil, Dr. Mishoe Sudler stated that there were several complaints from Dover High School about the treatment of the Dover Dance Team called the Dancing Divas. He explained that the issue started during the school year in September and continued due to concerns about how students were being treated during school activities and events. He noted that he did not have specific dates, but community members had attended some Dover Human Relations Commission meetings and Capital School Board meetings to discuss the concerns.

Responding to Mr. Neil, Dr. Mishoe Sudler stated that all the Commissioners were approached and faced with concerns, and he attended the school board meetings. He noted that he had spoken with the school board president and numerous parents regarding the situation. He added that the matter remained an ongoing conversation, even if updates were not reflected in the meeting minutes.

Responding to Mr. Neil, Dr. Mishoe Sudler stated that he did not send the list of predatory landlords but had collected the information for a future advisory report. He explained that he wanted to discuss with City Council how those concerns should be handled. He noted that the Dover Human Relations Commission received resident concerns regarding utility increases, City policies, property responsibilities, emergency response times, and false alarm fees. He stated that some policies may need to be reviewed to better address residents' concerns, including issues related to property damage and financial impacts from fees.

Responding to Mr. Neil, Dr. Mishoe Sudler stated that he had conversations with Ken Anderson (DDP), Todd Stonesifer, and other local organizations about downtown development and community concerns. He noted that discussions included the redevelopment of downtown, including the former Acme site and the multimodal garage. He stated that the concerns were about panhandling, homelessness, and other issues affecting downtown. He also met with NeighborGood Partners who organized clean-up efforts to improve the area. He emphasized the need for dialogue between the Dover Human Relations Commission and City Council to address concerns about downtown safety, violence, and community needs.

Responding to Mr. Neil, Dr. Mishoe Sudler expressed concerns about gentrification and the displacement of low-income residents. He stated that redevelopment projects could result in families being displaced from their homes and raised concerns about an increase in individuals moving to Dover from other areas, including those experiencing homelessness. He expressed concern that trends seen in larger cities could eventually impact Dover and questioned how "low income" would be defined in the future. He emphasized the need to consider the long-term impact of redevelopment and ensure that affordable housing opportunities remained available for existing residents.

Responding to Mr. Neil, Dr. Mishoe Sudler stated that redevelopment efforts, including Habitat for Humanity projects, did not always benefit the original low-income residents in those areas. He expressed concern that new construction could displace residents who lacked opportunities to remain in their communities. He also discussed the need for additional treatment centers and support services, noting that individuals recovering from addiction needed resources to prevent returning to the same circumstances. He stated that he and other Commissioners attended the opioid committee meetings where they heard about potential opportunities and proposals for the city. He encouraged continued discussion on how to overcome barriers and move forward with available resources.

Mr. Neil noted that a meeting between the Dover Human Relations Commission and City Council had been discussed during the December meeting to clarify expectations and discuss moving forward, but no meeting had been scheduled. He acknowledged that the request for a meeting was made during the current discussion. He also stated that previous discussions regarding Dover Human Relations Commission fundraising had indicated that the Commission could not independently raise funds or use the city to hold funds. He noted that the Finance Director was going to review the matter further, but the Dover Human Relations Commission had not followed up. He added that the Dover Human Relations Commission Vice President regularly attended City Council meetings and had opportunities to provide updates or requests informally. He recognized the City Clerk's Office efforts in accommodating Dover Human Relations Commission meetings and suggested that applying the 2025 goals related to promoting harmony would be beneficial moving forward.

Mr. Rocha stated that he was ready to make a motion to continue the discussion, review the ordinance as written, address and resolve any issues, and provide the recommended training based on Dr. Mishoe Sudler's report. He suggested having a meeting to have a productive discussion regarding the Dover Human Relations Commission.

Mr. Rocha moved to schedule a meeting based on the findings in the report and hold a forum to provide training for City Council and the Dover Human Relations Commission. The motion was seconded by Ms. Hall and unanimously carried (Arndt and Lewis absent).

Dr. Sudler moved to accept the Dover Human Relations Commission's 2025 Annual Report and change the Commission's meetings from quarterly to bimonthly. He stated that the change would allow the Chair to schedule additional meetings as needed and allow the City Clerk's Office to adjust the schedule. He also requested Code Enforcement training for the Dover Human Relations Commission on addressing community concerns and recommended Roberts Rules training with Dr. Hollingsworth to support Councilman Rocha's training initiative.

Responding to Mr. Rocha, Dr. Sudler stated that they did not need to address the ordinance and that they could make a motion to have them change the meeting, and then staff would make the proper adjustments to the ordinance.

Dr. Sudler moved to accept the Dover Human Relations Commission's 2025 Annual Report and change the Commission's meetings from quarterly to bimonthly. He stated that the change would allow the Chair to schedule additional meetings as needed and allow the City Clerk's Office to adjust the schedule. He also requested Code Enforcement training for the Dover Human Relations Commission on addressing community concerns and recommended Roberts Rules training with Dr. Hollingsworth to support Councilman Rocha's training initiative. The motion was seconded by Mr. Rocha.

Mr. Boggerty stated that ordinances, contracts, and CBA agreements often include "covered by language" that provided flexibility. He explained that, based on the Human Relations ordinance, which required at least five (5) meetings, the Commission could hold additional meetings as needed. He noted that changing the schedule to bi-monthly would prevent the Commission from holding additional meetings if necessary.

Responding to Dr. Sudler, Mr. Boggerty suggested reconsidering the motion, noting that it could potentially limit the number of meetings the Commission could hold if additional meetings were needed.

Responding to Mr. Boggerty, Dr. Sudler thanked him for sharing and stated that he would reconsider his motion.

Dr. Sudler moved to approve the Dover Human Relations Commission 2025 Annual Report, in conjunction with Dover Human Relations Commissioners training with Code Enforcement and Robert's Rules training. The motion was seconded by Mr. Rocha.

Mr. Anderson stated that if a complaint was filed or someone requested mediation, the Commission could call a special meeting as needed. He clarified that the Commission would not be required to wait until the next scheduled meeting to address matters. He added that complaints should be addressed within 30 days when possible and that special meetings could be held if necessary.

Ms. Hall stated that when she was the Chair of the Dover Human Relations Commission, she did reach out to the State Human Relations Commission, and they agreed to conduct the training at no cost. She noted that she did speak with Dr. Hollingsworth, and she was willing to conduct the training. Dr. Hollingsworth's fee was a nominal cost, but the state cost was free. She added that the state was willing to set those training courses up during the hour time of the meeting, and she offered to give Dr. Mishoe Sudler that information.

Dr. Sudler stated that he believed ethics training was important and that the City Council was required to go through ethics training.

Ms. Hall added that the state has a component that they were willing to give and there were different modules they were willing to bring for training.

Responding to Mr. Rocha, Dr. Mishoe Sudler stated that they did not have a commissioner who was part of the State Commission.

Responding to Mr. Rocha, Dr. Mishoe Sudler stated that there was a commissioner who was training with the state last year.

Mr. Rocha suggested that if the state has a slot, they could petition and have one (1) of the Commissioners added to the slot so that there would be some continuity between the state and the local city Human Relations Commission.

Dr. Sudler moved to approve the Dover Human Relations Commission 2025 Annual Report, in conjunction with Dover Human Relations Commissioners training with Code Enforcement and Robert's Rules training. The motion was seconded by Mr. Rocha and unanimously carried (Arndt and Lewis absent).

Mr. Faust stated that when he spoke during the Public Forum, he did so as a private citizen and not as a commissioner. He explained that it would be inappropriate for him to speak as a commissioner unless the Chairman asked him to address Mayor and Council. He stated that he does not bring anything regarding the Dover Human Relations Commission during the Public Forum because it was inappropriate and it was not in his purview to bring to council. He noted that there was a chain going by either Ms. Hall or Dr. Mishoe Sudler, so accusing him of not bringing things to council when he spoke was inappropriate, because he spoke as a private citizen. He stated that if he was asked to speak as a Commissioner for the Dover Human Relations Commission, he would identify himself as a commissioner.

Responding to Mr. Faust, Mr. Neil stated that he presumed that since he could approach council regarding fundraising and other issues discussed, he could have given council an opportunity to respond.

PUBLIC HEARING – FINAL READING - PROPOSED ORDINANCE #2026-10 – AMENDING APPENDIX B – ZONING, ARTICLE 3 – DISTRICT REGULATIONS,

SECTION 19 – MANUFACTURING ZONE (M), SECTION 20 – INDUSTRIAL PARK MANUFACTURING ZONE (IPM), SECTION 20A – INDUSTRIAL PARK MANUFACTURING ZONE – INDUSTRIAL AVIATION AND AERONAUTICS CENTER (IPM3), AND ARTICLE 12 – DEFINITIONS REGARDING CLEAN HYDROGEN

A public hearing was duly advertised for this time and place to consider proposed amendments to Appendix B - Zoning, Article 3 - District Regulations, Section 19 - Manufacturing zone (M), Section 20 - Industrial park manufacturing zone (IPM), Section 20A - Industrial park manufacturing zone - Business and Technology Center (IPM2), Section 20B - Industrial park manufacturing zone - Industrial aviation and aeronautics center (IPM3), and Article 12 - Definitions regarding Clean Hydrogen.

Mr. Anderson moved that the Final Reading of the proposed ordinance be acknowledged by title only, seconded by Mr. Rocha, and unanimously carried (Arndt and Lewis absent). (The First Reading of the Proposed Ordinance was accomplished during the Council Meeting of May 11, 2026.)

Ms. Dawn Melson-Williams, Principal Planner, and Ms. Sharon Duca, City Manager, reviewed the Proposed Ordinance #2026-10. Ms. Melson-Williams informed the members that the Planning Commission recommended adoption of the ordinance.

Council President Neil declared the public hearing open at 8:33 p.m.

Gregory Moore, 309 South Governors Avenue, Principal Civil Engineer with Becker Morgan Group, spoke in favor of the Proposed Ordinance. He stated that the Proposed Ordinance would allow the creation of manufacturing facilities for clean hydrogen. He noted that they had heard several times from constituents about energy costs and stated that clean hydrogen would help diversify energy sources and provide clean power. He further stated that he had served as a member of the Delaware Prosperity Partnership. He explained that Delaware had pursued clean hydrogen funding through the Mid-Atlantic Clean Hydrogen Hub (MACH) program in partnership with Southeastern Pennsylvania. He noted that the region had been selected by the federal government to be one (1) of those areas. He added that Dover was an ideal location for the first facility and believed that the project would create jobs and provide clean energy. He acknowledged that he was not an expert in clean hydrogen but noted there was another individual who could answer questions. He presented a letter from Chesapeake Utilities in support of the project (**Exhibit #1**).

Responding to Dr. Sudler, Mr. Moore stated that the project would create a variety of jobs, including both high-paying and entry-level positions. He deferred further discussion to Andrew Cottone, explaining that Mr. Cottone was more knowledgeable about the production process and staffing needs. He stated that his role was to assist the company with process development, including site planning, planning commission, and surveying. He noted that he regularly worked with city staff, both with Ms. Duca and Ms. Melson-Williams, in interpreting ordinances.

Andrew Cottone, Founder of Aternium, 2562 Riddle Avenue, Wilmington, spoke in favor of the proposed ordinance. He stated that Aternium operates across a broad industry and focuses on partnering with local universities. He noted that the certification programs typically take nine (9) to twelve (12) months to complete. He explained that the jobs they envisioned and presented to the federal government, the Department of Energy, and the Office of Strategic Capital have a starting salary of $115,000. The training would be ongoing, and students would receive certifications, not advanced degrees. He noted that some positions require advanced degrees, but about 80% of the jobs would come from the local workforce. He further noted that this was just within their company and that this was their strategy. He stated that the proposed code change would position Dover at the forefront of America's emerging clean hydrogen landscape. He explained that Dover could help address critical material issues, attract adjacent industrial jobs, strengthen U.S. supply chains, and create hundreds of high-quality construction, operations, engineering, and skilled labor jobs. A recent International Energy Agency (IEA) report reviewed hydrogen and found that demand in the work reached over a hundred million metric tons just last year. He noted that clean hydrogen would keep the economy growing by over 10% every year. He also added that China and Saudi Arabia were pursuing clean hydrogen, so Dover has a chance not just to create clean hydrogen but to export it all over the world as well.

Responding to Dr. Sudler, Mr. Cottone stated that the market was significant and that the City of Dover would be among the first to adjust its zoning regulations. He noted that this would serve as a beacon for responsible clean hydrogen companies interested in locating to Dover.

Responding to Mr. Rocha, Mr. Cottone stated that he would address the question from two (2) perspectives: what Delaware could do and what Delaware was currently doing. He explained that, as an established entrepreneur, he had existing relationships with DelTech and Delaware State University. He also confirmed that he had met with Jordan Spencer and spoke positively of his knowledge and abilities. He stated that while those relationships existed, Delaware did not yet have the necessary infrastructure in place for hydrogen-related industries. He noted that Aternium would be happy to partner with the City of Dover as a best-case example to help advance clean hydrogen development and support other industries.

Responding to Mr. Cottone, Mr. Rocha stated that it would be the best idea so they could maximize the opportunity. He suggested that outreach could begin with high school students by providing high school students with education about the industry and career opportunities. He noted that understanding the types of jobs the project could bring to the city would help them share the information with young residents and encourage them to begin preparing for future opportunities.

Mr. Cottone stated that Delaware was already positioned for many of the jobs associated with clean hydrogen due to its background in chemistry manufacturing. He noted that clean hydrogen would create opportunities in areas such as gas transportation, electrical work, plumbing, and HVAC. He expressed support for the ordinance, citing potential tax revenue growth, workforce development, and community engagement. He stated that Dover had the potential to become a long-term economic catalyst by supporting the clean hydrogen industry, expanding energy-related opportunities, and encouraging additional industries. He recommended approval of the ordinance.

Responding to Mr. Cottone, Mr. Anderson thanked him for considering Dover and stated that the city welcomed the opportunity to become their new home. He expressed support for the project and noted that those involved with sponsoring the proposed ordinance, as well as others in the community, would be willing to participate and assist. He suggested that he partner with Kent Vo-Tech Adult Education, which he noted has provided workforce training and successfully partnered with organizations such as Dover Air Force Base and other local employers. He noted that the program was flexible and could help develop a strong, qualified, and diverse workforce by connecting with residents, including those within the city's districts.

Responding to Mr. Anderson, Mr. Cottone stated that it took approximately two (2) years to build a facility and that each plant could cost $250 million. He explained that funding and budgeting considerations were part of the development process. He noted that workforce training would begin before the facility was completed so employees would be prepared to work and would be paid during their training. He further noted that Aternium was excited to be able to launch in Dover.

Responding to Dr. Sudler, Mr. Cottone stated that he was not going to advocate for high taxes.

Responding to Dr. Sudler, Mr. Cottone stated that each facility would cost around $250 million and would be located within the City of Dover. He noted that the city could determine the tax impact of the facility. He further stated that the projected annual revenue for the site would be approximately $85 million to $95 million, with an estimated run-rate Earnings Before Interest, Taxes, Depreciation, and Amortization (EBITDAB) of around 38%.

Council President Neil declared the public hearing closed at 8:50 p.m.

Dr. Sudler moved for adoption of Proposed Ordinance #2026-10, as recommended by the Planning Commission. The motion was seconded by Ms. Hall and, by a unanimous roll call vote, Council adopted Ordinance #2026-10, as follows:

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

That Appendix B – Zoning, Article 3 – District Regulations, Section 19 – Manufacturing zone (M) be amended to read as follows:

Section 19. – Manufacturing zone (M)

19.1 *Uses permitted.* No building or premises shall be used, and no building or part of a building shall be erected, which is arranged, intended, or designed to be used, in whole or in part, for any purposed, except the following, and in accordance with performance standards procedure as set forth in article 5, section 8 and subject to the site development plan approval as set forth in article 10, section 2:

19.191 Accessory Uses:

(a)On-site offices, clinics, food service facilities, recreation facilities, and child day care services collocated within the permitted use and limited to exclusive use by employees, and such other accessory uses and structures clearly incidental to, and customary to, and associated with the permitted use.

(b) The following uses may be permitted as conditional uses if approved by the planning commission in accordance with the provisions and procedures set forth in article 10, section 1, and any specified requirements set forth below:

(1) Associated retail uses in conjunction with and accessory to a permitted use, provided that the associated retail uses do not occupy more than 30 percent of the gross floor area of the building or group of buildings on a lot. Parking shall be provided at a rate of one parking space per 300 square feet of retail space for the exclusive use of retail customers, in addition to the bulk parking requirements of this zoning district for a particular use.

(2) Outside storage, which is incidental to the primary uses on the lot, within a completely enclosed and secure area appropriately screened from public view and not in any required setback from property lines.

19.192 Clean hydrogen production facilities for the production of clean hydrogen, as defined in article 12, shall be permitted, subject to compliance with article 5, section 8 (performance standards) and all applicable zoning and environmental regulations.

19.2 *Uses prohibited.* The following uses are specifically prohibited:

19.21 Residences.

19.22 Manufacturing uses involving primary production of the following products from raw materials: asphalt, cement, charcoal, and fuel briquettes; chemicals: aniline dyes, ammonia, carbide, caustic soda, cellulose, chlorine, carbon black and bone black, creosote, hydrogen and oxygen (except as expressly permitted under section 19.192 relating to clean hydrogen production facilities), industrial alcohol, nitrates (manufactured and natural) of an explosive nature, potash, plastic materials and synthetic resins, pyroxylin, rayon yarn, and hydrochloric, nitric, phosphoric, picric, and sulphuric acids; coal, coke and tar products, including gas manufacturing; explosives; fertilizers; gelatin, glue and size (animal); linoleum and oil cloth; matches; paint, varnishes and turpentine; rubber (natural and synthetic); soaps, including fat rendering; [and] starch.

BE IT FURTHER ORDAINED:

That Appendix B – Zoning, Article 3 – District Regulations, Section 20 – Industrial Park manufacturing zone (IPM) be amended by inserting the text indicated in bold, blue, italics, and deleting the text indicated in red strikeout as follows:

Section 20. – Industrial Park Manufacturing Zone (IPM).

20.1 *Uses permitted.* No building or premises shall be used and no building or part of a building shall be erected, which is arranged, intended or designed to be used, in a whole or in part, for any purposed, except the following, and in accordance with performance standards procedure as set forth in article 5, section 8, and subject to site development plan approval as set forth in article 10, section 2:

20.191 Marijuana cultivation facilities, marijuana manufacturing facilities, and marijuana testing facilities, subject to the requirements outlined in article 5, section 24.

20.192 Clean hydrogen production facilities for the production of clean hydrogen, as defined in article 12, shall be permitted, subject to compliance with article 5, section 8 (performance standards) and all applicable zoning and environmental regulations.

20.2 *Uses prohibited.* The following uses are specifically prohibited:

20.22 Manufacturing uses involving primary production of the following products from 65 raw materials: asphalt, cement, charcoal, and fuel briquettes; chemicals: aniline 66 dyes, ammonia, carbide, caustic soda, cellulose, chlorine, and carbon black and 67 bone black, creosote, hydrogen and oxygen (except as expressly permitted under 68 section 20.192 relating to clean hydrogen production facilities), industrial 69 alcohol, nitrates (manufactured and natural) of an explosive nature, potash, plastic 70 materials, and synthetic resins, pyroxylin, rayon yarn, and hydrochloric, nitric, 71 phosphoric, picric, and sulphuric acids: coal, coke, and tar products, including gas 72 manufacturing; explosives; fertilizers; glue, and size (animal); linoleum and oil cloth; matches; paint, varnishes, and turpentine; rubber (natural or synthetic); [and] 74 soaps, including fat rendering.

BE IT FURTHER ORDAINED:

That Appendix B – Zoning, Article 3 – District Regulations, Section 20A – Industrial Park manufacturing zone – Business and technology center (IPM2) be amended by inserting the text indicated in bold, blue, italics, and deleting the text indicated in red strikeout as follows:

Section 20A. – Industrial Park manufacturing zone – Business and Technology Center (IPM2)

20A.1 *Uses permitted.* No building or premises shall be used and no building or part of a building shall be erected, which is arranged, intended or designed to be used, in whole or in part, for any purpose, except the following, and in accordance with performance standards procedure as set forth in article 5, section 8, and subject to site development plan approval as set forth in article 10, section 2:

20A.191 Indoor recreation and amusement establishments.

20A.192 Clean hydrogen production facilities for the production of clean hydrogen, as defined in article 12, shall be permitted, subject to compliance with article 5, section 8 (performance standards) and all applicable zoning and environmental regulations.

20A.3 *Uses prohibited.* The following uses are specifically prohibited:

20A.32 Manufacturing uses involving primary production of the following products from raw materials: Asphalt, cement, charcoal, and fuel briquettes; chemicals: aniline dyes, ammonia, carbide, caustic soda, cellulose, chlorine, and carbon black and bone black, creosote, hydrogen and oxygen (except as expressly permitted under section 20A.192 relating to clean hydrogen production facilities), industrial alcohol, nitrates (manufactured and natural) of an explosive nature, potash, and synthetic resins, pyroxylin, rayon yarn, and hydrochloric, nitric, phosphoric, picric, and sulphuric acids; coal, coke, and tar products, including gas manufacturing; explosives, fertilizers, glue, and size (animal); linoleum and oil cloth; matches; paint, varnishes, and turpentine; rubber (natural or synthetic); and soaps, including fat rendering.

BE IT FURTHER ORDAINED:

That Appendix B – Zoning, Article 3 – District Regulations, Section 20B – Industrial Park manufacturing zone – Industrial aviation and aeronautics center (IPM3) be amended by inserting the text indicated in bold, blue, italics, and deleting the text indicated in red strikeout as follows:

Section 20B. – Industrial Park manufacturing zone – Industrial aviation and aeronautics center (IPM3)

20B.1 *Uses permitted.* In an IPMC3 zone, no building or premises shall be used and no building or part of a building shall be erected, which is arranged, intended or designed to be used, in whole or in part, for any purpose, except the following, and in accordance with performance standards procedure as set forth in article 5, sections 8.2 and 8.6, and subject to site development plan approval as set forth in article 10, section 2:

20B.17 Clean hydrogen production facilities for the production of clean hydrogen, as defined in article 12, shall be permitted, subject to compliance with article 5, section 8 (performance standards) and all applicable zoning and environmental regulations.

20B.3 *Uses prohibited.* The following uses are specifically prohibited.

20B.32 Manufacturing uses involving primary production of the following products from raw materials: Asphalt, cement, charcoal, and fuel briquettes; chemicals: aniline dyes, ammonia, carbide, caustic soda, cellulose, chlorine, and carbon black and bone black, creosote, hydrogen and oxygen (except as expressly permitted under section 20B.17 relating to clean hydrogen production facilities), industrial alcohol, nitrates (manufactured and natural) of an explosive nature, potash, and synthetic resins, pyroxylin, rayon yarn, and hydrochloric, nitric, phosphoric, picric, and sulphuric acids; coal, coke, and tar products, including gas manufacturing; explosives, fertilizers, glue, and size (animal); linoleum and oil cloth; matches; paint, varnishes, and turpentine; rubber (natural or synthetic); and soaps, including fat rendering.

BE IT FURTHER ORDAINED:
That Appendix B – Zoning, Article 12 – Definitions, be amended by inserting the text indicated in bold, blue, italics, and deleting the text indicated in red strikeout as follows:

Clean hydrogen: Hydrogen gas produced on-site, generating oxygen as a byproduct through processes that do not involve the direct combustion or use of fossil fuels.

ADOPTED: July 13, 2026

ADOPTION OF MINUTES - REGULAR COUNCIL MEETING OF JUNE 22, 2026
The Minutes of the Regular Council Meeting of June 22, 2026 were unanimously approved by motion of Mr. Rocha, seconded by Dr. Pillsbury, and bore the written approval of Mayor Christiansen (Arndt and Lewis absent).

COUNCIL COMMITTEE OF THE WHOLE REPORT – JUNE 23, 2026
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).

By consent agenda, Mr. Rocha moved for approval of the Committee's recommendation, seconded by Dr. Pillsbury, and carried by a unanimous roll call vote (Arndt and Lewis absent).

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.

<u>**Adoption of Agenda**</u>

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

<u>**Annexation Request – 102 Fox Hall Drive (Dawn Melson-Williams, Principal Planner)**</u>

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.

By consent agenda, Mr. Rocha moved for approval of the Committee's recommendation, seconded by Dr. Pillsbury, and carried by a unanimous roll call vote (Arndt and Lewis absent).

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.

<u>**Adoption of Agenda**</u>

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

<u>**City of Dover – Move to .gov Domain (Joe Simmons, IT Director)**</u>

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.

By consent agenda, Mr. Rocha moved for approval of the Committee's recommendation, seconded by Dr. Pillsbury, and carried by a unanimous roll call vote (Arndt and Lewis absent).

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).

By consent agenda, Mr. Rocha moved for approval of the Committee's recommendation, seconded by Dr. Pillsbury, and carried by a unanimous roll call vote (Arndt and Lewis absent).

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.

By consent agenda, Mr. Rocha moved for acceptance of the Council Committee of the Whole Report, seconded by Dr. Pillsbury and carried by a unanimous roll call vote (Arndt and Lewis absent).

MONTHLY REPORTS – MAY 2026

By motion of Mr. Rocha, seconded by Dr. Pillsbury, the following monthly reports were accepted by consent agenda (Arndt and Lewis absent).

City Council's Community Enhancement Fund Report
City Manager's Report

Controller/Treasurer's Budget Report
Fire Chief's Report
Police Chief's Report

SETTING OF ELECTRIC, WATER, AND WASTERWATER RATES AND TARIFFS

Ms. Sharon Duca, City Manager, briefed members on the reason the item was returning for council reapproval.

Mr. Rocha moved for adoption of the Electric, Water, and Wastewater Rates and Tariffs as revised, seconded by Dr. Pillsbury, and carried with Mr. Anderson voting no (Arndt and Lewis absent).

FIRST READING – 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)

Council President Neil reminded the public that copies of the proposed ordinance were available on the City's website at www.cityofdover.gov under "Government," or by contacting the City Clerk's Office at 302-736-7008 or cityclerk@doverde.gov. Final action by Council on the proposed ordinance will take place during the Council Meeting of July 27, 2026.

Mr. Eddie Kopp, Chief Code Enforcement Officer, reviewed the 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.

Responding to Dr. Sudler, Mr. Kopp stated that there was no historical data about the storage of equipment within the street because there was no ordinance that they could enforce. He further stated that they were receiving several complaints regarding equipment storage. He explained that if there was another code enforcement case on the property, the complaint was documented as part of that case. However, because there was no code provision to enforce, no separate case was opened. He noted that the city's system had no particular way to document the specific item without addressing a case for the basketball goal equipment.

Responding to Dr. Sudler, Mr. Kopp stated that, in regards to safety, he disagreed with allowing the play of basketball equipment in the street. He explained that speeding and traffic were a frequent issue. When it came to Code Enforcement, they could not be selective between neighborhoods. He noted that they have to be fair and consistent with everyone. He further noted that some neighborhoods may present fewer safety concerns than others, and he believed it would be unfair to allow the activity in certain areas but prohibit it elsewhere. He added that the city provided parks with basketball courts and goals, which offered a safer alternative for recreational play.

Ms. Hall stated that she did not support the 30-minute unattended time limit. She believed it was unrealistic to expect children to move a basketball hoop every time they went inside for a snack or lunch. Instead, she suggested requiring the equipment to be stored off the roadway during the same hours that basketball play was prohibited, from 11:00 p.m. to 7:00 a.m.

In accordance with Section 1-9 of the Dover Code, Council acknowledged the First Reading of the Proposed Ordinance #2026-05, as read by the City Clerk, by title only, as follows:

> 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.

CITY MANAGER'S ANNOUNCEMENTS

Ms. Duca announced that the Water Street Stormwater Project located adjacent to the new family court building would begin July 6, 2026. Water Street from Governors Avenue to State Street will be closed until August 20, 2026. She stated that the East Loockerman Street, eastbound entrance located near the Burger King would be closed off starting July 15, 2026, since an engineering study would take place and the entrance would reopen around November 15, 2026. She further announced that they were having issues with the software program that generated the tax bills. She explained that the notice was posted on the City of Dover's Facebook page as well as the city's website. Due to the issues, the city would be extending the tax deadline from July 31, 2026, to August 31, 2026. She noted that there would be no penalties assessed through the end of August. If residents chose to make a payment before the tax bill was due, they may do so and pay the difference upon receipt.

Responding to Ms. Duca, Dr. Sudler expressed concerns regarding Queen Street and other streets with current projects that were being done. He explained that he was receiving complaints, especially on Fulton Street, about children picking up the gravel and throwing rocks. He asked when the issue could be addressed. He noted that some residents, especially those that walked to church, such as Calvary Baptist Church, were walking in heels and that could be a hazard.

Responding to Dr. Sudler, Ms. Duca stated that she ensured that the inspectors looked at those job sites and tried to patch the road at least temporarily once the work was completed so they could do an assessment. She further stated that they could send out a notice to council on a timeframe for those projects.

Responding to Ms. Duca, Mr. Rocha reported concerns regarding a waterway near Maple Dale Country Club that had algae buildup and vegetation growth along the bulkhead behind the townhouses. He stated that the constituents have complained that the overgrowth should be maintained. He added that he had photographs of the area that he would email to staff that evening.

Responding to Mr. Rocha, Ms. Duca stated that they would look into the matter.

MAYOR'S ANNOUNCEMENTS

Mayor Christiansen reminded everyone about Ms. Petter's announcement regarding the Farmer's Market downtown by the Green and to keep their eye out for information on the website.

COUNCIL MEMBERS' ANNOUNCEMENTS

Mr. Anderson announced that the Parks and Recreation Department has the summer concert series on Thursday at the Green. He pointed out the Hope Zone had several community events throughout July in various neighborhoods from 6:00 p.m. to 7:30 p.m. The schedule includes July 15th at the Manchester Apartments, July 23rd at Simon Circle at the Green Beret Project Building, July 30th at the Whatcoat Village Apartments Playground, and Delaware State University located at 3 North Bradford Street.

Ms. Hall announced that the Military Women's Tea will be held on Saturday, August 8, 2026. She stated that she would be handing out flyers and wanted everyone to mark their calendars. She noted that she would be giving details at the next Regular Council Meeting.

The meeting adjourned at 9:08 p.m.

ANDRIA L. BENNETT, CMC
CITY CLERK

All ordinances, resolutions, motions, and orders adopted by the City Council during their Regular Meeting of July 13, 2026, are hereby approved.

ROBIN R. CHRISTIANSEN
MAYOR

/AB

Exhibits
Exhibit #1 – Letter of Support for Hydrogen Project from Shane Breakie – Chesapeake Utilities

CHESAPEAKE UTILITIES CORPORATION

04/22/2026

Honorable Members of the Dover City Council
City of Dover
15 Loockerman Plaza
Dover, DE 19901

Re: Letter of Support for Hydrogen as a Fuel and Related Local Initiatives

Dear Council President and Members of Council,

I am writing to express our support for the advancement of hydrogen as a clean, reliable, and innovative fuel source, as well as for the efforts underway in Dover and across Delaware to explore and develop hydrogen-related initiatives.

At Chesapeake Utilities, we view hydrogen as a complementary tool that can support decarbonization goals while maintaining system reliability, affordability, and energy diversity. At our Eight Flags business unit in Florida, we have utilized hydrogen in safe, controlled applications, including blending and testing efforts that assess how hydrogen can be incorporated into existing energy infrastructure in a responsible and practical manner. These efforts are grounded in safety, engineering rigor, and collaboration with regulators and stakeholders.

Chesapeake Utilities is also proud to be an active participant in MACH2 (Mid-Atlantic Clean Hydrogen Hub). Through this partnership, we are working alongside public agencies, private industry, research institutions, and community partners to help accelerate the development of a regional hydrogen economy that supports economic growth, workforce development, emissions reductions, and long-term energy resilience.

I regret that I am unable to be present for your meeting this evening due to prior commitments. However, I would welcome the opportunity to answer questions, provide additional information, or participate in a separate meeting or discussion at a time convenient for the Council. We value dialogue and thoughtful collaboration with local leaders as Dover considers these important topics.

Thank you for your time, your service, and your continued leadership on issues impacting the City's energy future. Chesapeake Utilities looks forward to remaining a constructive partner as Dover evaluates opportunities that support innovation, sustainability, and community benefit.

Respectfully,

Shane E. Breakie

Shane Breakie
Vice President, Sustainability & Organic Growth
Chesapeake Utilities