COUNCIL COMMITTEE OF THE WHOLE

The Council Committee of the Whole met on October 27, 2026, at 6:00 p.m. with Council President Neil presiding. Members of Council present were Mr. Anderson, Ms. Arndt, Mr. Boggerty (out at 7:33 p.m.), Ms. Hall (via WebEx), Mr. Lewis, Mr. Rocha, and Dr. Sudler. Dr. Pillsbury was absent. Mayor Christiansen was also present (out at 8:27 p.m.). Civilian members present for their Committee meetings were Dr. Jackson and Ms. Kemp (via WebEx) (*Safety, Advisory, and Transportation).* Mr. Garfinkel and Mr. Shevock *(Legislative, Finance, and Administration)* were absent.

ADOPTION OF AGENDA

Ms. Arndt 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 Mr. Anderson and unanimously carried.

Prioritization of City of Dover State Capital Transportation Program (CTP) Projects (Sharon Duca, City Manager)

Ms. Sharon Duca, City Manager, explained that the city annually developed and prioritized Capital Transportation Program (CTP) projects for submission to the Delaware Department of Transportation (DelDOT) and the Dover/Kent County Metropolitan Planning Organization (MPO). The 2027 submission contained 13 projects grouped by classification: three economic development projects, four safety and capacity projects, and six transportation system improvements. Following Committee and Council approval, the priorities would be forwarded to DelDOT and the MPO for funding consideration and ranking.

She identified economic development priorities involving the Garrison Oak connector, business-to-business connections, North Little Creek Road to Horse Pond Road, Horse Pond Road to Lafferty Lane and Starlifter, and the Loockerman Street/Forest Avenue intersection. Safety and capacity priorities included College Road between Kenton and McKee Roads, sidewalks within the Dover High School walk zone, U.S. Route 13 sidewalks and related improvements, and the McKee Road/Salisbury Road study. Transportation system priorities included the Kings Highway/White Oak Road/U.S. Route 13 intersection, North State Street sidewalks between Division Street and Walker Road, downtown strategic plan improvements, and Bay Road pedestrian improvements and landscaping. Freight-related development regulations and maintenance of local streets were also being considered.

Staff recommended approving the 2027 Transportation Priorities provided by staff for consideration of funding from the Delaware Department of Transportation.

Responding to Mr. Boggerty, Ms. Duca indicated that staff could seek clarification from DelDOT regarding roadway construction standards, designated truck routes, and the Department's plans for Kenton Road and the increased tractor-trailer traffic.

Mr. Anderson commended staff for the report and suggested emphasizing the safety benefits of the Garrison Oak connector, in addition to its economic development benefits. He explained that existing truck and employee traffic on residential Acorn Lane would increase as development proceeded and that an alternate connection was urgently needed.

Responding to Mr. Lewis, Ms. Duca agreed to include the matter in discussions with DelDOT.

Mr. Jason Lyon, Assistant City Manager, advised that DelDOT was conducting planning, surveying, engineering, and design work for South Little Creek Road, including pedestrian and roadway safety improvements and a potential speed-limit reduction. He indicated that the proposed connector projects could also reduce truck traffic and agreed to request a more specific project timeline.

Mr. Rocha expressed concern that the College Road improvements, previously anticipated for an earlier fiscal year, were now listed for 2029. He emphasized pedestrian safety, speeding, and the lack of sidewalks along College Road and portions of Kenton Road and requested that the project not be delayed further.

Responding to Dr. Sudler, Mr. Lyon explained that DelDOT would be responsible for outreach and any necessary right-of-way acquisition if a project advanced; staff could also contact residents while making clear that construction was not guaranteed. In response to questions about road life expectancy and growth projections, Mr. Lyon stated that DelDOT incorporated Delaware Population Consortium projections and long-range transportation needs into its planning.

Dr. Sudler also urged consideration of vulnerable-road-user safety data and accident concerns involving College, Walker, and Salisbury Roads.

Mr. Rocha moved for acceptance of the staff recommendation for the approval of the 2027 transportation priorities for the City of Dover. The motion was seconded by Mr. Neil and unanimously carried.

Emergency Shelter Rules and Regulations (Sharon Duca, City Manager)

Ms. Sharon Duca, City Manager, reviewed the city's zoning regulations, explaining that each parcel was assigned a zoning district with permitted, conditional, and prohibited uses. A use not listed in the applicable district was not permitted. Permitted and conditional uses were subject to applicable site plan, Planning Commission, permit, building, fire, and occupancy reviews. Conditional-use applications were reviewed by the Planning Commission under Article 10, Section 1 of the Zoning Ordinance.

Ms. Duca reviewed the city's definition of an emergency shelter as temporary housing for homeless or transient persons in a dormitory-style setting, potentially accompanied by social services. She stated that Delaware law defined emergency housing shelter as short-term housing

and supportive services for 90 days or less. The city's dormitory definition addressed accommodations for more than 16 unrelated persons, while a lodging or rooming house could accommodate up to 16 persons. She also discussed the State's June 2026 announcement of a Kent County Hope Center at the former Delaware State University/Sheraton facility. Staff had been communicating with Housing Delaware and Secretary Matthew Heckles and exploring other state-owned facilities.

This item was informational; committee action was not required.

Responding to Mr. Boggerty, Ms. Duca explained that plan and permit reviews could trigger additional building and fire-code requirements.

Responding to Mr. Boggerty, Mr. Osika subsequently explained that land use and zoning were evaluated first, followed by the building's occupancy classification, occupant load, exits, restrooms, sprinkler protection, and other life-safety requirements. He stated that a citizen complaint had led to review of a downtown shelter's zoning and a determination by the City Solicitor that the use must comply with zoning requirements. He also described the prior church-based Code Purple rotation, the treatment of existing participating facilities, and the requirement for sprinkler protection for new facilities.

Dr. Sudler thanked staff and the Mayor for exploring alternatives, including the former Family Court building, and emphasized that county and state officials shared responsibility for the unsheltered population. He supported both supportive services and enforcement when individuals engaged in unlawful conduct affecting others.

Responding to Mr. Anderson, Ms. Kay Sass, Emergency Management Director, explained that staff had begun planning in March, had contacted community partners, and were pursuing several alternatives, although arrangements were not yet final. She stated that the Hope Center was expected to begin with emergency sheltering in a portion of the facility and expand services in phases. Transportation, staffing, volunteer support, and coordination with DelDOT and DART remained under discussion.

Responding to Mr. Lewis, Ms. Sass described a sequence of options involving the existing shelter arrangement, the Hope Center, other state facilities, and potentially a city facility. She clarified that Red Cross disaster shelter certification was not itself authorization for routine Code Purple sheltering, although available facilities, cots, and partnerships could assist in contingency planning. She had not yet approached churches about reinstating the former rotating arrangement and was awaiting more concrete information from state officials.

Responding to Mr. Lewis, Ms. Duca stated that she was unaware of recent changes to the relevant Code provisions.

Responding to Mr. Lewis, Mr. Osika explained that when he assumed his position, the definition was already established in the City Code under the previous administration. At that time, Code Purple coordinated emergency shelter services through a rotation of participating churches, all of

which were considered existing facilities. He noted that Code Purple staff had been advised that any future facilities would be required to have sprinkler systems for life safety purposes.

He stated that participation by churches had declined significantly following the COVID-19 pandemic, although he was uncertain of the reasons. He further explained that a citizen complaint had prompted a review that identified zoning concerns. The City Solicitor determined that facilities must comply with applicable zoning requirements before operating.

Mr. Osika clarified that land use and zoning requirements must be addressed first, followed by building and fire code requirements. He emphasized that a change in a building's intended use could result in a different occupancy classification, requiring the facility to comply with current building and life safety codes.

Mr. Rocha recalled that the Mayor's unsheltered working group had previously investigated the former Family Court building and was advised that the State intended to sell it and that it would require substantial repairs.

Mr. Boggerty similarly discussed the building's layout, limited restrooms, and possible safety challenges.

Dr. Sudler raised the potential use of the former Morris Community Corrections Center and questioned whether the city could evaluate its suitability. He also raised concerns regarding building conditions, jurisdiction, code compliance, and the need for a workable short-term solution.

Mayor Christiansen said he had been in discussions with Mr. Heckles about plans to expedite the opening of the Hope Center, with a plan expected within the next week, according to Senator Pardee. He noted that although the facility had some deficiencies, it could potentially be utilized during an emergency. He explained that the program would depend on transportation for individuals in need and that the facility contained 150 furnished rooms, with furniture left by Delaware State University. He added that plans included providing wraparound services and maintaining security at the facility. Additionally, he noted that several members of the Interdenominational Ministers Association (IMA) were reconsidering their participation in the Code Purple program. Mayor Christiansen expressed appreciation for the information provided regarding the Morris Center and Family Court building, noting familiarity with both facilities. He indicated that the Family Court building could potentially be utilized despite its layout, while the Morris Center would require upgrades. He expressed support for the efforts of the Interdenominational Ministers Association (IMA) and Secretary Heckles to expedite potential shelter solutions and encouraged continued efforts to address the need.

Responding to Ms. Kemp, Mayor Christiansen explained that preliminary plans for the Kent County Hope Center included providing comprehensive wraparound services for individuals experiencing substance abuse, mental health challenges, and other barriers to stability. He noted that the facility's commercial kitchen could potentially be utilized for job training opportunities. He emphasized that, unlike the Hope Center in New Castle County, the Kent County facility was intended to provide meaningful support services rather than serve solely as temporary shelter. He

indicated that, to his knowledge, the proposed model had not changed and that further details were anticipated as plans for the facility progressed.

Responding to Mr. Boggerty, Dr. Jackson explained that under the McKinney-Vento Act, school districts were required to provide transportation for eligible students experiencing homelessness to their school of origin, if requested by the family. She confirmed that transportation arrangements were already established through the school district and that the services were contracted.

Bonnie Pennington, Dover, urged immediate action before temperatures dropped and suggested reopening school buildings overnight as temporary shelter.

William G. Faust, Jr., Dover, discussed maintenance concerns at the former correctional facility and suggested exploring assistance from the National Guard or federal emergency resources.

Asher Smandra, Dover, emphasized the availability of services and the importance of security.

Eve Dorman, Dover, urged the city to provide winter shelter options accommodating people who could not access conventional shelters, including couples, people with pets, and registered sex offenders.

Mayor Christiansen suggested that the Delaware National Guard could potentially provide humanitarian assistance and expressed support for contacting Adjutant General Benson to explore available resources. However, he emphasized that he did not support deploying National Guard troops to patrol the streets of Dover, citing concerns regarding the Posse Comitatus Act and the role of the military in civilian law enforcement. He acknowledged the city's public safety challenges but expressed confidence in the Dover Police Department, noting that its officers continued to perform their duties effectively and that broader issues extended beyond the department's control.

Mr. Boggerty advised that he had been working with Saving Place for You, Inc., an organization that provided housing assistance to veterans. He stated that the organization, in coordination with Ms. Francis Perry, had four bedrooms available at a facility located on Salisbury Road and also assisted with coordinating support services. He provided the organization's contact number, (302) 514-7242, and noted that he had shared the information with the City Clerk for distribution to members of Council. He encouraged anyone aware of a veteran experiencing homelessness to contact the organization or reach out to him directly for assistance.

Mr. Anderson urged continued advocacy for state and federal homelessness funding allocated in proportion to the population actually served in Dover, rather than solely the city’s resident population.

Mr. Boggerty moved for adjournment of the Safety Advisory and Transportation Committee meeting, hearing no objection the meeting adjourned at 7:32 p.m.

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

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

Adoption of Agenda

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

Discussion and Report Update on the Capital Area Municipality Sustainability Act (CAMSA) (Councilman Dr. Sudler)

Ms. Sharon Duca, City Manager, provided an update on the CAMSA proposal, noting that discussions had taken place with Dr. Sudler, members of Council, and state representatives to garner support. She explained that staff had begun developing a Request for Proposals (RFP) to conduct a study evaluating the relationship between large buildings, infrastructure usage, and associated costs. She emphasized the importance of establishing an engineering-based methodology to substantiate the proposed fees.

Ms. Duca stated that although the original proposal focused on approximately 30 tax-exempt properties with buildings exceeding 50,000 square feet, discussions had expanded to consider all properties meeting that threshold, regardless of tax status, increasing the number of potentially affected properties to more than 100. Staff was reviewing Geographic Information System (GIS) data to determine the gross square footage of the identified properties.

She further explained that staff was considering incorporating infrastructure impacts associated with data centers and other large users into the study. Discussions were ongoing regarding the appropriate scope of the RFP and whether an engineering consultant or a firm specializing in utility rate studies would be best suited to conduct the analysis. She noted that staff was continuing to refine the RFP before moving forward.

Responding to Dr. Sudler, Ms. Duca further explained that staff was working to identify the relationship between large facilities and their demands on city infrastructure, including utilities, roadways, and stormwater systems. She noted that factors such as increased truck traffic could also impact infrastructure. She emphasized the importance of clearly defining the scope of the study to ensure that both concepts were adequately evaluated and that the resulting analysis addressed the city's concerns.

Responding to Dr. Sudler, Ms. Duca explained that the evaluation would encompass all aspects of City infrastructure, including streets, stormwater systems, water, wastewater, and electric utilities. She noted that aging infrastructure and systems that may be undersized for future development were among the concerns being considered, particularly in the downtown Loockerman Street area. She further clarified that while DelDOT maintained the roadway pavement on certain state-maintained roads, the city remained responsible for storm drains, curbs, sidewalks, and brick infrastructure. She emphasized the importance of evaluating whether existing infrastructure adequately supported current demands and future development, noting that the assessment would address concerns related to both data centers and other large infrastructure users.

Dr. Sudler also raised maintenance obligations for pavers and other public infrastructure and stated that Representative Lynn had informally indicated a willingness to assist with funding the assessment, although the amount and commitment had not been confirmed.

Responding to Mr. Rocha, Ms. Duca explained that State facilities staff-maintained portions of the area, but that DelDOT also relied on existing agreements when requesting city assistance.

Responding to Mr. Rocha, Ms. Duca explained that procurement, technical studies, policy decisions, and any legislative process would take time and that a reliable implementation date for 2028 could not yet be established.

Responding to Mr. Lewis, Ms. Duca confirmed that specific studies had not yet been supplied and indicated that the Solicitor had expressed particular concern with limiting the proposed assessment to tax-exempt parcels.

Mr. Lewis emphasized the importance of involving all stakeholders, particularly state legislators, in addressing the city's infrastructure and revenue challenges. He expressed concern regarding the city's current financial situation and stated that maintaining the status quo was not sustainable. He supported the proposed study as a positive step toward identifying potential solutions, acknowledging that the process would take time and require collaboration. He encouraged staff to continue moving forward with the proposal.

Mr. Neil expressed concerns regarding the continued consideration of the CAMSA proposal, acknowledging that approximately 45% of properties within the city were tax-exempt, placing a disproportionate financial burden on taxpayers. While recognizing the need to address infrastructure costs and the limited contributions received through existing Payment in Lieu of Taxes (PILOT) programs, he questioned the feasibility of implementing the proposal and its potential legal, financial, and political implications.

He referenced a legal opinion issued by City Solicitor Daniel A. Griffith, which identified potential vulnerabilities in the proposed fee structure, particularly regarding the relationship between the fees assessed and the infrastructure burdens attributable to affected properties. He expressed concern that the proposal could result in legal challenges, increased costs to institutions, and additional demands on city staff and resources without assurance of a successful outcome.

Mr. Neil further questioned whether the proposal should proceed without formal Council authorization and recommended consulting with members of the General Assembly representing Dover before committing additional staff resources. He suggested postponing those discussions until after the November elections to avoid potential political influences.

Mr. Neil moved to hold a strategy session regarding CAMSA with members of the General Assembly representing Dover before city staff resumed further research on the proposal. The motion was seconded by Ms. Arndt.

Ms. Arndt expressed concerns regarding the CAMSA proposal and questioned whether pursuing a Request for Proposals (RFP) was premature given the legal issues identified by the City Solicitor.

She acknowledged that a detailed infrastructure impact study could help establish the necessary relationship and proportionality between proposed fees and the actual costs imposed on the city by affected properties. However, she emphasized that other legal concerns, including the city's authority to assess fees on tax-exempt properties and the potential need for a Charter amendment, should be addressed before proceeding. She further expressed concern that implementation of such a fee structure in Dover could establish a precedent for other municipalities throughout the State, potentially creating additional financial burdens for nonprofit organizations and state-owned properties. Ms. Arndt supported consulting with members of the General Assembly to determine whether there would be legislative support for a Charter amendment before committing additional resources to the proposal. She expressed doubt that legislators would support such a change given its potential statewide implications.

Dr. Sudler thanked Ms. Arndt for her comments and explained that determining the actual infrastructure costs associated with CAMSA would require a comprehensive engineering assessment through a Request for Proposals (RFP). He emphasized that such a study would benefit not only the CAMSA proposal but also the city's evaluation of infrastructure impacts associated with potential data center development. He clarified that the proposal had been expanded beyond tax-exempt properties to include all qualifying properties. Dr. Sudler maintained that CAMSA was intended to establish an infrastructure fee rather than a tax, similar to the city's existing Public Safety Fee. Citing case law and examples from other jurisdictions, he asserted that fees collected and restricted exclusively for infrastructure-related expenses could be legally defensible without requiring a Charter amendment. He acknowledged the legal concerns raised by the City Solicitor but emphasized the importance of establishing a direct relationship between the fees assessed and the infrastructure costs incurred. He further clarified that the proposal was not ready for implementation but was intended to encourage discussion, obtain stakeholder input, and explore alternative revenue sources. He emphasized the city's responsibility to identify diversified revenue opportunities and expressed concern regarding the increasing financial burden placed on residents and taxpayers as infrastructure demands continued to grow.

Responding to Ms. Arndt, Dr. Sudler clarified that the proposal did not intend to provide direct payments or credits to residents. Rather, he explained that additional revenue generated through the proposed fees could help offset future infrastructure costs, potentially reducing the need for utility rate increases and indirectly providing financial relief to residents.

William G. Faust, Jr., Dover, expressed frustration with criticism of the CAMSA proposal without alternative solutions being offered. He encouraged Council to identify additional revenue sources rather than continuing to increase the financial burden on residents through taxes, fees, and utility rates. He emphasized the need for proactive solutions to address the city's financial challenges.

Bonnie Pennington, Dover, expressed support for Dr. Sudler and the CAMSA proposal, commending his efforts to identify solutions to assist residents. She emphasized the financial hardships faced by residents and encouraged Council to take action to address the city's financial challenges.

Belinda Main, Dover, expressed opposition to data centers but supported conducting an infrastructure impact study to ensure large properties and institutions contributed their fair share

of costs. She emphasized the financial hardships faced by residents due to increasing taxes and utility rates and stated that even modest relief could benefit households and local businesses. She encouraged Council to pursue equitable cost-sharing measures to reduce the financial burden on residents.

Hassan Najjar, Dover resident and director of the Biggs Museum of American Art, expressed concerns regarding the CAMSA proposal and its potential financial impact on nonprofit arts and cultural institutions. He emphasized that tax exemptions recognized the public benefits provided by these organizations and questioned whether the proposed infrastructure fee constituted a tax. He noted that the museum could face substantial annual fees and that grant funding could not necessarily be used to offset those costs. He encouraged Council to involve stakeholders earlier in the process and suggested hosting a facilitated town hall with residents, businesses, nonprofits, and city leadership to collaboratively explore solutions to the city's financial challenges.

This item was informational; committee action was not required.

Mr. Neil moved to hold a strategy session regarding CAMSA with members of the General Assembly representing Dover before city staff resumed further research on the proposal. The motion was seconded by Ms. Arndt.

Dr. Sudler expressed opposition to delaying further consideration of CAMSA pending discussions with state legislators, citing concerns that scheduling conflicts or lack of participation could hinder progress. He maintained that the city's home rule authority permitted consideration of infrastructure fees, referencing the existing Public Safety Fee, which also applied to tax-exempt properties without requiring a Charter amendment. He emphasized that infrastructure data would be necessary regardless of CAMSA due to potential data center development and argued that the city's efforts to gather information and explore revenue solutions should not be contingent upon legislative discussions.

Ms. Arndt emphasized the importance of determining the legality and feasibility of the CAMSA proposal before committing funds to an infrastructure study. She noted that the time required to develop and issue a Request for Proposals (RFP) would likely extend beyond the November elections. She reiterated her support for engaging state legislators and stakeholders early in the process before proceeding with implementation efforts.

Mr. Neil reiterated his concern that implementing CAMSA would require a Charter amendment and emphasized the importance of determining whether state legislators would support such a change before proceeding. He acknowledged the city's financial challenges and the need to identify additional revenue sources but expressed concern regarding potential opposition from nonprofit organizations and legislators. He maintained that consulting with legislators would help determine the proposal's feasibility and reiterated his concerns regarding potential political motivations surrounding its consideration.

Mr. Rocha expressed support for engaging state legislators and stakeholders in discussions regarding CAMSA but opposed the motion to delay further staff research. He believed the process

should continue while potential obstacles were evaluated and stated that formal action was premature.

Mr. Lewis questioned the relevance of the upcoming election to the CAMSA proposal and expressed agreement with Dr. Sudler regarding the city's authority to implement fees under its existing home rule powers. He referenced the Public Safety Fee, which was implemented without a Charter amendment and applied to nonprofit properties. He opposed the motion and expressed frustration with suggestions that the proposal was politically motivated.

Ms. Arndt clarified that the City Solicitor's legal opinion indicated that implementation of CAMSA would require an amendment to Section 49A of the City Charter. She emphasized the importance of following legal counsel to minimize potential litigation and financial risks. She expressed appreciation for Dr. Sudler's proposal but maintained that raising questions regarding its legality and feasibility was necessary to ensure informed decision-making.

Mr. Anderson explained that the Solicitor's opinion did not categorically prohibit the proposal but identified conditions needed to withstand legal challenge. He stated that infrastructure study work already contemplated in connection with the data center moratorium could be broadened to improve budgeting and long-range planning, regardless of whether CAMSA ultimately advanced. He emphasized the value of obtaining accurate cost information and engaging stakeholders before final policy decisions.

Mr. Neil moved to hold a strategy session regarding CAMSA with members of the General Assembly representing Dover before city staff resumed further research on the proposal. The motion was seconded by Ms. Arndt and failed with Dr. Sudler, Mr. Lewis, and Mr. Rocha voting no (Boggerty, Pillsbury, Garfinkel, Shevock absent).

Dr. Sudler subsequently moved to authorize the City Manager and staff to continue developing the criteria for the infrastructure assessment; the motion was seconded by Mr. Lewis.

After Mr. Anderson clarified that previous Committee direction already authorized staff to continue this work and prepare a proposed request for proposals, Dr. Sudler withdrew his motion with the concurrence of the seconder.

Mr. Anderson moved for adjournment of the Legislative, Finance, and Administration Committee meeting, hearing no objection the meeting adjourned at 8:44 p.m.

Mr. Neil moved for adjournment of the Council Committee of the Whole meeting, hearing no objection the meeting adjourned at 8:44 p.m.

Fred A. Neil
Council President