REGULAR COUNCIL MEETING
AGENDA

APRIL 25, 2016 - 7:30 P.M.

CITY HALL COUNCIL CHAMBERS
15 LOOCKERMAN PLAZA
DOVER, DELAWARE

OPEN FORUM - 15 MINUTES PRIOR TO OFFICIAL MEETING (7:15 P.M.)

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

INVOCATION BY CHAPLAIN WALLACE DIXON

PLEDGE OF ALLEGIANCE LED BY COUNCILMAN HUTCHISON

AGENDA ADDITIONS/DELETIONS

* **CONSENT AGENDA**

THOSE ITEMS ON THE COUNCIL AGENDA WHICH ARE CONSIDERED ROUTINE AND NON-CONTROVERSIAL SHALL BE MARKED WITH AN ASTERISK (*) AND WILL BE ACTED UPON BY A SINGLE ROLL CALL VOTE OF THE COUNCIL. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS A MEMBER OF COUNCIL SO REQUESTS, IN WHICH EVENT THE MATTER SHALL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED A SEPARATE ITEM.

* 1. **ADOPTION OF MINUTES - REGULAR COUNCIL MEETING OF APRIL 11, 2016**

2. **CERTIFICATES OF CONGRATULATIONS - 2016 EXCELLENCE IN DOWNTOWN REVITALIZATION**
   - A. **GREGORY V. MOORE, P.E. AND BECKER MORGAN GROUP - OUTSTANDING DOWNTOWN COMMUNITY PARTNER FOR THE CITY OF DOVER**
   - B. **CAMERON LLEWELLYN, CONTRACTOR - BEST HISTORIC PRESERVATION PROJECT - 6 SOUTH STATE STREET**

3. **CERTIFICATE OF APPRECIATION - BAIRD MANDALAS BROCKSTEDT, LLC - 6 SOUTH STATE STREET**

4. **PRESENTATION - MAYOR'S SELECTION FOR THE JEFFERSON AWARDS LEAD360 CHALLENGE**

* **5. DOVER HUMAN RELATIONS COMMISSION REPORT - MARCH 16, 2016**

A. INTRODUCTION OF NEW MEMBER (MS. WANDA MULLEN)

B. CHAIR'S RESIGNATION FROM THE EDUCATION COMMITTEE

(COMMISSION ACCEPTED THE RESIGNATION)

C. ELECTION OF COMMITTEE CHAIR - EDUCATION COMMITTEE

(COMMISSION ELECTED DIANNE BOGLE TO SERVE AS CHAIR)

D. DHRC COMMITTEE UPDATES

(1) GOVERNMENT POLICY, PROGRAMS, AND PRACTICES COMMITTEE (MCGIFFIN)

(2) COMMUNITY ENGAGEMENT COMMITTEE (ROACH)

(COMMISSION RECOMMENDED THAT, BY THE NEXT DHRC MEETING, ALL MEMBERS COME UP WITH A NEW IDEA IN REGARD TO A FORUM, TASK, OR CHALLENGE FOR THE COMMUNITY THAT THEY WOULD LIKE TO SEE THE DHRC UNDERTAKE)

(3) EDUCATION COMMITTEE

(COMMISSION RECOMMENDED DEFERRING THE IDEA OF DHRC INVOLVEMENT IN A TEDX TALK UNTIL A LATER TIME WHEN MEMBERS WERE ALL COMFORTABLE WITH TAKING ON THE TASK OF A $10,000 FUNDRAISER)

(4) COMMUNICATIONS COMMITTEE (GRIFFITH)

E. OLD BUSINESS

(1) COMMUNITY INVOLVEMENT - PUBLIC RELATIONS INITIATIVE

(COMMISSION RECOMMENDED THAT MEMBERS COME TO THE NEXT MEETING IN THEIR UNIFORM SHIRTS PREPARED TO TAKE INDIVIDUAL AND GROUP PICTURES)

(2) IN-HOUSE RETREAT

(COMMISSION RECOMMENDED THAT THE DHRC WAIT TO HOLD AN IN-HOUSE RETREAT UNTIL THE TWO (2) ADDITIONAL DHRC MEMBERS ARE APPOINTED)

(3) DHRC VACANCIES (FIRST AND FOURTH DISTRICTS)

(4) DHRC LOGO

(DEFERRED DUE TO TIME CONSTRAINTS)

(5) AFRICAN AMERICAN FESTIVAL

(COMMISSION RECOMMENDED ALLOCATING $200 FOR THE AFRICAN AMERICAN FESTIVAL FROM THE DHRC BUDGET)

* **6. COUNCIL COMMITTEE OF THE WHOLE REPORT - APRIL 12, 2016**

A. REVIEW OF FY 2017 PRELIMINARY BUDGET AND CAPITAL INVESTMENT PLAN (CIP)

(COMMITTEE ACTION NOT REQUIRED)

* **7. SEMI-ANNUAL INSPECTION BY THE CITY MANAGER - ROBBINS HOSE COMPANY**

(STAFF RECOMMENDS ACCEPTANCE OF THE REPORT)

8. PROGRESS REPORT ON THE YOUTH ADVISORY COMMITTEE'S REPORTING OF THEIR MINUTES

* **9. YOUTH ADVISORY COMMITTEE 2015 ANNUAL REPORT AND 2016 ANNUAL PLAN OF WORK**

10. CITY MANAGER'S ANNOUNCEMENTS

11. COUNCIL MEMBERS' ANNOUNCEMENTS

12. ADJOURNMENT

EXECUTIVE SESSION PURSUANT TO:

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

EXECUTIVE SESSION PURSUANT TO (CONTINUED):

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

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

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

/TM

S:\AGENDAS-MINUTES-PACKETS-PRESENTATIONS-ATT&EXH\COUNCIL-AGENDAS\2016\04-25-2016.WPD

REGULAR COUNCIL MEETING

The Regular Council Meeting was held on April 11, 2016 at 7:30 p.m. with Council President Slavin presiding. Council members present were Mr. Anderson, Mr. Sudler, Mr. Neil, Mr. Lewis, Mr. Cole, Mr. Hosfelt, Mr. Hare, and Mr. Hutchison.

Council staff members present were Police Chief Bernat (departed at 8:24 p.m.), Mrs. Mitchell (departed at 8:24 p.m.), Mr. Koenig, Mrs. Townshend (arrived at 7:32 p.m.), Fire Chief Carey (departed at 8:24 p.m.), City Solicitor Rodriguez, and Mrs. McDowell. Mayor Christiansen was also present (departed at 7:50 p.m.).

OPEN FORUM

The Open Forum was held at 7:15 p.m., prior to commencement of the Official Council Meeting. Council President Slavin declared the Open Forum in session and reminded those present that Council was not in official session and could not take formal action.

Mr. and Mrs. Robert Jones, 124 Rodney Road, informed members that their neighbor has invasive bamboo which has spread to their yard and is growing out of control. Mrs. Jones provided members with photographs depicting bamboo at 124 Rodney Road and articles regarding bamboo removal ***(Exhibit #1)***. Mr. Jones expressed concern because the bamboo is growing close to the foundation of his home, explaining that he feared that the property and the foundation could be in jeopardy. He stated that they spent time, money, and many resources trying to eradicate it themselves, to no avail. Mr. Jones showed members a piece of the bamboo which he had removed from his yard earlier in the day, noting that it grows very fast, and up to 20 feet long.

Mr. Jones explained that they had contacted Inspections and Code Enforcement last year to see if they could get some help with trying to keep this problem at bay and were advised that funds had to be allocated to begin the work. He stated that he was informed this year that contractors have bid on the project; however, he was unsure of the current status.

Mr. Jones stated that he and his wife would appreciate any help that the City could offer, noting that they were at wits' end with the bamboo. He also expressed concern on behalf of his neighbors and the families who have loved ones buried in the cemetery adjacent to his neighbor's home, explaining that the bamboo may be growing out of control throughout the graveyard.

Mrs. Ann Marie Townshend, Director of Planning and Community Development, advised members that Staff was aware of the bamboo and obtained quotes for removal of the bamboo approximately a year and a half ago. She recalled that the cost was more than $18,000 to fully remove the bamboo and treat it so that it will not grow back, and there would be an additional cost to restore the property. Mrs. Townshend stated that the other issue of concern is that the house located on the property is also in very poor condition. Responding to Mr. Slavin, Mrs. Townshend clarified that she was referring to the property of the Jones' neighbor, Mr. Fenimore. She stated that there is concern that once the City completes the bamboo removal, could very well end up displacing residents and resulting in very serious action. Mrs. Townshend noted that staff had reached out to a family member of the owner of the referenced property in February 2015; however, nothing has materialized.

Mrs. Townshend explained that the City's Code Enforcement Supervisor had visited the site and Mr. Fenimore indicated that he would take measures; however, some time has lapsed since then. She apologized to the Jones' for the miscommunication. Mrs. Townshend stated that it was not an issue of allocating money. She was advised that this project would require the Department's entire vegetation budget for the year and noted that she would work with staff to find the money. Mrs. Townshend explained that her concern and reason for moving slowly and deliberately really had to do with knowing that once the City begins remediation, it is going to have a significant impact on the residents of the property. She stated that staff believes there are other unseen issues related to the bamboo.

Mr. Slavin requested that this item be placed on the April 26, 2016 Council Committee of the Whole/Legislative, Finance, and Administration Committee agenda for an update.

Reverend Theodore Henderson requested members to join in a moment of silence in memory of Apostle Dr. Richard Avant, Jr., who recently passed away.

The invocation was given by Reverend Henderson, followed by the Pledge of Allegiance.

AGENDA ADDITIONS/DELETIONS

Mr. Hutchison moved for approval of the agenda, seconded by Mr. Cole and unanimously carried.

Mr. Lewis requested that item #7A(2) - Council Committee of the Whole Report - March 29, 2016, Review of Hospitality and Civic Function Policy, and item #9 - Appointment of Interim Fire Marshal - Ann Marie Townshend, be removed from the Consent Agenda.

Mr. Neil moved for approval of the Consent Agenda, as amended, seconded by Mr. Anderson and carried by a unanimous roll call vote.

Mr. Slavin stated that item #9, Appointment of Interim Fire Marshal - Ann Marie Townshend, may lead to a discussion about personnel matters which would require Council to recess into executive session. He requested that this item be considered after item #12 - Council Members' Announcements.

By unanimous consent, the agenda was reordered for item #9, Appointment of Interim Fire Marshal - Ann Marie Townshend, to be considered after item #12 - Council Members' Announcements.

ADOPTION OF MINUTES - REGULAR COUNCIL MEETING OF MARCH 28, 2016

The Minutes of the Regular Council Meeting of March 28, 2016 were unanimously approved by motion of Mr. Mr. Neil, seconded by Mr. Anderson and bore the written approval of Mayor Christiansen.

PRESENTATION - AMERICAN PUBLIC POWER ASSOCIATION (APPA) CERTIFICATE OF EXCELLENCE IN RELIABILITY

On behalf of the Mayor and City Council, Mayor Christiansen and Mr. Hutchison, Utility Committee Chair, presented Mr. Harry Maloney, Electric Director, with the American Public Power Association (APPA) Certificate of Excellence in Reliability, acknowledging that the City of Dover has achieved excellence in reliability by significantly outperforming the electric industry national average as reported by the Energy Information Administration.

Mr. Hutchison thanked Mr. Maloney and his staff for keeping the lights on every day.

Mr. Maloney acknowledged the City employees, including the line crews, operators, substation technicians, and office staff for a job well done in keeping the lights on. He also noted the important support provided by other City departments, such as Central Services, Public Works, City Administration, and the City Manager. Mr. Maloney thanked the Mayor, City Council, and members of the Utility Committee, for their continuous support of the City's electric utility to provide excellent service to the community.

PRESENTATION - VISION 2040 - DOVER/KENT COUNTY MPO METROPOLITAN TRANSPORTATION PLAN 2017-2040

Mrs. Kate Layton of the Dover/Kent Metropolitan Planning Organization reviewed a presentation of Vision 2040 - The Dover/Kent County MPO Metropolitan Transportation Plan 2017-2040. She informed members that the MPO was still in the draft stages of developing this long-range plan and the purpose of the presentation was to get public input, which is a valuable part of this process. Mrs. Layton explained that the draft plan would be presented to the MPO Council for approval in January 2017.

Mr. Anderson asked if the MPO would be holding any events to obtain public input. Responding, Mrs. Layton stated that there would be a public workshop specifically for the Metropolitan Transportation Plan on June 8, 2016 at the Dover Public Library. Additionally, she indicated that the MPO would be attending other events, such as the 55+ Expo at Dover Downs on April 12, 2016, and the Bug and Bud Festival in Milford on April 23, 2016.

Mr. Lewis asked whether Mrs. Layton foresaw a proposed railway/light rail in the future. In response, Mrs. Layton indicated that this would probably not happen for a while. She stated that a study was done a few years ago that looked into light rail, or extending rail from Newark down through Kent County and into Maryland and, looking at one (1) or two (2) trips down and back per day, the overall cost was perceived to be a little bit too much for right now.

PROCLAMATION - ARBOR DAY

The City Clerk read the following Proclamation into the record:

WHEREAS, *in 1872, J. Sterling Morton, a Nebraska pioneer, proposed that a special day be set aside for the planting of trees by individuals and civic organizations, resulting in the first celebration of Arbor Day on April 10, 1872, with an estimated one million trees being planted in Nebraska that day; and*

WHEREAS, *in 1885, Arbor Day was named a legal holiday and has since become a national event promoted by the National Arbor Day Foundation, whose mission is to inspire people to plant, nurture, and celebrate trees; and*

WHEREAS, *the City of Dover was named a Tree City USA in 2015 for the twenty-sixth consecutive year by the National Arbor Day Foundation in recognition of the City's outstanding urban forestry program; and*

WHEREAS, *the City of Dover Planning and Inspections Department's Tree Planting and Preservation Ordinance has caused the planting of thousands of trees in all subdivisions and commercial sites since 1992, and the City has continued to aggressively plant street trees between curbs and sidewalks in almost every available site in the City; and*

WHEREAS, *the Delaware State champion American Elm on The Green may be the only living witness to Delaware's ratification of the United States Constitution that took place at the Golden Fleece Tavern in 1787, underscoring that planting and caring for trees is a special gift that one generation passes down to the next.*

NOW, THEREFORE, I, ROBIN R. CHRISTIANSEN, MAYOR OF THE CITY OF DOVER, DELAWARE, *do hereby proclaim April 29, 2016 as* ***ARBOR DAY*** *in the City of Dover, and urge all citizens to support efforts to care for trees along our streets, in our parks, and in our yards. As the City of Dover plants trees on public property, I urge all citizens to plant trees on their properties to enhance the environment and promote the well-being of present and future generations.*

On behalf of the Mayor and City Council, Mayor Christiansen and Councilman Anderson, Parks, Recreation, and Community Enhancement Committee Chair, presented the proclamation to Mr. George Jamar, Field Supervisor in the City's Grounds Division. Mayor Christiansen and Councilman Anderson thanked Mr. Jamar and his division for their efforts.

Mr. Jamar thanked the City as a whole, including City Council and the City Manager, noting that it takes everybody. He thanked the staff of the Grounds Division who take care of the City's trees, stating that there are numerous to care for and a lot of them are old and under some severe pressure. Mr. Jamar stated that keeping the old trees alive and planting new trees is very important. He asked that everyone chip in and plant a tree. Mr. Jamar noted that the City has been very fortunate and the State helps quite a bit. He stated that the City was able to plant a nice Elm tree on The Green to replace one (1) that was previously lost, and the State is providing the City with a Saucer Magnolia, which the City will plant in honor of Arbor Day.

Mr. Slavin asked Mr. Jamar to extend thanks, on behalf of everyone in the City, to his crew for the work they do planting the flowers. Mr. Slavin stated that it had been a spectacular last three (3) or four (4) days, as the beds have started to bloom.

ANNEXATION OF PROPERTY LOCATED AT 1102 SOUTH STATE STREET, OWNED BY CAPITOL CLEANERS AND LAUNDERERS, INC.

Mrs. Ann Marie Townshend, Director of Planning and Community Development, reviewed the Petition to Annex and Zone property. She stated that the building located on this property is dissected by the property line and has two (2) different owners, noting that the front portion of the building is located at 1102 South State Street. The Planning Commission recommended the annexation of the property with the zoning designation of C-2A (Limited Central Commercial), as submitted.

Public Hearing - Zoning Classification

Members considered a request for rezoning of property proposed for annexation located at 1102 South State Street, consisting of 6,331$^{+/-}$ S.F., owned by Capitol Cleaners and Launderers, Inc. The property is currently zoned BG - General Business District (Kent County zoning classification) and the proposed zoning is C-2A - Limited Central Commercial (City of Dover zoning classification).

A public hearing was duly advertised for this time and place to consider the rezoning of property located at 1102 South State Street, owned by Capitol Cleaners and Launderers, Inc.

Council President Slavin declared the public hearing open. There being no one present wishing to speak, Council President Slavin declared the public hearing closed.

Adoption of Annexation Resolution No. 2016-01

Members considered Annexation Resolution No. 2016-01 for property located at 1102 South State Street, owned by Capitol Cleaners and Launderers, Inc.

By motion of Mr. Hare, seconded by Mr. Neil, Council, by a unanimous roll call vote, adopted Resolution No. 2016-01, as follows:

APPROVING THE INCLUSION OF AN AREA WITHIN THE LIMITS OF THE CITY OF DOVER.

WHEREAS, the Charter of the City of Dover authorizes Council to extend the boundaries of the said City in accordance with Title 22, Chapter 1, Section 101 of the Delaware Code (22 Del.C.§ 101); and

WHEREAS, the Mayor and Council deem it to be in the best interest of the City of Dover to include an area contiguous to the present City limits, and hereinafter more particularly described, within the limits of the City of Dover; and

WHEREAS, the Charter of the City of Dover provides that if an annexation is petitioned by all owners of all property considered for annexation, no election shall be required. For an annexation petition not requiring an election, such petition shall be processed in accordance with procedures established for amendments to the zoning map, specified in Dover Code, Appendix B - Zoning. All annexation petitions shall be processed concurrently with the rezoning of the property considered

for annexation and shall be subject to public hearing before City Council. Public notice shall be completed in accordance with the provisions of the Dover Code relating to amendment of the zoning map.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

1. That the following described area, situated in East Dover Hundred, Kent County, State of Delaware, along with all adjacent paths, sidewalks, roadways, and rights-of-way in their entirety, shall be annexed to and included within the limits of the City of Dover:

> ALL that certain tract, piece or parcel of land situated on the Westerly side of South State Street (Also known as U.S. Route #113A) leading from U.S. Route #13 at Cooper's Corner to Wyoming Avenue and being more particularly described according to a plan prepared by Gerald A. Donovan Associates, Inc., dated April 2, 1979 reference CL-96-2 as follows.
>
> Beginning at an iron pipe in the Westerly side of South State Street at the Northeasterly corner for this subject land and land now or formerly of Elma P. LeCompte and L. Leslie H/H (deed reference T-25-292). This point is located N 23° 43' 07"E 200.00 feet from a concrete monument in the Westerly side of South State Street at the Southeasterly corner for lands about to be conveyed to Robert M. Duncan and lands now or formerly of Thomas M. McGinnis and Evelyn E. H/W (deed reference W-16-184). Thence from said beginning point and by a line along the Westerly side of State Street; 1) S 23° 43' 07"W 80.00 feet to a point in said side of State Street at a corner for land now or formerly of David B. Greene and Edwena L. H/W (being a residue of deed reference X-23-102 and a corner for lands about to be conveyed to Robert M. Duncan). Thence with said Green-Robert M. Duncan land the following 4 courses of distances 2) N 89° 17' 32"W 70.51 feet to a point (in line of lands about to be conveyed to Robert M. Duncan and a corner for lands about to be conveyed to Earl Duncan). 3) N 0° 45' 16"E 47.90 feet (intersecting a building wall and partition wall at approximately 29.16 feet) to a point in a partition wall. Thence continuing with a partition wall; 4) S 89° 14' 44"E 1.23 feet to a point in a partition wall. Thence continuing in part, with a partition wall; 5) N 0° 45'16"E 26.16 feet (exiting said building at approximately 12 feet) to a point at a corner for said lands about to be conveyed to Earl Duncan in line of land of the aforesaid LeCompte. Thence with said LeCompte land; 6) S 89° 02' 54"E 100.49 feet to the point of Place of beginning. Containing within the above described courses and distances $6{,}331^{+/-}$ square feet.
>
> To the extent it is situate on the property described above, said property is expressly subject to a road easement, the nature and extent of said easement and its location being described hereinafter. To the extent that said road easement is not situate upon the property described above then granted and conveyed herein is a road easement, the nature and extent of said easement and its location being described hereinafter.

This road easement is an easement for ingress and egress from each of the properties contiguous with the easement to South State Street, Dover, Delaware, including all business traffic reasonably associated with the businesses located on the said contiguous properties.

The said road easement shall be fifteen feet (15 ft) in width having as its reference line one of the boundary lines of the said contiguous properties said line from its point of beginning running North 89° 17' 32" West a distance of 136.05 feet; said point of beginning being located on the west side of South State Street (aka U.S. Rt. 113A) leading from U.S. Rt. 13 at Cooper's Corner to Wyoming Avenue and being more particularly found N 23° 43' 07"E a distance of 120 feet from a concrete monument located on the west side of South State Street in the boundary line between lands about to be conveyed to Robert M. Duncan and lands now or formerly of Thomas M. McGinnis, et ux (Deed Ref. W-16-184), 5 feet of said easement shall be north of said reference line and 10 feet shall be south of said reference line.

2. That the above described property shall be annexed into the City of Dover with a zoning classification as set by City Council and in accordance with the zoning map and environs then in force, effective upon such lands being included within the limits of the City of Dover.

3. That the certified copy of this resolution of annexation, together with a plot of the area annexed, shall be filed for record with the Recorder of Deeds of Kent County.

4. That the effective date of this resolution shall be the 12th day of April, 2016 at 12:01 a.m.

ADOPTED: APRIL 11, 2016

Final Reading/Adoption of Rezoning Ordinance #2016-08

Members considered Ordinance #2016-08, rezoning property located at 1102 South State Street, owned by Capitol Cleaners and Launderers, Inc.

Mr. Neil moved that the Final Reading of Ordinance #2016-08 be acknowledged by title only, seconded by Mr. Hare and unanimously carried. *(The First Reading of the Proposed Ordinance was accomplished during the Council Meeting of February 8, 2016.)*

Mr. Hare moved for approval of the rezoning, as recommended by the Planning Commission. The motion was seconded by Mr. Cole and, by a unanimous roll call vote, Council adopted Ordinance #2016-08, as follows:

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER BY CHANGING THE ZONING DESIGNATION OF PROPERTY LOCATED AT 1102 SOUTH STATE STREET

WHEREAS, the City of Dover has enacted a zoning ordinance regulating the use of property within the limits of the City of Dover; and

WHEREAS, it is deemed in the best interest of zoning and planning to change the permitted use of property described below from BG (General Business District) (Kent County zoning classification) to C-2A (Limited Central Commercial Zone) (City of Dover zoning classification).

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

1. That from and after the passage and approval of this ordinance the Zoning Map and Zoning Ordinance of the City of Dover have been amended by changing the zoning designation from BG (General Business District) (Kent County zoning classification) to C-2A (Limited Central Commercial Zone) (City of Dover zoning classification) on that property located at 1102 South State Street (on the west side of South State Street and north of South DuPont Highway), consisting of $6{,}331^{+/-}$ S.F., owned by Capitol Cleaners and Launderers, Inc.
   (TAX PARCEL: ED-00-086.05-01-46.02-000; PLANNING REFERENCE: AX-16-01)

ADOPTED: APRIL 11, 2016

PUBLIC HEARING/FINAL READING OF STAFF SUBSTITUTE (SS#1) FOR PROPOSED ORDINANCE #2016-01 WITH STAFF AMENDMENT #1 (SA#1)

A public hearing was duly advertised for this time and place to consider proposed amendments to Appendix B - Zoning, Article 3 - District Regulations, Section 1 - One-family residence zones [(R-20, R-15, R-10, R-8 and R-7)], Subsection 1.1 - Uses permitted, Subsection 1.15 - Accessory uses, limited to the following.

Mr. Neil moved that the Final Reading of Proposed Ordinance #2016-01 be acknowledged by title only, seconded by Mr. Hutchison and unanimously carried. *(The First Reading of the Proposed Ordinance was accomplished during the Council Meeting of February 22, 2016.)*

Mrs. Ann Marie Townshend, Director of Planning and Community Development, reviewed Staff Substitute (SS#1) for Proposed Ordinance #2016-01 with Staff Amendment #1 (SA#1). She reminded members that this ordinance had been in discussion for a number of months in response to complaints that were received regarding residential properties with chickens in the yards, which have caused some challenges for neighbors. Mrs. Townshend explained that the Proposed Ordinance would eliminate the language in the zoning ordinance that allows for residential properties to have up to 25 fowl, create provisions for the keeping of chickens for individual domestic purposes, and provide restrictions.

Mrs. Townshend noted that chickens would have to be registered with the Delaware Department of Agriculture, which would enable the Department to notify owners of chickens in the event that there is an avian virus that they should be aware of.

Mrs. Townshend reminded members that, during the First Reading of the ordinance, there was discussion about whether or not roosters were prohibited elsewhere in the Code. She stated that she subsequently checked the animal control section of the Code and roosters were not prohibited. Referring to Line 39 of the Proposed Ordinance, Mrs. Townshend, explained that SA#1 would prohibit the keeping of roosters.

Mrs. Townshend informed members that the Planning Commission recommended adoption of Staff Substitute (SS#1) for Proposed Ordinance #2016-01 with Staff Amendment #1 (SA#1).

Mr. Hosfelt questioned why the City would allow chickens at all. Responding, Mrs. Townshend explained that the conversation started several months ago with discussion about eliminating the keeping of chickens in the City; however, there are quite a few people in the City that have chickens, which they keep for eggs. She stated that there is a growing movement of having food sources closer to homes and there are more and more people who are getting and keeping chickens in their yards for eggs. Mrs. Townshend noted that quite a few people were concerned about the proposed elimination. One (1) concerned individual is a member of the Planning Commission, and he reached out to some members of Council and provided the opportunity for people to see how his chickens are kept. Mrs. Townshend stated that the discussion then changed to having guidelines for how chickens could be kept so that they are compatible with the surrounding area.

Mr. Hosfelt asked if a majority of the lots in the City were a quarter of an acre. In response, Mrs. Townshend explained that many lots in the City are less than a quarter of an acre. In most of the subdivisions, the lots are a quarter of an acre or more.

Responding to Mr. Hosfelt, Mrs. Townshend stated that the Ordinance would be enforced by Code Enforcement within the Planning and Inspections Department.

Council President Slavin declared the public hearing open. There being no one present wishing to speak, Council President Slavin declared the public hearing closed.

Mr. Hare moved for approval of Staff Amendment #1 (SA#1), seconded by Mr. Anderson and carried by a roll call vote of eight (8) yes (Anderson, Sudler, Neil, Lewis, Cole, Hare, Hutchison, and Slavin) and one (1) no (Hosfelt).

Mr. Hare moved for adoption of Staff Substitute #1 (SS#1) for Proposed Ordinance #2016-01 with Staff Amendment #1 (SA#1), as recommended by the Planning Commission. The motion was seconded by Mr. Cole.

Mr. Anderson stated that, in the past, he was skeptical of banning the raising of chickens in the City because he believes that in the long run it is disadvantageous from environmental and cultural standpoints. He informed members that there are concerns about what some see as an attack on their way of life, particularly in the Haitian community. Mr. Anderson stated that there are many people who raise chickens in the City without causing a disruption and there are very few who are irresponsible. He felt that targeting those who are getting complaints, who are irresponsible and not cleaning up, would be much more advantageous to the overall well-being of the City. Mr. Anderson

stated that no matter what the City does, someone is going to be irresponsible and that is why the City has certain regulations. He felt that the City should not disenfranchise everyone else.

Mr. Anderson expressed his fear that if something were to go wrong with the electrical grid, the society was becoming one that would not survive. He indicated that the Great Depression was survived because people were able to grow their own food instead of stealing it. Mr. Anderson stated that, if that happened again, he fears what would happen and members would rue the day that they lowered the food supply.

Mr. Anderson informed members that his family had chickens when he was growing up and they did not cause a disruption to his neighbors or his family. He stated that his neighbors liked it because they were able to get fresh eggs, and other people also had chickens. Mr. Anderson expressed his feeling that times had not changed that much and stated that he was concerned about the encroachment that this represents.

Mr. Hosfelt stated that he also grew up with chickens and he did not consider it a pleasure. He expressed his opinion that the Proposed Ordinance would be impossible to enforce, explaining that someone would complain that they can smell chickens and the homeowner would say they cannot smell them and the City would not be able to prove this in court. Mr. Hosfelt thought that this would be a constant problem for Code Enforcement staff and stated that he did not understand why the City was considering the Proposed Ordinance.

Mr. Slavin reminded members that chickens were currently allowed in the City.

Mr. Sudler asked if the City would require those individuals who have chicken coops to register with the City to help with enforcement. He also questioned how many Code Enforcement officers the City currently has. Responding, Mrs. Townshend stated that the City currently has five (5) Code Enforcement officers.

Mr. Sudler asked if the City had a current list indicating the locations of all the chicken coops in the City. In response, Mrs. Townshend stated that the ordinance, as proposed, would not require registration of chickens, explaining that this requirement would add an additional layer of work for the property owners and staff because staff would have to follow up with people who do not register their chickens. She noted that people do not have to register their dogs or cats with the City.

Mr. Sudler stated that his only concern was that enforcement of the ordinance would be complaint-driven and it was his belief that it could lead to individuals retaliating or targeting people just because they can. Mr. Sudler expressed his opinion that the City should require individuals to register if they are going to have a chicken coop.

Mr. Hare advised members that the ordinance would require chickens to be registered with the Delaware Department of Agriculture and the City could request the list of residents who have registered their chickens. He noted that they could be in violation of State regulations.

Mr. Hare, referring to Mr. Anderson's comments regarding the Great Depression, noted that Council could amend the ordinance in the future, if the need arises.

The motion for adoption of Staff Substitute #1 for Proposed Ordinance #2016-01 with Staff Amendment #1 (SA#1), as recommended by the Planning Commission, was carried by a roll call vote of seven (7) yes (Sudler, Neil, Lewis, Cole, Hare, Hutchison, and Slavin) and two (2) no (Anderson and Hosfelt), and Ordinance #2016-01 was adopted, 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 1 - One-family residence zones [(R-20, R-15, R-10, R-8 and R-7)], Subsection 1.1 - Uses permitted, Subsection 1.15 - Accessory uses, limited to the following of the Dover Code be amended to read as follows:

1.15 Accessory uses, limited to the following:

(a) Professional office or studio of an artist, dentist, musician, teacher, or physician, but not including veterinarians, provided that:

i. Such office or studio is incidental to the residential use of the premises and is carried on by a resident thereon with not more than one nonresident assistant; and

ii. Such office or studio shall occupy not more than 30 percent of the area of one floor of the main building.

iii. Studios where dancing or music instruction is offered to groups in excess of four pupils at one time or where concerts or recitals are held are prohibited.

iv. Medical centers, barbershops, beauty parlors, real estate offices, funeral homes or similar uses shall not be considered permitted accessory uses.

(b) Garden house, tool house, playhouse, greenhouse or pool incidental to the residential use of the premises and not operated for gain.

(c) Private garage, provided that, in the case of a one-family dwelling, such garage shall have a capacity of not more than three passenger automobiles. One such space may be leased to a person not [a] resident on the premises.

(d) Keeping domestic animals as pets, provided not more than three (3) dogs over six months old, shall be permitted.

(e) Keeping of chickens for individual domestic purposes subject to the following restrictions:

i. Keeping of chickens shall not be permitted on lots smaller than 10,890 square feet in lot area.
ii. No more than five (5) chickens shall be permitted on a residential lot.
iii. Chickens shall be registered with the Delaware Department of Agriculture.
iv. Chickens shall be penned in a coop that shall be at least four (4) square feet per chicken.
v. All chicken coops shall be located in a rear yard and shall be a minimum of 20 feet from side and rear property lines.
vi. Any odor associated with the chickens shall not be discernable from property lines.
vii. Keeping of roosters shall be prohibited.
viii. Any lot with chickens shall either comply with these requirements by June 1, 2016 or remove the chickens.

(f) Dormitories accessory to schools, provided that such dormitories conform to the bulk regulations of the RG-1 zone. For purposes of computing bulk requirements, each four rooms shall be considered one dwelling unit. Parking shall be calculated as identified in Article 6-Off-Street Parking, Section 3-Required off-street parking spaces, Paragraph 3.1-Schedule of requirements.

(g) Customary home occupations, provided that:

i. No display of products, goods and/or signs shall be visible from the street.

ii. Such home occupation shall be incidental and secondary to the residential use of the premises and shall be conducted in the principal building by the resident or residents that reside therein.

iii. Nonresident assistants or co-workers shall be prohibited.

iv. Such home occupation shall not occupy more than 30 percent of the area of one floor in the principal building.

v. There shall be no exterior effect such as noise, traffic, odor, dust, smoke, gas, fumes, radiation, or electromagnetic interference.

ADOPTED: APRIL 11, 2016

COUNCIL COMMITTEE OF THE WHOLE REPORT - MARCH 29, 2016

The Council Committee of the Whole Meeting was held on March 29, 2016, at 6:00 p.m., with Council President Slavin presiding. Members of Council present were Mr. Anderson, Mr. Sudler (arrived at 6:01 p.m.), Mr. Neil, Mr. Hosfelt, Mr. Hare (departed at 6:40), and Mr. Hutchison. Mr. Lewis, Mr. Cole, and Mayor Christiansen were absent. Civilian members present for their Committee meetings were Mr. Keller (*Safety Advisory and Transportation*), Mr. Blakeman and Mrs. Stewart (*Utility*), and Mr. Shevock and Ms. Maucher (*Legislative, Finance, and Administration*). Mr. Shelton (*Safety Advisory and Transportation*), was absent.

The Committee amended the agenda to change the order of the committees, as follows: Legislative, Finance, and Administration Committee; Safety Advisory and Transportation Committee; and Utility Committee.

LEGISLATIVE, FINANCE AND ADMINISTRATION COMMITTEE

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

Revenue Policy for Extra Duty/Voluntary Overtime - Annual Review of Hourly Rates

Members were advised that the City policy for Police Extra Duty/Voluntary Overtime provides for an annual review of the hourly rates charged for extra duty to insure cost recovery for providing these services. The hourly rates in the policy are developed based on the average rates paid each officer by rank or the actual wage/benefit rate paid, depending on the service being provided. Each year Staff prepares an analysis to determine if the extra duty revenues exceed the cost of the police officer wages and benefits plus estimated overhead cost.

Mrs. Donna Mitchell, Controller/Treasurer, informed members that the rates were revised as a result of the new Fraternal Order of Police (FOP) Collective Bargaining Agreement. She stated that Staff did not recommend changing the special event rate at this time. Mrs. Mitchell explained that the overhead and hourly rate for extra duty for Dover Downs events was not changed; however, Staff may possibly bring this item back. She stated that Staff would analyze the rates again in July to determine how the special event rates work out for the two (2) large events at Dover Downs in June.

Staff recommended approval of the proposed extra duty rates.

Mrs. Mitchell advised members that sometimes the actual rate plus the rate for workers' compensation and FICA must sometimes be used for the Officer Extra Duty Billing Rates for Grant Related Events, and stated that she would include a note to indicate this on the rate chart.

Responding to Mr. Hare, Mrs. Mitchell confirmed that Staff would bring the policy back for revisions to ensure that the City is not losing money on it. She advised members that the City generally broke even in FY 2015; however, she doubted that the City would break even in FY 2016 because, although the FOP raises were retroactive, the City had already billed several customers and had been through several extra duty jobs. Mrs. Mitchell stated that the proposed rates would get the City back on track for next year, so the City would not be losing money.

In response to Mr. Hutchison, Mrs. Mitchell stated that the proposed extra duty rates had been reviewed by the Police Chief and all interested parties.

The Committee recommended approval of the proposed extra duty rates, as recommended by Staff.

By consent agenda, Mr. Neil moved for approval of the proposed extra duty rates *(Exhibit #2)*, as recommended by the Committee. The motion was seconded by Mr. Anderson and carried by a unanimous roll call vote.

Review of Hospitality and Civic Function Policy

Mr. Hare stated that he had requested that members review the City's Hospitality and Civic Function Policy because he thought there was a need to look at what members of Council pay for and what the City pays for. He proposed that, prior to an event, members submit their request to attend with a one (1) paragraph explanation of how attending the event will benefit the City. Mr. Hare explained that there had been occasions when individual members did not want to attend an event if they have to pay for it but did want to attend if the City pays. He stated that his philosophy had always been that if he wanted to go to an event, he would go whether or not the City pays for it.

Mr. Anderson expressed his opinion that some events are a given or an official duty. He stated that he puts in the budget and attends events that he feels are really important. Mr. Anderson noted that Council specifically budgets for the National League of Cities (NLC), which is all official business, as well as the Delaware League of Local Governments (DLLG). He indicated, for instance, that economic development relates to the Downtown Dover Partnership (DDP), and if Staff would be paid and reimbursed to attend such events, it would only make sense that City Council would also, since that is an organization that the City funds. Mr. Anderson felt that the City has a vested interest in knowing what is going on with regard to this event, knowing who is participating, and in supporting the awards involved. Mr. Anderson noted that the Robbins Hose Company was funded by the City and expressed his feeling that events for City function or a City corporation, such as the Robbins Hose Company or the DDP, should be a given and members should not have to justify them each time.

Responding to Mr. Anderson, Mr. Hare clarified that the Fire Company does not charge members of Council for their attendance, the Company pays for it. Mr. Hare noted that the City funds the DDP but does not fund the Kent Economic Partnership. He felt that if members wanted to attend the Economic Development Dinner, he would assume that they had attended all of the organization's meetings, know what is going on in this regard, and be able to submit a paragraph requesting that it be paid for and explain that they are up to date on everything the Partnership had been doing.

Mr. Hare stated that the City is a member of the DLLG and some members of Council attend the monthly dinner meetings. In regard to the NLC, Mr. Hare recalled that it was former Councilman Francis Weyandt's opinion that when members return from an NLC event, they should submit a report regarding what they learned with their expense information, which kept a lot of people from going. Mr. Hare noted that Mr. Weyandt's philosophy was that members should pay for events up front and then request reimbursement. Mr. Hare expressed his belief that too many members say they will only attend an event if the City will pay for it and, considering the City's current budget, Council should not be in that situation.

Mr. Neil felt that it depended on the purpose of having the money budgeted, explaining that if the purpose is to encourage members of Council to attend events to make sure that the Council is represented, then it serves a good purpose. He stated that it does not hurt the taxpayers if an individual member does not attend an event and the City is not paying for it. Mr. Neil did not see a reason why members would have to submit a request indicating that they wanted to attend an event because they think it is good, as opposed to attending because it is being paid for. He stated that it would not cost the taxpayers any money if members do not attend an event, and he believed that the conversation was moot.

Mr. Hare reminded members that the Mayor budgets for and represents the City at all of these functions. He stated that the key question is whether members would go if they had to pay for it.

Mr. Neil stated his understanding that the purpose is to encourage members of Council, not just the Mayor, to attend events in order to be exposed to what the event is and represent Council. He noted that he recently went to Washington, D.C. for the Capitol Hill visit but is not submitting an expense report for reimbursement because the City paid for the event and he felt that it was his duty to go.

Mr. Sudler stated that he agreed with Mr. Hare that members should provide a report or overview after they attend an event because it is important to share the information. He thought that this would provide transparency to the taxpayers and show them what the City is doing with the money.

Mr. Hare noted that the Kent Economic Partnership has meetings every month and Council has a representative on the committee. He wondered whether members who

do not attend the monthly meetings would attend the Economic Development Dinner if the City was not going to pay for it.

Mr. Hutchison expressed his opinion that the policy should state that if a member signs up to go to an event and the City pays for it but the member fails to attend, the member should be obligated to reimburse the City.

Mr. Anderson stated that he agreed with Mr. Hutchison, except in cases when a member gets ill.

The Committee recommended that the Hospitality and Civic Function Policy be amended to state that if a member goes to an event, depending on the size of the event, they will come back and provide an update to Council regarding the benefits received from the event; if a member goes to a National League of Cities (NLC) event, they would provide Council with a more extensive report of what they learned; and if a member signs up to go to an event and the City pays for it but the member fails to attend, the member will have to reimburse the City.

During the Council meeting, Mr. Lewis stated that he could not support the Hospitality and Civic Function Policy as written. He felt that the Policy should be implemented across the board, to include City Staff, the City Manager, Mayor and other City staff who are entitled to attend events. Mr. Lewis expressed his opinion that members were hunting the wrong animal as far as trying to decrease the budget. He stated that the Delaware League of Local Governments (DLLG) provides education to elected officials, lobbies for better government, and keeps local leaders abreast of what higher elected officials are doing. Mr. Lewis informed members that he, Mr. Neil, Mr. Cole, and Mr. Anderson attend the DLLG seminars to become more educated on how to serve their constituents. Mr. Lewis stated that his concern was not with funding being used to attend the DLLG educational seminars, it was with tables being purchased for $200 or $400 to attend awards dinners, and other events, such as the Economic Development Dinner at Dover Downs and the Governor's Prayer Breakfast.

Mr. Lewis moved that the Hospitality and Civic Function Policy be referred back to the Council Committee of the Whole/Legislative, Finance, and Administration Committee for further revisions. The motion was seconded by Mr. Anderson and failed by a roll call vote of two (2) yes (Anderson and Lewis), six (6) no (Sudler, Cole, Hosfelt, Hare, Hutchison, and Slavin), and one (1) abstention (Neil).

Mr. Hare moved for approval of the Committee's recommendation that the Hospitality and Civic Function Policy *(Exhibit #2)* be amended to state that if a member goes to an event, depending on the size of the event, they will come back and provide an update to Council regarding the benefits received from the event; if a member goes to a National League of Cities (NLC) event, they would provide Council with a more extensive report of what they learned; and if a member signs up to go to an event and the City pays for it but the member fails to attend, the member will have to reimburse the City. The motion was seconded by

Mr. Hutchison and carried by a roll call vote of seven (7) yes (Sudler, Neil, Cole, Hosfelt, Hare, Hutchison, and Slavin) and two (2) no (Anderson and Lewis).

Proposed Ordinance #2016-10 Amending Chapter 2 - Administration, Article IV - Officers and Employees, Division 8 - Deferred Compensation Plan (Sponsors: Cole and Koenig)

Mr. Scott Koenig, City Manager, advised that during their Regular Meeting of March 28, 2016, Council approved the proposed amendments to Article XVII Employee Benefits, Section 3 - Deferred Income of the City of Dover Personnel Policy (Employee Handbook), as recommended by staff, stating that the changes to the Handbook would not become effective until the ordinance amendments are adopted. He reminded members that the proposed amendments to the Handbook reflected changes created by the Dover Organization of Employees (DOE) Collective Bargaining Agreement as well as clarification regarding non-bargaining employees that are in the 401A Money Purchase Plan. Mr. Koenig explained that Proposed Ordinance #2016-10 was the companion document for the Handbook changes. In regard to DOE, he reminded members that there is an existing labor agreement that creates the contractual authorization to modify the matching contributions. In regard to non-bargaining employees, Staff wanted to get the Handbook changes through, and Council authorized the Handbook changes with the condition that they not become effective until the Code amendments are adopted.

Mr. Koenig reminded members that during the Committee meeting of March 15, 2016, he indicated that Staff was working to incorporate all of the retirement related and medical benefits into correct sections of the Code. He stated that this is a major project and, since that time, Staff had taken a step back and decided only to bring forward clear language regarding the 401A Money Purchase Plan.

Mr. Koenig reviewed Proposed Ordinance #2016-10. Referring to Lines 33-34, he reminded members that there is no longer an option for new employees to go into a defined benefit plan, except uniformed police officers who have the option of joining the municipal government plan at the State level.

Mr. Koenig explained that the language regarding contributions in Lines 38-39 and 44-45 would be changed to refer to the plan document, noting that Staff was in the process of modifying the plan document. He stated that the plan document for DOE had been modified and Staff had been preparing a plan document modification that would affect non-bargaining employees if this ordinance is adopted.

Mr. Koenig stated that the proposed amendments will change the 401A Money Purchase Plan required contributions in accordance with the DOE Collective Bargaining Agreement and the City of Dover Personnel Policy (Employee Handbook), and align definitions and eligibility requirements with existing policies. He informed members that if Council adopts Proposed Ordinance #2016-10, it would

amend the contributions of non-bargaining employees from the current 3% minimum match/6% maximum match over time to the 6% minimum match/9% maximum match. The ordinance language relating to the 401A Plan for non-bargaining employees would mirror the language that was adopted by Council for the DOE employees. Mr. Koenig stated that it would not change the 401 contributions for the American Federation of State, County and Municipal Employees (AFSCME) members or the International Brotherhood of Electrical Workers (IBEW) members that are in this plan, and would have no effect on police officer pensions or employees that are in the general pension plan.

Staff recommended adoption of Ordinance #2016-10.

Mr. Anderson stated that he would definitely favor the Proposed Ordinance but noted that it was left completely open ended. He asked whether Staff had looked at an amendment to cap the contribution at approximately $8,500, noting that the City can start capping the City match at some level. Responding, Mr. Koenig stated that there was some discussion about this at the Committee level; however, Staff did not do any calculations on the impact of a calculated match. He stated that if Council wants those numbers, Staff would have to prepare them for the First Reading.

Mr. Anderson expressed concern regarding the open-ended nature of the Proposed Ordinance, noting that the point of it is to make sure that all the employees have a minimum floor that is sufficient for them to retire. He clarified that the point is to make sure that no employee that works for the City retires in poverty, which he believed was a worthy public interest goal. Mr. Anderson explained that in the future someone could get paid $200,000 and get a match for almost $20,000. He felt that there should be a dollar amount cap on what the City matches, not on what an individual can contribute.

Mr. Koenig noted that he respected Mr. Anderson's opinion; however, he stated that placing a cap on the City match would not favor the higher income earners. He explained that the City had gravitated away from simply talking about salary and looking at total compensation across the board. Mr. Koenig felt that, in the long run, a cap would have a negative effect because it would treat people differently as they move up in the income bracket. He stated that a flat fee or a flat percentage would be the same, regardless of income bracket. Mr. Koenig advised that some people at that level are contributing in excess of the 9%.

Mr. Anderson stated that this is not a completely unprecedented idea, noting, for example, that there are dollar amounts, not percentages set for IRAs. He indicated that this would not discriminate because it is available to everyone and the higher income people would still be able to put in the same maximum percentage, according to their income. He was only suggesting a cap on the City contribution.

Responding to Mr. Anderson, Mr. Koenig reminded members that there is no cap on the defined benefit contribution, nor is there a cap on salaries in the police pension. He explained that only the non-bargaining employees that are at a higher income level would be capped.

Mr. Anderson stated that the City does not pay the police pension. In response, Mr. Koenig clarified that the City pays a percentage of payroll for the police pension.

Responding to Mr. Neil, Mr. Koenig stated that if members disapprove and vote down Proposed Ordinance #2016-10, then the non-bargaining group would not have a legal path forward to amend the contributions. He explained that the DOE bargaining unit will move forward with the amended contributions because of the DOE contract. If the ordinance is not passed, the City would not have legal standing to refer back to a document that allows escalation of the contribution for non-bargaining employees.

Mr. Neil agreed with Mr. Anderson's point, noting that looking forward at the finances of the City, the rich get richer. He stated that this is not a bad thing, but thought that it was something that members needed to consider because they would be making an obligation down the line, which he thought members should be very wary of.

Responding to Mr. Neil, Mr. Koenig agreed that this would be an obligation down the line; however, he noted that it is a pay-as-you-go obligation, since there is not a future obligation once the payment is made. He stated that he understood the point, but was unsure at what level the City would make the cap. Mr. Koenig questioned whether it is a cap that would escalate over time and how often Council would review the cap. He indicated that if Council caps the contribution, members would be discussing this issue again, without question. Mr. Koenig reminded members that the non-bargaining employees do not have a path to come and negotiate directly with Council because they are not represented.

Mr. Hosfelt stated that he agreed with Mr. Koenig. He did not understand why members would want to punish or hold back the City's leaders, the department heads who make the decisions on a daily basis. Mr. Hosfelt noted that these are the individuals who put everything together, including the budget, Public Works, and the Police Department. He explained that members have trusted these individuals and put them in positions of leadership and the City pays them a fair wage, but he did not think that holding them back or putting a cap on this would be fair to them. Mr. Hosfelt reminded members that other individuals have a way through negotiations to work this out, but the non-bargaining employees do not have that opportunity and are out there on an island by themselves and at the whim or the will of City Council. He did not see this as fair, noting that if it is good for the lowest person on the pay scale in the Police Department or Public Works, then he thinks that it is good enough for the City's department heads.

Mr. Hare stated that when this was first brought up, it was relayed that it was to help the lower income people so they would be able to retire and have something. He indicated that he agreed with Mr. Anderson and Mr. Neil and, based on the research he had done, he was not aware of any other city in Delaware that has a 9% match for all their employees, including all their upper management employees. Mr. Hare stated that if this was done because the City is worried about the lower income people, he would suggest that the City cap it at $100,000, and that would be a $9,000 maximum a year. He noted that the City can always revisit this matter in a year, two (2) years, or three (3) years if all of a sudden the salaries of 30 of the non-bargaining people were over $100,000. Mr. Hare stated that he had never heard of a 9% match on a 401K anywhere, in private business or local government. He explained that if it was done to help the lower income individuals, then he could support it, but he agreed with Mr. Neil and Mr. Anderson.

Mr. Shevock asked if the 9% being discussed was based on an employee's total salary or what they are putting in the 401K. Responding, Mr. Koenig stated that it is a percentage of the employee's base salary. He explained that under the new minimums, as it escalates, there will be a point where the minimum is 6% that the employee must contribute, and the City will match up to 9%. Mr. Koenig stated that the City has $40^{+/-}$ non-bargaining employees and a certain percentage of those employees are only going to contribute the minimum, while a couple of people are going to contribute over 9%, so the City's exposure would be up to 9%.

In response to Mr. Shevock, Mr. Koenig clarified that individual employees can go over the matches, up to a certain amount of money. He stated that the current maximum is 6% and there are a number of employees that are contributing more than 6% because they want to put additional funding into their retirement. There are a few people that are currently contributing over 9%, who will probably continue to contribute that amount of money. He stated that it is purely on an individual basis.

Mr. Sudler stated that he appreciated the initiative in regard to wanting to help out the lower income, lower paid employees; however, he questioned how much the employees can realistically contribute when they are currently having a hard time, not getting paid that much, and need money right now to pay their bills and monthly expenses. Mr. Sudler thought it was fine if the individuals who have the extra money can take advantage of it, but he did not think that the individuals at the lower end would be able to contribute 9% the way that the economy is now.

Responding to Mr. Sudler, Mr. Koenig stated that any increase from 6% to 9% is voluntary and individual employees make this decision based on whether they can afford to or want to do it, or whether they want to make adjustments to do it. He clarified that this would move the minimums from 3% to 6% and the maximums from 6% to 9%.

Mr. Hosfelt stated that this is a group of employees who have nobody to speak for them but the City Manager, and they speak for themselves. He reminded members that these were the same people that Council did not give a pay raise to last year and instead gave a bonus, which does not carry them far. Mr. Hosfelt stated that Council hit them once, is now going to hit them again, and who knows what this budget is going to bring. He noted that he sees this as a way to compensate good people for good work. Mr. Hosfelt stated that he is very fortunate that he collects a pension, and he knows how important that is. For those that do not have that ability to collect a pension, he saw this as an important step. He did not think it matters whether Dover is the only city in the State that does this, and believed that others should follow suit. Mr. Hosfelt stated that he thought this is a way to treat the City's employees for good work.

Mr. Neil stated that he did not regard asking for a cap at some point as being disrespectful and thought that it is a very generous contribution; however, at 9%, he believed it deserved some comment. He stated that the employees have the ability to contribute the maximum and go above it if they want. In his opinion, it was a question of looking forward in the future for the City, not an insult of the work that the leaders do. Mr. Neil noted that Council evaluates them and has a chance to say how good they are and compliment them, etc. He stated that he thought that it would be a little bit over generous at this time, looking down the road.

Responding to Ms. Maucher, Mr. Koenig explained that currently the minimum is 3% and Staff is proposing to escalate to 6% between now July 1, 2018. The maximum match right now is at 6% and that would escalate and mirror proportionately to 9% between now and July 1, 2018, when 9% would be the available number. He stated that the area between 6% and 9% is driven by what the employee wants to do. They do not have to contribute more than 6%, but they have to contribute at least 6% when those minimums are reached.

Ms. Maucher asked how much the City would contribute if an employee contributed 7%. Responding, Mr. Koenig stated that if an employee contributed 7.25% and the max was above 7.25, the City would match the contribution. He explained that it cannot be unbalanced towards the City but it can be unbalanced towards the employee. There could be an employee who contributes 15% of their salary, but the City's exposure would be whatever the maximum is.

Ms. Maucher asked what the income ranges are for those who are contributing over the current 3% up to 6%. In response, Mr. Koenig explained that the range for non-bargaining employees is between the low to upper $30's, up to the mid $120's. He noted that there are administrative assistants in confidential positions who are being paid in the upper $30's or perhaps low $40's, while his position is in the mid $120's. Mr. Koenig indicated that there is a wide range in this area, explaining that, at this point, a lot of the non-bargaining employees are in executive level

management; however, there are a number of confidential administrative assistant positions throughout the organization that represent the lower end of that scale.

The Committee deferred this matter for further discussion.

South Bradford Street Streetscape Enhancements (Division Street to Loockerman Street) - Transportation Enhancement Program Agreement

Mr. Scott Koenig, City Manager, informed members that the South Bradford Street Streetscape Enhancements project consists of the design and preparation of contract documents, explaining that it involves streetscape improvements along South Bradford Street from Loockerman Street to Division Street. Improvements include curb and sidewalk replacement, American with Disabilities Act (ADA) upgrades, curb ramp improvements, crosswalk improvements, and pedestrian lighting.

Mr. Koenig stated that this project is part of the transportation enhancement program through the Delaware Department of Transportation (DelDOT), the application for this grant was initially filed by the Downtown Dover Partnership (DDP), and the DDP was selected through a competitive process. He explained that the conceptual side of this plan had come to an end and there must be a contract in order to move forward. Since the DDP cannot entertain that contract, the project must shift to the City of Dover to move forward. Mr. Koenig stated that the City's exposure on the design side is approximately $25,000 of the estimated $125,000 design fee. The City will cover that portion of the agreement using either community transportation funding or funding from the street program. He stated that this would basically lock the City into receiving State money, similar to a grant award.

Mr. Koenig advised members that this project will enhance the sidewalks, add brick accents, improve the landscaping, and improve the street lighting. He explained that since approximately $1M will be spent on sidewalk and visual improvements, the City will also do the sewer and water replacement along this corridor prior to the actual construction of the sidewalks, lighting, and other improvements and will likely complete the paving afterward.

Mr. Koenig explained that this is only one (1) component of the overall project but this is the component that has third-party funding. He stated that when the project goes to construction, there will be an 80/20 match. Since it is a $1M construction project, the State will provide $800,000 and the City must provide the 20% match, which can come from either community transportation funding, street program funds, or other general fund projects that may finish under budget.

Mr. Koenig informed members that the conceptual design was just finished, design will take approximately a year to finish, then construction would probably be 12 to 18 months away, which will give the City time to replace the utilities and prepare for the sidewalk and lighting enhancements.

Staff recommended authorization to execute the agreement to initiate the design for this streetscape improvement project.

The Committee recommended authorization to execute the agreement to initiate the design for the South Bradford Street Streetscape Improvement Project, as recommended by Staff.

By consent agenda, Mr. Neil moved for approval of the Committee's recommendation, seconded by Mr. Anderson and carried by a unanimous roll call vote.

SAFETY ADVISORY AND TRANSPORTATION COMMITTEE

The Safety Advisory and Transportation Committee met with Councilman Hosfelt presiding.

Proposed Ordinance #2016-09 Amending Chapter 98 - Streets, Sidewalks, Storm Sewers and Other Public Places, Article I. - In General, Section 98-10 - Speed Reduction Devices; Appendix A - Subdivisions, Article VI - Subdivision - General Requirements and Design Standards, Section A - Streets, Paragraph 1; and Appendix B - Zoning, Article 10 - Planning Commission, Section 2 - Site Development Plan Approval, 2.54 - Proposed Development (Sponsors: Hosfelt and Cole)

During the Safety Advisory and Transportation Committee meeting of October 26, 2015, members discussed prohibited speed reduction devices as a result of a discussion that took place at a neighborhood meeting at the Greentree Shopping Center involving the owner of the property as well as business owners. Mr. Hosfelt stated that he would like the Committee to continue this discussion after a couple of months, which would allow him time to do further research, especially in regard to speed cushions. He stated that this subject would not be put aside and was worth investigation.

During the Council Committee of the Whole/Safety Advisory and Transportation Committee meeting of March 29, 2016, Mr. Hosfelt reminded members that some of the business owners in the Greentree Shopping Center had expressed safety concerns which led to a discussion regarding whether speed bumps or speed humps were permitted on private property. He stated that, historically, the City of Dover had not had speed bumps or speed humps because the Police and Fire Departments had always stood against them because of response times and safety for their people. Mr. Hosfelt explained that after meeting with business owners in the Greentree Shopping Center, he met with Police Chief Paul Bernat and the newly elected Fire Chief, Carleton Carey, Jr., to discuss this concept. He reviewed a photo depicting a speed cushion, noting that it was unlike a typical speed bump where the entire roadway is covered with an increased asphalt. Although he had not seen a speed cushion in person, he had been informed that they were utilized in Harrington, Delaware, where they were well used and liked.

Mr. Hosfelt explained that Proposed Ordinance #2016-09 would permit speed cushions on privately owned commercial property. He indicated that the devices would be tested on private property and at some point the City may desire to try them on a public roadway. Mr. Hosfelt advised members that it appeared that installing these devices would satisfy business owners on private property. He expressed his belief that two (2) of the biggest proponents would be the Greentree Shopping Center and Eden Hill Medical Center, noting his understanding that some speed cushions had actually been put in place by owners who had not been aware that the City was discussing this matter. Mr. Hosfelt noted that comments regarding this proposal had been provided by Mr. Timothy Mullaney, Jr., Fire Marshal, and Mr. Jason Lyon, Water/Wastewater Manager, Public Works Department, who were not in favor of speed cushions.

In response to Mr. Hutchison as to how the devices are put in place and if they can be removed, Mr. Hosfelt expressed his belief that they are bolted or secured in place and would not move around the roadway. He stated that the width in the lane of travel between humps would allow for fire apparatus, garbage trucks, and other large vehicles.

Mr. Neil stated his understanding that vehicles would have to slow down to approximately 25 miles per hour before going over the speed cushions, which are slotted. He indicated that speed cushions had been discussed in regard to speeding issues on North State Street. Mr. Neil expressed his hope that the Police Department had helped to slow down traffic in the North State Street area, noting that he had not heard much about this recently.

Mr. Hosfelt stated that the proposal was not for public roadways like North State Street, noting that there were similar speeding problems on Independence Boulevard in Bicentennial Village. He stated that the intent was to use speed cushions strictly on private property and the cost would be the responsibility of the business or property owner and not the City.

Mr. Hosfelt pointed out that Mr. Lyon had expressed concerns regarding possible damage to vehicles and unnecessary stress on the vehicles and operators; however, Mr. Hosfelt did not see this as an issue with the width and pathway specifications that had been built into the ordinance.

Mr. Scott Koenig, City Manager, stated his belief that the City did not pick up trash in the Greentree Shopping Center, so the devices would not be a problem for trash collection vehicles. He noted he was not really interested in the City collecting trash for large shopping centers; therefore, if this became a problem for garbage trucks, the City would be willing to make this trade-off if necessary. In addition, Mr. Koenig explained that the City does not plow large shopping centers, so there would be no issue with snow plowing equipment. He expressed his belief that the statute should really just be related to private streets, but noted the potential for gravitation to public

streets. Mr. Koenig stated that speed cushions could cause operational issues if installed on public streets because there would be an associated cost. Given the level of frustration that some property owners have with this issue, he felt that the devices were something that the City should try, noting that the ordinance could be amended in the future if it does not work.

Mr. Hosfelt advised members that he had met with Mr. Koenig to get his comments and thoughts on the Proposed Ordinance before bringing it to the Committee.

Mr. Hutchison expressed his opinion that the proposal was an excellent way to help the Police Department address public safety issues and concerns since police officers cannot be everywhere. He stated that Christiana Mall has speed bumps and they work in slowing traffic.

Mr. Neil moved to recommend adoption of Proposed Ordinance #2016-09, seconded by Mr. Keller.

Mrs. Traci McDowell, City Clerk, advised members that Mr. Mullaney had advised her that there is a fire lane in front of the Greentree Shopping Center and stated her belief that this is where the speed cushion was proposed to be installed. She noted that Line 27 of the ordinance prohibits use of the devices in fire lanes and questioned if members wished to strike “fire lane” from this line of the Proposed Ordinance.

Mr. Hosfelt advised members that the proposed change would strike through the two (2) words "fire lane" in Line 27 of the Proposed Ordinance.

Mr. Neil and Mr. Keller stated that they were willing to include this change in the motion.

Mr. Slavin questioned if speed cushions would be installed in both the front and rear of the Greentree Shopping Center. Responding, Mr. Hosfelt stated that this would be the choice of the owner.

Mr. Slavin stated that the issue of speeding was more of a concern in the rear of the building. Responding, Mr. Hosfelt indicated that he anticipated speed cushions would go in the rear of the building first.

The Committee recommended amending Line 27 of Proposed Ordinance #2016-09 by striking the words “fire lane” and adoption of the ordinance, as amended.

By consent agenda, Mr. Neil moved for approval of the Committee’s recommendation, seconded by Mr. Anderson and carried by a unanimous roll call vote. (*The First Reading of the ordinance will take place during the latter part of the meeting*).

Discussion - Assignment of Dedicated Police Athletic League (PAL) Officer
During the City Council meeting of February 22, 2016, members referred this matter to the Committee for discussion.

Police Chief Paul Bernat provided an overview of the Police Department, noting that the Department is currently authorized for 101 police officers and at full strength, but has recruits and officers in training. He explained that six (6) officers would be in Field Training Officer (FTO) training through May 14, 2016 and three (3) recruits are in the Delaware State Police Academy. Chief Bernat informed members that the 101st officer, Mr. Timothy Mullaney, Jr., was hired on Monday, March 28, 2016, noting that Mr. Mullaney is a certified officer (City Fire Marshal) and will receive 14 weeks of FTO before being released. Chief Bernat stated that there was one (1) officer with an official resignation date of June 30, 2016 and four (4) officers are on light duty. He advised that a lieutenant was beginning week three (3) of a ten (10) week training program at Northwestern Police Command School this week, a detective was in week four (4) of a ten (10) week training program in a Crime Scene Investigation (CSI) school, four (4) officers were getting ready to attend Special Operations Response Team (SORT) training for 80 hours, and a K-9 officer was getting ready to attend a 12-week training program from April through July.

Chief Bernat informed members that the Department has implemented the beginning stages of the Police Athletic League (PAL) program and Master Corporal (MCpl.) Keith Hester was transferred to PAL on February 7, 2016. He stated that Mcpl. Hester has over 19 years of experience working with youth and is an extremely dedicated youth police officer.

Chief Bernat reminded members that in January 2015, the Police Department requested 10 additional police officers from City Council. The Department specifically asked for two (2) officers to be dedicated to PAL, which could be confirmed by a review of the minutes of the Legislative, Finance, and Administration Committee meeting of January 12, 2015. He explained that, when attending meetings or speaking to the public, he is continually asked when the Department will start a PAL program, and he felt it necessary to identify the PAL officer and begin the preliminary processes for the program this past February. Chief Bernat indicated that with the PAL officer selected, the background work had begun. Staff had met with Mr. Robert Jameson, Executive Director, Police Athletic League of Delaware, and had been granted permission to start the City's program under the New Castle County Police Department's umbrella for PAL. Chief Bernat informed members that the Dover Police Department is in the infant stages of starting a PAL basketball program, noting that the start-up of the City-wide PAL basketball league will demonstrate to corporate PAL the City's capability and dedication to the program. He stated that once the program is completed and measured, the Dover Police Department will have data to present to the PAL Board, which will allow for the development of the sole City of Dover PAL organization. Chief Bernat estimated incorporation for the Dover Police Department PAL in early Fall of 2016, noting that

contact had been made with Mr. Kevin Baird, Esq. to discuss this process and he was very willing to help. Chief Bernat indicated that two (2) professional grade, safe basketball hoop systems and basketballs had been purchased, t-shirts were on order for the summer leagues. He stated that the City's Parks and Recreation Department would provide two (2) additional hoop systems and would be an active partner in the summer league. MCpl. Hester had received permission to use the courts at the Elizabeth W. Murphey School, and he and Sergeant Robbins had repainted the outside basketball courts on the Murphey School property. Chief Bernat noted that PAL basketball will be present at community outreach events on April 1, 2016 and June 11, 2016. He stated that MCpl. Hester will vet and train officers to fill positions at PAL program events, and these officers will be deployed under extra duty protocols.

Chief Bernat advised members that a $580,000 grant had been received from the Joint Finance Committee (JFC) and Attorney General Matt Denn last year, and 640 hours connected with this funding is dedicated to community events. He explained that part of this funding would be used toward the PAL program.

Chief Bernat explained that there are several moving parts in the Dover Police Department, and the Department is moving in the right direction. He reminded members that he had been the Chief of Police for two (2) years, and the past two (2) years had been very challenging. In 2015 the Department experienced seven (7) retirements and 21 (62%) of the individuals in the Department's 34 supervisory positions are new supervisors. Chief Bernat explained that the Police Department is a young department that will be well trained and highly motivated to protect and serve the citizens of Dover. He stated the importance of connecting with the community and that it was equally or more important to connect with the youth because they are the future. Chief Bernat felt that the City would be a better place to live if the Police Department could build a better rapport and understanding of law enforcement officers for children in the community.

In response to Mr. Hosfelt, Chief Bernat confirmed that he intended for MCpl. Hester to be the permanent PAL officer. He noted that MCpl. Hester would be eligible to retire in three (3) years, and expressed his hope that the position could be civilianized after MCpl. Hester's retirement.

Mr. Hosfelt questioned if the grant money that Chief Bernat mentioned paid for the extra duty coverage. Chief Bernat stated that funds received from the JFC would cover 640 hours, which would run out after one (1) year; however, the Department would look for other funding sources.

Mr. Anderson noted that the City previously had a PAL program that disappeared due to retirements and other needs in the police force. He asked Chief Bernat whether the City had been better off with or without the PAL. Responding, Chief Bernat expressed his opinion that the program makes a difference. He advised members that

a couple of former participants had recently been hired by the Department, noting that Detective Jordan Miller was one (1) of them. Chief Bernat felt that changing even one (1) life makes a difference and stated that they would change more than one (1) life.

Mr. Sudler thanked Chief Bernat for doing an excellent job. He asked if consideration had been given to having someone provide education on juvenile delinquency and appropriate behavior, in addition to the sports program. Responding, Chief Bernat stated that this would be a good idea.

Mr. Neil stated that in his youth he was led to believe that police officers were heroes. Noting the temptations for young people, he felt it was important for young people to see police officers as the good guys and he applauded their efforts.

Mr. Slavin indicated that his job would be to answer the questions of constituents. He questioned the need for a master corporal to be the program lead. Noting the plan to civilianize the position, Mr. Slavin inquired why the Department would not begin with a civilian division, stating his assumption that there would be a difference in salary between a civilian and an officer position. Responding, Chief Bernat explained that MCpl. Hester has 19 years of experience and he could not think of a better person to get the program started. He stated that, as with a house, there was a need to build a proper foundation or the program would collapse.

Mr. Slavin felt there would be an appearance that the City had authorized more officers than needed to go out on the streets to deal with the threat of violence, if a master corporal, which is a fairly significant position within the Department, was being placed on non-patrol duty. He felt that he could better explain this to constituents since Chief Bernat had provided clarification.

Mr. Slavin asked if the force would be reduced by one (1) position if the position were civilianized. In response, Chief Bernat indicated that he could not answer that right now but would be prepared to do so.

Mr. Slavin stated his understanding that the authorized officer position would serve the PAL purpose for three (3) years. He questioned if the need for the authorization would go away when the position goes to the civilian side. In response, Chief Bernat felt that it was important to have at least one (1) uniformed officer involved and that it was equally important to have the involvement of retired officers, who do not cost as much. He reiterated the importance of having a good foundation for the program.

Mr. Slavin stated that he was encouraged by a comment that Chief Bernat had made to him about his philosophy of building the program where the kids are located by looking for connections in the community, school, and places where they already gather and placing parts of the PAL program there. He stated that he applauded this

model, which had been used by the Boys and Girls Clubs for a variety of their programs.

Chief Bernat explained that Central Middle School would be the key area, noting that MCpl. Hester had been a School Resource Officer at that location for 18 years.

Mr. Hutchison stated that Camp Barnes, run by the Delaware State Police; the Boys and Girls Club in the City and throughout the State of Delaware; and PAL programs had been able to accomplish a great deal over the years, and he felt there was nothing that the Dover Police Department could do that would be more important than addressing the issues and concerns of young people. He stated that the Police Department makes a difference and expressed the importance of a good foundation that will allow an opportunity to build for the future, noting that people could be saved. Mr. Hutchison stated that it is amazing how many individuals can be reached, noting that he serves on the board of the Elizabeth W. Murphey School and 30 to 35 students go there on a regular basis. He informed members that over 5,000 kids have gone through the Murphey School in the last 90 years and the establishment is still in business. Mr. Hutchison stated that he is a huge supporter of taking care of youth but acknowledged that there is a cost involved. He felt that this was a good cost because there is a benefit received.

Request For Left-Hand Turn Signals - Queen/Water Street and State/Water Street Intersections

During their meeting of September 28, 2015, the Committee recommended endorsing a letter to the Delaware Department of Transportation to study the Queen/Water Street and State/Water Street intersections.

Mr. Scott Koenig, City Manager, informed members that in October 2015, he forwarded a request from the City of Dover to Mr. Mark Luszcz, Chief Traffic Engineer, State of Delaware Department of Transportation (DelDOT) regarding the potential installation of left turn signals at the intersections of State/Water Street and Queen/Water Street. He informed members that he received an official reply from Mr. Luszcz on Friday, February 26, 2016, which did not indicate that the installation was needed; however, it also stated that if DelDOT did this installation there would only be a minor degradation of the intersection function and it would prevent the City from asking for additional study in the future. Mr. Koenig advised members that the State had basically acquiesced and indicated that if the City wants the left-turn arrows installed, DelDOT will put them on the design schedule and install them as soon as funding permits. Mr. Luszcz hoped that they would be done in FY 17, which would begin July 1, 2016, and this would eliminate the need for DelDOT to study this intersection going forward. Mr. Koenig indicated that, from staff's standpoint, there had been testimony that the arrows would be a reasonable improvement and he thought that most drivers would concur. He expressed his opinion that, in this case, the City would be ahead of the curve in transportation requests at these two (2) intersections.

Staff recommended authorizing the changes to the traffic signal phasing and allowing DelDOT to program and implement the changes as soon as funding permits.

Mr. Hosfelt stated that he agreed with Staff's recommendation.

The Committee recommended authorizing the changes to the traffic signal phasing and allowing DelDOT to program and implement the changes as soon as funding permits.

By consent agenda, Mr. Neil moved for approval of the Committee's recommendation, seconded by Mr. Anderson and carried by a unanimous roll call vote.

Safety Concerns (Sudler)

The Elks Lodge - 217 North Kirkwood Street

Mr. Sudler informed members that the Kirkwood Street community and surrounding neighbors had lost confidence in the ability of Dover Elks Lodge #1125, located at 217 North Kirkwood Street, to provide adequate security and safety measures for the general well-being of their community. They had reached out to the Lodge leadership and had not been able to come to a happy medium in regard to a soft approach to solving their concerns. Mr. Sudler stated that in February 2016, a meeting was held at City Hall to discuss various options for the current City ordinance and State doctrine to classify the Elks Lodge as a nuisance property. Attendees included Council President Slavin; Councilman Hutchison, who represented the Safety Advisory and Transportation Committee; Councilman Sudler; Representative Sean Lynn, 31st District; Mr. Albert J. Roop, Department of Justice; the Kirkwood Neighborhood Watch Executive Committee; and residents of Queen Street. Mr. Sudler stated that another meeting was scheduled for April 6, 2016 at 11:00 a.m. at City Hall, and indicated that he would update members regarding this meeting.

Mr. Hosfelt asked whether management from the Elks Lodge attended the meeting. Responding, Mr. Sudler indicated that the group had been unsuccessful in contacting the management of the Elks Lodge, although a community meeting was held with them in July 2015. He noted that a couple community meetings had been held.

Mr. Anderson stated that meetings had been held with members of the community and an action plan was agreed upon that included various facets, such as reviewing the type of music the DJ's would be playing and looking at hiring off-duty Dover police officers for random times so that there would be someone with authority to move people who are in the streets. He explained that the music in the area was loud and people would bring their own alcohol and set up their own parties outside, where 90% of the problems were occurring. Mr. Anderson stated that approximately nine (9) months had gone by and none of the steps toward the action plan had occurred. Communication had broken off, and this had been a continuing problem.

Mr. Anderson expressed frustration, since the idea had been to work with the Elks Lodge and the community on a solution, and a solution was agreed upon and the neighbors did their part. The agreement was to form an active neighborhood watch association and take other actions; however, the Elks Lodge part of the agreement never materialized, so only half of the agreement had been kept, which was also a continuing problem.

Mr. Sudler stated that Police Chief Paul Bernat was also present at the first meeting and the Police Department had been very supportive in trying to address the concerns of the Kirkwood Street Neighborhood Watch and providing information. He indicated that the Neighborhood Watch was working with the Dover Police Department to try to obtain feedback from the Elks Lodge leadership to see if they would comply; however, no one appeared to be accessible to sit down and talk.

Mr. Slavin thanked Councilmen Sudler and Anderson for continuing to follow this issue. He advised members that at one (1) of the related meetings he attended, a multi-pronged approach was discussed. Those in attendance planned to check on the corporation and business license status of the company, as well as their exemption from property taxes. Mr. Slavin stated his belief that under their original charter they had set themselves up as a charitable organization, and there was some question as to whether they are charitable. In addition, those in attendance planned to check with the International Order of the Elks to see if this Lodge is in good standing, which would impact their exempt status with the City. Mr. Slavin felt that something would be found that would help to get to the root of this.

In response to Mr. Hutchison as to whether the police had any contact with the Elks organization, Chief Bernat indicated that Major Marvin Mailey, Deputy Police Chief, had been trying to contact this Lodge with negative results. He stated that he had heard that Mr. Dillard Christmas passed away in a traffic accident approximately two (2) or three (3) weeks ago and Chief Bernat felt that this was related to the difficulty in making contact with the Lodge. Chief Bernat advised members that the number of related complaints being received had dropped somewhat, noting that only five (5) had been received this year to date, including two (2) disorderly conducts with one (1) resulting in an arrest, one (1) gone on arrival (GOA), and one (1) gunshot. After investigating the gunshot, it was determined that an individual had shot themself in the leg. There was also a fraud-related domestic complaint. Chief Bernat stated that the Community Policing Unit is involved and Master Corporal Jennifer Lynch had attended two (2) neighborhood watch meetings that were held in February and March 2016, and another meeting was scheduled for April. He advised members that the Police Department is active in this area and was seeing some results. Chief Bernat stated the importance of contacting the Elks Lodge management, noting that the Police Department had found in the past that meeting with management seemed to get their attention.

Mr. Hosfelt stated his belief, based on past experiences, that the problems would return when the weather warms up and people begin opening their windows again.

Mr. Sudler stated that members of the community were encouraged to call with their concerns; however, they indicated that they did not want to call because they felt that if the police came to their houses, they would be targeted and there would be retaliation. He advised that a vote had been held regarding whether the community wanted the Elks Lodge to be closed and some people indicated that they wanted to participate; however, they were afraid of being seen going to vote and being targeted or retaliated against. Mr. Sudler felt that retaliatory acts play a significant role in complaints from the community. He noted that he was glad that complaints had decreased, but did not feel that this was a strong indicator. Mr. Sudler explained that his constituents had expressed that there was no point in calling since they had been dealing with this issue for years and felt that nothing would be done. He advised members that his constituents wanted something to be done, and he would like to get something done on behalf of his constituents. Mr. Sudler stated that 10 years of complaints had been reviewed and they had been extensive. He indicated that one (1) of the tactics planned to be used now was to see how many complaints are received from the surrounding areas on Queen and Cecil Streets, not just those from Kirkwood Street.

Chief Bernat noted that Fulton Street seemed to be a hot spot now as well. He informed members that a lot of extra-duty foot patrols were being used to saturate this area and they had been bringing results.

Mr. Sudler indicated that Mt. Zion A.M.E.. Church has some concerns about a store in that area.

Mr. Hosfelt stated that if someone were to call and report a crime, police officers would not have to show up on their doorstep. Chief Bernat concurred, stating that an individual reporting concerns could request to remain anonymous or tell the dispatcher that officers should not come to their house because they do not want retaliation. Although their information will appear on the dispatcher's screen, an individual can request that they not be contacted or request to remain anonymous.

Mr. Anderson stated that some people felt more comfortable making an appointment to talk with the police at the police station instead of having someone come to their home, which was an option that the Dover police made readily available. He indicated that looking at non-conforming use in residential areas had also been discussed and felt that this should be looked at when there is a threat to public safety. Mr. Anderson expressed his opinion that this should be an important part of the City Code, not just for one (1) area but as a general principle. He indicated that he has no problems with non-conforming uses but does have problems when such uses endanger people and there is no mechanism for review. Mr. Anderson expressed the need to move forward quickly on that principle.

Hamlet Shopping Plaza

Mr. Sudler advised members that business owners and residents in the area of the Hamlet Shopping Center were concerned about aggressive panhandling and youth gang activity in the Center, which they feel have impeded their future potential profits and sales. He indicated that these business owners and residents were orchestrating a commercial and residential neighborhood watch program.

Mr. Sudler informed members that a meeting was conducted at Tom's Bullpen, 1035 Walker Road. Attendees included Councilman Sudler; Council President Slavin; Representative Sean Lynn, 31st District; Councilman Anderson; a Dover Police Department community police officer; and code enforcement staff from the City. There were approximately 45-60 participants who voiced their concerns and remedies were provided. Mr. Sudler stated the intent to hold a follow-up meeting in approximately three (3) months to assess the increase or decrease in the activities that caused complaints and offered to provide an update following that meeting.

Mr. Anderson questioned if, as a result of the meeting, the Hamlet residents and community had worked with the Community Policing Unit to start a neighborhood watch association. Responding, Mr. Sudler indicated that business owners and residents had exchanged information in this regard and stated his intent to check with the point person to see how this was coming along.

Mr. Anderson felt, since the community was being proactive, that the City should be supportive of their efforts and make sure they get the resources to be successful, and Mr. Sudler concurred.

Mr. Sudler informed members that he shops at the Hamlet Shopping Center quite often and some business owners there had seen an increase in the police presence. He noted that criminal activity is deterred when officers park their vehicles and sit there, and he had observed police officers at the property. He thanked the Police Department and Police Chief Paul Bernat for their strong presence at this location.

Mr. Keller advised members that there was a gentleman employed by the 7-11 Store in the Hamlet Shopping Center whose presence had been helpful and who people look up to. He suggested that if there was any way the City could help this individual, this should be done. Responding, Mr. Sudler stated his belief that the gentleman's name is Corey, and he had acted as a security officer and mentor to some of the youth in the area. Mr. Sudler indicated that this individual had asked if the City could assist him in obtaining a security job in the Shopping Center or with the Dover Police Department. He had informed the gentleman that he was unsure if the Dover Police Department was taking on civilians but that he would ask. Mr. Sudler felt that this individual had done an excellent job of helping to keep the area clean and free from debris and criminal activity, but was unsure if he was still at this location.

In response to Mr. Hosfelt, Mr. Sudler stated that the management team for the Hamlet Shopping Center was not present at the meeting, noting that he had been unsuccessful in reaching out to the property owner. A representative of the Hamlet Homeowners Association was present, and Mr. Sudler had made contact with the president of the association.

ShotSpotter Gunshot Detection and Location Service

Due to time constraints, Mr. Anderson requested that the matter of the viability of the ShotSpotter Gunshot Detection and Location Service be referred to staff for review and that it be discussed during the next Safety Advisory and Transportation Committee meeting.

The Committee recommended that the matter of the viability of the ShotSpotter Gunshot Detection and Location Service be referred to staff for review and that it be discussed during the next Safety Advisory and Transportation Committee meeting.

By consent agenda, Mr. Neil moved for approval of the Committee's recommendation, seconded by Mr. Anderson and carried by a unanimous roll call vote.

UTILITY COMMITTEE

The Utility Committee met with Chairman Hutchison presiding.

Annexation Request - 1411 and 1417 South Governors Avenue, Owned by Heartland Delaware, Inc.

Mrs. Ann Marie Townshend, Director of Planning and Community Development, reviewed a Petition to Annex and Rezone property located at 1411 and 1417 South Governors Avenue, owned by Heartland Delaware, Inc. She advised members that the subject properties were located between Route 13 and Governors Avenue, immediately south of Webbs Lane. Mrs. Townshend explained that the two (2) parcels north of the subject properties, including the Wendy's restaurant, are currently located within City limits. She stated that the owner wants to make some improvements that would involve the use of all of the properties, and the annexation of the two (2) subject properties into the City limits would make that a clean process.

Mrs. Townshend informed members that the Comprehensive Plan Designation for the subject properties is Category 2: 0 to 10 years priority annexation areas. She noted that it had been approximately seven (7) years since the City's Comprehensive Plan was adopted, so this was on target.

Mrs. Townshend advised that the present use is principally commercial with a little bit of residential. The Comprehensive Plan Land Use Designation is medium density residential; however, Staff believed that the City can work with the State Planning Office to characterize it as a minor variation. She explained that the land use classification for the properties that are currently in the City are indicated as

commercial in the Comprehensive Plan, and this was colored as residential, along with Rodney Village.

Mrs. Townshend stated that the Wendy's is currently served by City water, sewer, and electric, and the house structure currently has City electric. She advised members that City water and sewer services are available off of South Governors Avenue.

Staff recommended proceeding with annexation of the properties.

Responding to Mr. Neil, Mrs. Townshend confirmed that, once annexed, these properties would fall under the City for assessment purposes.

Mr. Anderson questioned what was driving this annexation request. In response, Mrs. Townshend stated that she was not exactly sure what the owner's development plans are but that the owner does plan to improve the property and being in the City would make the improvements easier to achieve.

Mr. Anderson noted that the surrounding properties were commercial and that it would probably be easier to get a commercial designation by annexing the subject properties into the City than it would be for the County to change its plans. Responding, Mrs. Townshend stated that the subject properties are currently zoned BG (General Business), which is commercial in the County. She explained that if the owner is going to do any expansion of the sewer or water infrastructure on the properties, it would require annexation into the City, which is most likely the reason for the annexation request. Mrs. Townshend stated that this owner was proactive, noting that people typically come to the City when they are ready to hook up and then find out that they cannot.

Mr. Blakeman asked if Heartland Delaware, Inc. owned any other property in the City. In response, Mrs. Townshend stated that the only properties that she was aware of were the subject properties and the two (2) properties located immediately north of these properties.

The Committee recommended proceeding with annexation of the properties, as recommended by Staff.

By consent agenda, Mr. Neil moved for approval of the Committee's recommendation, seconded by Mr. Anderson and carried by a unanimous roll call vote.

Annexation Request - Property Located Adjacent to State Route 1 and Surrounding the Intersection of Leipsic Road and Persimmon Tree Lane Including Three (3) Unaddressed lots of a Single Parcel (Lots 8, 9, and 10A) and Property Located at 1229 Persimmon Tree Lane (Lot 18), Owned by Dover International Speedway, Inc.

Mrs. Ann Marie Townshend, Director of Planning and Community Development, reviewed a Petition to Annex and Rezone property located adjacent to State Route 1 and surrounding the intersection of Leipsic Road and Persimmon Tree Lane, including three (3) unaddressed lots of a single parcel (Lots 8, 9, and 10A) and property located at 1229 Persimmon Tree Lane (Lot 18), owned by Dover International Speedway, Inc.

Mrs. Townshend informed members that, during their meeting of March 28, 2016, City Council considered a rezoning request and first reading of Proposed Ordinance #2016-15 for property owned by Dover International Speedway, Inc. that is already within City limits. She stated that staff had been working with Dover International Speedway, Inc. for approximately one and one-half years to annex all of the properties used for festivals, camping, and other activities associated with the race and festivals into the City under a common zoning classification of RC (Recreational and Commercial). Mrs. Townshend reminded members that the City recently adopted text amendments to the RC zone that allow the City to manage some of the issues associated with the large music festivals, and stated her belief that it is important for all of the property to have the same zoning classification.

Mrs. Townshend stated that the properties are currently zoned AR (Agricultural Residential) in the County. She advised members that the Comprehensive Plan Designation for the subject properties is Category 2: 0 to 10 years priority annexation areas and explained that one (1) of the notes in the Comprehensive Plan indicates that the properties would be master planned at the time of annexation. Mrs. Townshend stated that staff had worked with the Speedway regarding the master plan for the festival layout, it was submitted to the State for Preliminary Land Use Service (PLUS) review and, although staff was awaiting written comments, there were no major issues.

Mrs. Townshend stated that the whole idea is to bring the festival uses under the City of Dover jurisdiction to make it easier to manage and make it very clear whose jurisdiction it is. She explained that currently, it is not entirely clear which areas are in whose jurisdiction at any given time, noting that it is possible to walk 10 feet and go out of the City.

Mrs. Townshend informed members that water, sewer, and electric are available to the property and, if development were to happen at some point, the property owner would be responsible for extending the infrastructure from Persimmon Tree Lane. She stated that she did not anticipate that there would be any major development, noting that a couple of storage buildings would probably be built in the coming year

but nothing in terms of large-scale construction. Mrs. Townshend stated that no water, sewer, or electric demand was anticipated at this time; however, if the annexation is approved, the City would need to anticipate being able to serve the properties in the future. She noted that this request was reviewed by the Public Works Department as it relates to infrastructure

Staff recommended proceeding with annexation of the properties.

Responding to Mr. Neil, Mrs. Townshend confirmed that this was the area where the State Police sometimes conduct testing and programs. She expressed her belief that the annexation would not interfere with this, noting that the Speedway was very cooperative with the State Police.

The Committee recommended proceeding with annexation of the properties, as recommended by Staff.

By consent agenda, Mr. Neil moved for approval of the Committee's recommendation, seconded by Mr. Anderson and carried by a unanimous roll call vote.

By unanimous consent, members accepted the Council Committee of the Whole Report.

MONTHLY REPORTS - FEBRUARY 2016

By motion of Mr. Neil, seconded by Mr. Anderson, the following monthly reports were accepted by consent agenda:

City Assessor's Report
City Manager's Report
Controller/Treasurer's Budget Report
Economic Development Office Report
Police Chief's Report

FIRST READING - PROPOSED ORDINANCE #2016-09 WITH COUNCIL COMMITTEE OF THE WHOLE/SAFETY ADVISORY AND TRANSPORTATION COMMITTEE AMENDMENT #1 (CCW/SA&T #1)

Council President Slavin reminded the public that copies of the proposed ordinance are available at the entrance of the Council Chambers, on the City's website at www.cityofdover.com under "Government," or by contacting the City Clerk's Office. Since the ordinance amends the Zoning Code, a public hearing is required. Staff recommended referral of the amendments to the Planning Commission on May 16, 2016 and that a public hearing take place during the Council Meeting of June 13, 2016, at 7:30 p.m., at which time, final action by Council will take place.

Mr. Hosfelt, Chair of the Safety Advisory and Transportation Committee, informed members that the Proposed Ordinance would allow speed cushions on private property. He reminded members that this matter was first discussed last fall because some of the business owners were concerned about speeding vehicles and safety concerns. Mr. Hosfelt stated that he began researching speed

bumps, speed cushions, and speed humps, and met with Police Chief Paul Bernat and Fire Chief Carleton Carey, Jr., to discuss this matter. He indicated that both Chief Bernat and Chief Carey are in favor of allowing speed cushions. Mr. Hosfelt advised that the significant thing about speed cushions is that they allow for fire apparatus and large apparatus to move through private property roadways unimpeded, but the speeding vehicles that are causing the problems will have to slow down to proceed over the speed cushions.

Mr. Hosfelt informed members that speed reduction devices are still prohibited on City property, but the Proposed Ordinance would allow speed cushions to be installed on privately owned commercial property, at the owner's expense. He stated that the speed cushions would be installed in accordance with the Delaware Traffic Calming Design Manual.

Mr. Sudler moved to refer the amendments and set a public hearing before City Council for June 13, 2016 at 7:30 p.m., as recommended by staff. The motion was seconded by Mr. Anderson and unanimously carried.

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

- ORDINANCE #2016-09 WITH CCW/SA&T #1 AMENDING CHAPTER 98 - STREETS, SIDEWALKS, STORM SEWERS AND OTHER PUBLIC PLACES, ARTICLE I. - IN GENERAL, SECTION 98-10 - SPEED REDUCTION DEVICES; APPENDIX A - SUBDIVISIONS, ARTICLE VI - SUBDIVISION - GENERAL REQUIREMENTS AND DESIGN STANDARDS, SECTION A - STREETS, PARAGRAPH 1; AND APPENDIX B - ZONING, ARTICLE 10 - PLANNING COMMISSION, SECTION 2 - SITE DEVELOPMENT PLAN APPROVAL, 2.54 - PROPOSED DEVELOPMENT
  (Safety Advisory and Transportation Committee)

CITY MANAGER'S ANNOUNCEMENTS

Mr. Scott Koenig, City Manager, advised that the water system flushing is underway. He stated that staff had entered week two (2) of a three (3) week plan to flush the entire water system, noting that the general schedule is available on the City's website.

Mr. Koenig stated that April 11, 2016 through April 22, 2016 are spring clean-up weeks in the City. He advised that the Public Works Department staff is diligently working to remove all of the spring clean-up debris, garbage, and bulk items on the curbside and he encouraged all property owners to take advantage of the spring clean-up weeks. Mr. Koenig stated that information regarding this event is available on the City's website.

COUNCIL MEMBERS' ANNOUNCEMENTS

Mr. Anderson announced that he and Councilman Sudler were continuing their successful tradition of the Fourth District Quarterly meetings and the next meeting was scheduled for Tuesday, April 19, 2016, at 6:30 p.m. at Union Missionary Baptist Church, 883 Lincoln Street in Dover. Mr. Anderson expressed thanks to Pastor Moore for opening the facility to the public. He invited

members of Council, particularly the Council President, and all interested citizens, particularly people in the Fourth Council District, to the event.

Mr. Sudler stated that there would be an update provided within the next 60 days regarding when the ideas from the Lincoln Park and Simon Circle walk through would be implemented.

Mr. Lewis informed members that he recently wrote a letter to the editor in the newspaper with regard to City evaluations. He stated that he wanted to make the citizens aware that Council is in the process of evaluating those individuals who report directly to them and, during this process, he had learned many things. Mr. Lewis expressed his belief that the evaluation process is flawed and is not a fair process, particularly for the employees. He stated that he was making a recommendation to the full City Council that the process be changed.

APPOINTMENT OF INTERIM FIRE MARSHAL - ANN MARIE TOWNSHEND

Mr. Slavin advised members that if it appears that the conversation will take members into an area which requires Council to go into executive session, they will need to make a motion to that effect. He explained that Council would then recess into executive session and return to the Council Chambers for any action.

Mr. Anderson moved to recess into Executive Session pursuant to 29 Del. C. §10004(b)(9)} - personnel matters in which the names, competency and abilities of individual employees are discussed, unless the employee requests that such a meeting be open. The motion was seconded by Mr. Sudler and unanimously carried.

The Regular Council Meeting recessed into Executive Session at 8:24 p.m. and reconvened at 8:52 p.m.

Mr. Sudler moved that the City require the new Fire Marshal to be Council on Police Training certified (COPT), as a requirement of the job description being posted for solicitation for hiring. The motion was seconded by Mr. Hutchison and unanimously carried.
(City Clerk's Office Note: The City Solicitor and Deputy City Solicitor have ruled that this motion violated the open meeting section of the Freedom of Information Action (FOIA) and; therefore, the motion and action thereon are vacated.)

Mr. Sudler moved for adjournment, seconded by Mr. Hutchison and unanimously carried.

Meeting adjourned at 8:52 p.m.

TRACI A. McDOWELL
CITY CLERK

All ordinances, resolutions, motions, and orders adopted by City Council during their Regular Meeting of April 11, 2016, are hereby approved.

ROBIN R. CHRISTIANSEN
MAYOR

/TM
S:\AGENDAS-MINUTES-PACKETS-PRESENTATIONS-ATT&EXH\Council-Minutes\2016\04-11-2016.wpd

Exhibits
Exhibit #1 - Photographs depicting bamboo at 124 Rodney Road and articles regarding bamboo removal, provided by Mr. and Mrs. Robert Jones
Exhibit #2 - Revised Rate Chart for Extra Duty/Voluntary Overtime (Attachment #4 to the City of Dover Revenue Policy for Extra Duty/Voluntary Overtime)
Exhibit #3 - Revised Hospitality and Civic Function Policy

EXHIBIT #1
Regular Council Meeting of 04/11/2016

Front of 124 Rodney Road House



Looking towards the Fennemore House



View from side yard into cemetery and towards Fennemore House



Picture of root structure





View from Front side

Last year, it was this deep on the other side of the fence where the area in red is circled.



This area we cut down last year because the bamboo had covered the entire area.

How to get rid of Bamboo

Bamboo is tough to eliminate once established

By: Sandy Feather ©2010
Penn State

Using a combination of methods, rather than relying on one tactic, increases your chance of success. **Non-chemical controls** include digging and mowing. Although digging out the stout rhizomes (underground stems) is no one's idea of fun, it can be done. If you are almost fanatical about digging out re-sprouts whenever they appear, you will gain the upper hand.

Although bamboo is grass-like, it is not a true grass, and it does not tolerate repeated mowing like your lawn does. A combination of digging and frequent, short mowing will eventually exhaust the carbohydrate reserves in the roots and rhizomes.

OTHER BAMBOO CONTROL MEASURES

Another approach to bamboo control is to allow it to grow until late June, then cut it back to four to six inches. This will force the bamboo to spend some of its carbohydrate reserves and will weaken it somewhat. It will also result in shorter plants that are easier to spray. Allow it to re-grow, and then treat it with a systemic herbicide from late August to mid-September. Allowing it to re-grow provides a larger leaf surface area to absorb the herbicide. At that time of year, plants are translocating the products of photosynthesis from their leaves down to their root systems for the winter. They readily absorb systemic herbicides then and move them down to the roots for more complete control. Herbicide applications made in the spring when plants start actively growing – and the movement of sap is upward and outward – are much less successful, as are those made to drought-stressed target weeds.

CHEMICAL CONTROLS FOR BAMBOO

Glyphosate is the common name of the active ingredient in the non-selective, systemic herbicide Round Up®. If you can find Roundup Pro® or one of the 41 percent glyphosate knockoffs like Eraser® (Agway), it would probably be more effective than the homeowner formulations you typically find at the big box stores. The fact that glyphosate is non-selective means that you have to use it with care near plants that you value because it can kill or injure almost any plant. Demonstration trials by the University of Hawaii Cooperative Extension showed 80 percent control of bamboo using foliar applications of glyphosate. Since bamboo is tough to control, use the highest application rate allowed by the label of the glyphosate product you are using. It will require more than one application to obtain complete control. Once you knock it back to a manageable size, a combination of digging, mowing and well-timed spraying should keep it on the ropes.

How to Remove Bamboo

The aggressive and invasive nature of bamboo can make it undesirable to many gardeners. Once established, bamboos create a strong and complex network of plants making the emergence of new culms unpredictable. Removing a well established grove can be a daunting task. Simply cutting the shoots and culms at ground level will not suffice for effective bamboo removal. Rhizomes will continue to travel underground in search of new territory to colonize. The entire rhizome system must be removed or destroyed to completely stop the emergence of new shoots. In this article we have outlined several methods of bamboo removal for both running and clumping bamboo types. If you are only looking to control the spread of bamboo plant, check out our article on controlling bamboo.

Removal of Clumping Bamboo

Clumping bamboos stay confined to the area in which they were first planted, and are not considered invasive. This makes removal fairly simple in theory. There are 2 basic steps to follow.

1. Remove Exposed Culms (Canes) - Start my cutting the culms at close to ground level. This can be done with standard garden shears, or a chainsaw for larger plants. The purpose of this step is to give yourself an open space to work with. Once removed, the canes can be discarded, saved, or burned.

2. Dig Out Root System - Depending on the size of the plant, this is often more difficult than it sounds. The roots and rhizomes of most clumping bamboos are short and thick, making them difficult to dig out. Start by digging around the outer edges of the plant while going as deep as possible. It is helpful to use an axe or sharp garden spade to break up the main root system. Once the system has been sufficiently broken apart, simply dig out the remaining material. Finish off the process by examining the hole to make sure all rhizomes have been removed.

Removal of Running Bamboo

Running bamboos are invasive and can be highly difficult to remove. They have the ability to spread over wide areas and are connected by a system of underground stems, or rhizomes. In order to fully remove running bamboo, the entire rhizome system must be destroyed or contained. For well established groves it is recommended to make removal a seasonal practice, rather than trying to completely remove the plant in one swift blow. The rhizome system is typically too resilient and complex to remove in a single season. Patience is perhaps the most useful tool for the removal of running bamboo. The following removal method is a long term strategy that can be employed over the course of several years. This strategy works by exhausting the energy stored in the plants rhizomes.

1. Isolate Desired Areas (Optional) - This step is NOT required if your goal is to completely eradicate the bamboo. Unlike most plants or trees, each culm in the grove is belongs to the same organism. If there is a portion of the grove you would like to keep it must be isolated by severing its rhizome connection to the rest of the grove. The rhizomes are generally close to the surface and can be severed with a sharp garden spade. Start by marking out the desired perimeter. Once marked, you can sever the rhizomes by plunging the spade through the soil along the entire perimeter. This will effectively isolate your desired plant from the remainder of the grove. Keep in mind that this will need to be done every year to prevent the bamboo from spreading outside your desired area.

2. Remove Exposed Clums (Canes) - Cut the culms at ground level. You want to remove every culm in the undesirable grove; be as thorough as possible. The point of complete removal is to prevent the bamboo from gaining energy from photosynthesis. Because the the grove is one single organism, it has the ability to spread its nutrients and energy gained from photosynthesis over wide distances. Complete removal will cause the bamboo to rely on energy stored in the rhizomes.

3. Destroy Future Growth - This is where the patience comes into play. You will need to monitor the area periodically to see if any new shoots have emerged, most frequently in the springtime. Immediately destroy the new shoots by simply stomping or cutting them down. The bamboo will be using the energy stored up in the rhizomes to send these new shoots through the ground. Consistently thwarting the plants efforts will cause it to exhaust too much energy and die. The length of time needed to kill the plant will depend on the species, climate, and its level of establishment

http://stevespeonygarden.blogspot.com/

Saturday, May 5, 2012

Bamboo removal made easy

Since bamboos are one of the plants I collect, I did have collected many types and I have also gotten rid of many types of bamboo as well. There are basically 2 ways to get rid of bamboo. 1)Cut all the culms down to the ground with a lopper or chainsaw and keep repeating until the grove runs out of energy or shoot buds. 2) Dig it all out, and check for missed pieces.

The reason why I am writing this blog is because sometimes people have problems with certain types of bamboos. Some species of bamboo can become invasive if they are grown in the right climate/ conditions or if the owner of the property doesn't understand or care about it. A lot of people don't know how to properly control, or get rid of bamboo which can cause problems for neighbors. If you have an understanding of how bamboos grow, it can actually be very easy to get rid of.

Method 1:
This method only requires a lopper and maybe a lawnmower if feasible. Most loppers cut up to 2 inches in diameter, but if the culms are bigger, an electric chainsaw will be sufficient. This method is preferable if the bamboo you want to remove covers a lot of ground ie several acres.

1. First It is best to wait until spring when new shoots start rising and get to 2-6 feet tall. This means that many buds have activated, and the bamboo is expending its energy.

2. When the new shoots are several feet tall, it is now time to cut down all over the existing culms to soil level in order to remove all of the plant's source of photosynthesis, but the new shoots should be left alone to continue draining the energy from the grove.

3. Once the new shoots reach their full height and they are branched out, but before they start leafing out, it is time to cut all these new shoots down to soil level when the energy of the grove is almost completely depleted.

4. With the remaining energy left in the grove, the bamboo may still have the ability to generate very small survival culms. The best thing is to wait for them to finish their growth and repeat the process over by cutting them to soil level right before leaves are about to form. Regrowth can happen 3-4 times, but the size and number of them should decrease each time as the number of viable shoot buds are reduced, and the energy dwindles. If it is an open area, planting grass seeds, and keeping the area mowed will be sufficient.

The idea is to starve the bamboo of all its starches stored in the rhizome system and herbicides are generally ineffective.There is no need to remove the rhizomes as they will die and rot away without a source of energy for several months, and there is no need to pay thousands of dollars to remove bamboo with heavy machinery when you can do it by yourself with simple tools such as loppers and chainsaws.

eXtension Ask an Expert
Issues · Innovation · Impact
A Part of the Cooperative Extension System

How can we get rid of bamboo?

Asked January 26, 2015, 11:53 AM EST

Sometimes people need to completely eliminate an existing stand of bamboo. Selective lawn weed killers will not control bamboo since they are designed to kill only broadleaf plants, not grass. Therefore, a non-selective herbicide must be used. **To do this, cut all the stalks to the ground and allow the new growth to emerge and develop leaves during the summer. In October spray the mature foliage with a non-selective herbicide containing glyphosate (ie: Round-up or Kleen-up) at the 2% rate. Repeat the application in 14 days.** Be careful to protect non-target plants from any over spray."

You'll notice this is a two step process. It may need to be done more than once to get complete control--which is what you want. If *any* bamboo is left alive, it will return.

Attachment 4

City of Dover			
Officer Extra Duty Billing Rates for Grant Related Events			
	Officer		
	Billing		
Rank	Rate		
Patrolman	$43.00		
Patrolman 1st Class	$53.00		
Corporal	$64.00		
Master Corporal	$69.00		
Sergeant	$75.00		
Lieutenant	$80.00		
Captain	$87.00		
**When applicable, actual wage and benefit rates will be billed.*			
Officer Extra Duty Billing Rates for Office of Highway Safety Grants			
Federal Approved Rate			$50.00

City of Dover			
Officer Extra Duty Billing Rates for Special Events (Spectator's over 5,000)			
	Officer		Total
	Billing	Overhead	Hourly
Rank	Rate	Rate	Rate
Special Event Rate	$57.00	$2.00	$59.00

City of Dover			
Officer Extra Duty Billing Rates for Non-Special Events			
	Officer		Total
	Billing	Overhead	Hourly
Rank	Rate	Rate	Rate
Extra Duty	$59.00	$8.00	$67.00
Vehicles Actively Used on Extra Duty Jobs - Hourly Rate			$ 16.25

CITY OF DOVER
HOSPITALITY & CIVIC FUNCTION POLICY

I. PURPOSE

There are occasions when the judicious extension of hospitality in connection with official City of Dover business is in the best interests of the City of Dover, hereinafter referred to as *"City."* There are also occasions where attendance at civic events and functions which are not sponsored by the City are in the best interests of the City, and thus may require attendance. This policy outlines City policy and procedures governing the manner and extent to which the City's employees, public officials, and appointees may extend hospitality while attending civic functions and events.

II. SCOPE

This policy applies to all hospitality and civic function expenses incurred by the City regardless of the source of funding, and to all City employees, public officials and appointees to City Boards, Commissions and Committees.

III. ALLOWABLE EXPENSES AND APPROVAL

A. Allowable Expenses and Occasions

Expenses for hospitality and civic functions must be directly related to, or associated with the conduct of City business. If the occasion is not sponsored by an organization of which the City sponsors or is a member of, then the occasion must serve a clear City interest, with negligible personal benefit derived by the official host or other City employees, public officials, and appointees. In addition, the expenditure of funds for hospitality and civic functions should be cost effective and in accordance with the best use of public funds.

Upon return, the participating official will provide an update to City Council regarding the benefits received from the event. If the event is a National League of Cities event, the participating official will provide to City Council a more extensive report of what they learned; and if an official registers for an event the City pays for and the official fails to attend, the official will have to reimburse the City for any cost incurred.

Examples of Prohibited/Restricted Expenses:

- Personal Memberships
- Political Expenses
- Holiday Gatherings for non-City affiliated organizations
- Non-budgeted Cash Donations

B. Approval of Transactions

When determining whether a hospitality or civic event expense is appropriate, the approving authority must evaluate the importance of the event in terms of the costs that will be incurred, the benefits to be derived from such an expense, the availability of funds, and any alternatives that would be equally effective in accomplishing the desired objectives.

C. Payment of Expenses

The Finance Department shall process the payment of hospitality and civic functions expenses upon receipt of the invitation, invoice, or proper support documentation, as determined by Finance, with the signature of the Mayor, a Member of Council, and/or City Manager.

Council Actions:
Original Policy Adopted: October 27, 2003
Policy Revised: April 11, 2011
Policy Revised: April 11, 2016

CERTIFICATE OF CONGRATULATIONS

***WHEREAS**, over the years, Becker Morgan Group has played an integral role in Downtown Dover redevelopment and has prepared architectural plans for several major projects in the downtown area, such as North Street improvements, Loockerman Way Plaza, 22-24 West Loockerman Street, and the former Acme site at 120 South Governors Avenue. Their staff has assisted with marketing downtown sites for development and provided extensive in-kind services in support of multiple projects in the City of Dover Downtown Development District; and*

***WHEREAS,** Mr. Gregory V. Moore, P.E., Vice President of Becker Morgan Group, has served as President of the Downtown Dover Partnership since 2010, and members of Becker Morgan Group's staff have served on the Partnership's Design, Economic Development, and Parking Committees; and*

***WHEREAS,** during the 2016 Downtown Delaware Revitalize! Conference, hosted by the Delaware Economic Development Office, Mr. Gregory V. Moore and Becker Morgan Group were presented with the Excellence in Downtown Revitalization Award for Outstanding Downtown Community Partner for the City of Dover. Awards were bestowed on those who best embody Downtown Delaware's mission of providing our state's historic downtowns, communities, and small businesses with tools to revitalize their commercial districts, increase entrepreneurism and innovation, and enhance the quality of place.*

***NOW, THEREFORE, THE MAYOR AND COUNCIL OF THE CITY OF DOVER, DELAWARE**, do hereby present this Certificate of Congratulations to*

Gregory V. Moore, P.E., and Becker Morgan Group

upon receiving this significant award
recognizing their dedication and commitment to transforming
the vision of a vibrant downtown Dover into a reality.

April 25, 2016

ROBIN R. CHRISTIANSEN
MAYOR

TIMOTHY A. SLAVIN
COUNCIL PRESIDENT

CERTIFICATE OF CONGRATULATIONS

WHEREAS, *Mr. Cameron Llewellyn, President of Tidemark Construction, served as the contractor for Baird Mandalas Brockstedt, LLC's renovation of the historic property at 6 South State Street, in the City of Dover Historic District. By exercising his professional skills, ingenuity, and craftsmanship, he transformed the structure into a modern and functional office space, while retaining a deep respect for the rich character of the past; and*

WHEREAS, *during the 2016 Downtown Delaware Revitalize! Conference, hosted by the Delaware Economic Development Office, Mr. Cameron Llewellyn was chosen from a field of worthy competitors to receive the Excellence in Downtown Revitalization Award for Best Historic Preservation Project. Awards were bestowed on those who best embody Downtown Delaware's mission of providing our state's historic downtowns, communities, and small businesses with tools to revitalize their commercial districts, increase entrepreneurism and innovation, and enhance the quality of place.*

NOW, THEREFORE, THE MAYOR AND COUNCIL OF THE CITY OF DOVER, DELAWARE, *do hereby present this Certificate of Congratulations to*

Cameron Llewellyn

upon receiving this prestigious award,
recognizing his contribution to revitalizing downtown Dover
and preserving the rich heritage of its past.

April 25, 2016

ROBIN R. CHRISTIANSEN
MAYOR

TIMOTHY A. SLAVIN
COUNCIL PRESIDENT

CERTIFICATE OF APPRECIATION

***WHEREAS**, construction of Dr. Henry Ridgely's personal residence, located at 6 South State Street, Dover, Delaware, was completed in 1869 and has since undergone many changes in ownership, occupancy, and use over the years; and*

***WHEREAS,** Baird Mandalas Brockstedt, LLC purchased this property and arranged for remodeling and renovations to be done with sensitivity to the rich character of the building and in keeping with the property's memorable past and prominent location in the City's Historic District. For their efforts, Baird Mandalas Brockstedt, LLC received the 2015 James B. Jackson Award for Historic Preservation; and*

***WHEREAS,** Baird Mandalas Brockstedt, LLC further honors 6 South State Street by occupying this cultural and architectural landmark that is prominently featured on postcards and marketing materials that showcase the attractions of downtown Dover.*

***NOW, THEREFORE, THE MAYOR AND COUNCIL OF THE CITY OF DOVER, DELAWARE**, do hereby present this Certificate of Appreciation to*

Baird Mandalas Brockstedt, LLC

in acknowledgment of their significant investment in the community and their commitment to improving the vitality of downtown Dover.

April 25, 2016

ROBIN R. CHRISTIANSEN	***TIMOTHY A. SLAVIN***
MAYOR	***COUNCIL PRESIDENT***

DOVER HUMAN RELATIONS COMMISSION

The Dover Human Relations Commission (DHRC) meeting was held on March 16, 2016 at 6:05 p.m. with Commissioner Griffith presiding until Chairman Henderson's arrival (6:18 p.m.). Members present were Ms. Bogle, Ms. Griffith, Ms. Mullen, Mr. Roach, and Mrs. Sadusky. Mr. McGiffin was absent.

AGENDA ADDITIONS/DELETIONS

Ms. Bogle moved for approval of the agenda, seconded by Mrs. Sadusky and unanimously carried.

Introduction of New Member

Ms. Wanda Mullen, DHRC Commissioner, Third District, advised members that she resides on Townsend Boulevard. She serves as President of the White Oak/Towne Point Civic Association and deals heavily with City Council Representatives Cole and Neil, the Mayor, and the City of Dover. She currently works for Psychotherapeutic Services as a social worker/counselor and the program manager for their two (2) residential facilities, one (1) in New Castle County and one (1) in Felton. Ms. Mullen was previously a program manager for the Temporary Assistance for Needy Families (TANF) program and enjoys working with and helping people. She expressed her opinion that more information about the DHRC was needed in the community, noting that when her Council representative spoke to her about the Commission, she was unsure of what the DHRC does. Ms. Mullen stated the importance of getting out to learn what the community's needs are in order to serve the community. She indicated that she is the wife of Pastor Herbert Mullen, who ministers in Ellendale, Delaware, and has an 14-year-old who is active in sports and music. She stated that she is interested in getting youth involved and felt the DHRC should get moving on ideas for youth involvement.

Chair's Resignation from the Education Committee

Mr. Roach moved to accept the resignation of Chairman Henderson from the Education Committee, seconded by Ms. Mullen and unanimously carried.

Election of Committee Chair - Education Committee

Ms. Dianne Bogle advised members that she was interested in serving as Chair of the Education Committee, although she indicated that it would be fine if someone else was interested. She stated that she had talked to Chairman Henderson about serving in this capacity.

Ms. Griffith moved to elect Ms. Dianne Bogle to serve as Chair of the Education Committee, seconded by Mrs. Sadusky and unanimously carried.

DHRC Committee Updates

Government Policy, Programs, and Practices Committee *(McGiffin)*

No update was provided.

Community Engagement Committee *(Roach)*

Mr. Roach apologized for his absence at the previous meeting due to health concerns. He stated that a community clean-up event was held in Towne Point in February and the turnout was good. Mr. Roach shared that he attended and had been interviewed, which resulted in a newspaper article.

Mr. Roach informed members that he had been talking with the Boys and Girls Club regarding the opening of their new facility in the Camden area. He stated that he was trying to communicate with the Boys and Girls Club to ensure that no one is left behind in regard to transportation and issues of eligibility.

Mr. Roach stated that he had visited some Interdenominational Ministerial Alliance (IMA) services, noting that Chairman Henderson had expressed interest in reaching out to different entities in the community in regard to building a relationship with the DHRC. He advised members that there were a couple of IMA services coming up. Mr. Roach had also been working to engage kids at Booker T. Washington Elementary School.

Mr. Roach indicated that he tries to get out in the community, not always representing the DHRC; however, he makes sure to let people know about the DHRC when he is asked. Mr. Roach stated that a police officer had spoken to him about the re-implementation of the Police Athletic League (PAL) in the community and discussed working with Mr. Roach in regard to obtaining coaches, volunteers, and things of that nature. Mr. Roach felt that outlets for kids were needed and hoped that this program would move forward. He stated his belief that PAL would involve all types of sports. Mr. Roach advised members that, in his profession as a Family Crisis Therapist at Booker T. Washington Elementary School, he is always out and about in the community and asked members to let him or the City Clerk's Office know if there are events that they are unable to attend or that they would like him to attend with them to help to build relationships with the community and the City of Dover.

Ms. Griffith asked Mr. Roach to let members know if there were events that he would like them to attend, stating her desire for the DHRC to become more involved in the community, as they had in November 2015 when they participated in the Central Delaware National Association for the Advancement of Colored People (NAACP) 1st Annual Community, Family, and Fellowship Dinner.

Education Committee

Ms. Bogle advised members that, as a parent, she attended two (2) Capital School District strategic planning meetings. She stated that the District was getting ready to roll out their strategic plan, noting that she works in the District Office and has a relationship with the District. Ms. Bogle indicated that she had spoken to the chair of the District's strategic planning committee, who was supposed to connect her into related conversations that he had been having with the District Superintendent, and she hoped this would occur before the next DRHC meeting.

Mr. Henderson advised members that a film entitled, "Cracking the Code" had been presented at the Dover Public Library in December and would be shown again in the chapel at Wesley College on Saturday, March 19, 2016 from 11:00 a.m. to 2:00 p.m. He planned to attend, as did some members

of the State Human Relations Commission. Mr. Henderson stated that this was an excellent and eye-opening film and recommended that those who had not seen it attend.

Responding to Mrs. Sadusky, Mr. Henderson explained that the film addresses racism and some of the subtleties of this issue, and he felt that it was something that everyone should be able to relate to.

During the DHRC meeting of July 28, 2015, members discussed the possibility of partnering with Dr. Dan Young, curator of TEDx Wilmington, to bring a TED talk event to Dover. During the City Council meeting of January 11, 2016, members approved the Commission's recommendation that the DHRC collaborate with the TEDx Dover organization.

During the DHRC meeting of March 16, 2016, Mr. Henderson advised members that the TEDx conference that they had been discussing would be more involved than he had thought. He reviewed email correspondence received from Mr. Young and noted that a sponsorship prospectus from TEDx Wilmington University indicated the need to raise a minimum of $10,000 for the event and that Dr. Young had asked participants to focus on getting four (4) sponsors at any level. Mr. Henderson felt that the event was more complicated and would require more involvement than he had thought. He asked that Ms. Bogle, Chair of the Education Committee, review the information and serve as contact person. Mr. Henderson stated that as former Chair of the Education Committee he was unsure if this was a project that the DHRC wanted to become involved in.

Mr. Roach questioned if Mr. Henderson had received a breakdown as to how $10,000 would be allocated. Responding, Mr. Henderson stated his belief that this would be TED's fee for coming to host the event.

Mr. Roach stated his understanding that TED was a global organization, but he felt it would be a lot for the DHRC to be solely responsible for finding sponsors. He noted that the Commission was still developing and there had been transitions in members, who were still trying to get to know each other. Mr. Roach shared his opinion that something of this magnitude should be tackled further down the line, since the DHRC was trying to develop their ideas and determine how to reach the community. He did not believe they should jump into the task of raising $10,000 before people know who the DHRC is, and Ms. Griffith agreed.

Mr. Roach noted that $10,000 had not been mentioned when Dr. Young spoke to the DHRC previously.

Mr. Roach moved to recommend deferring the idea of DHRC involvement in a TEDx talk until a later time when members were all comfortable with taking on the task of a $10,000 fundraiser, seconded by Ms. Griffith, and unanimously carried.

Communications Committee *(Griffith)*
Ms. Griffith provided an update regarding the Community Involvement - Public Relations Initiative and the African American Festival.

Old Business

Community Involvement - Public Relations Initiative

During the DHRC meeting of July 28, 2015, the former DHRC Chair, S. Renee Smith, suggested that, once the vacant seats on the Commission are filled, a group picture be taken of the DHRC at City Hall. She suggested creating awareness and a connection by sending this picture and a congratulatory note to various members of the community, saying that the DHRC was proud of them, with each of the Commissioners' names and districts. She felt this could easily be done one (1) to three (3) times per week and would not be costly. Ms. Smith stated that she would defer this for the present until the other two (2) members are appointed and suggested that this system could be up and running by the end of September or October.

During the Commission meeting of March 16, 2016, Ms. Griffith stated her belief that Ms. Bogle had volunteered to take pictures; however, Ms. Griffith felt that the DHRC picture should be a professional, clean-looking product. Responding, Ms. Bogle indicated that she had volunteered to take pictures at events where the DHRC participated, rather than the picture for the cards.

Ms. Griffith questioned if the City has a photographer or if the DHRC should obtain one. Responding, Mrs. Stein explained that the Dover Police Department photographer had helped with City Council photos in the past and may be able to take pictures for the DHRC.

Mr. Roach stated that he has two (2) very close friends who are photographers and would do this for free, and he offered to reach out to them.

Ms. Griffith suggested that the photographer take individual pictures of Commissioners for the DHRC website, as well as a group picture, so that there would be uniform pictures on the website.

Ms. Griffith indicated that the only costs involved in sending out notes would be paper stock for the cards, printing, and postage. She stated that, as Communications Committee Chair, she would look into paper, getting cards made up, mailing, and making sure that all Commissioners sign the cards. In addition to the picture, she stated the need to look at the budget to pay for the card stock and postage.

Mr. Roach stated that he would make sure to take the lead on having a photographer present at the next DHRC meeting. He suggested that Ms. Griffith come back with a specific figure for the cost of cards and postage, and members could decide how much money they wished to spend.

Ms. Griffith questioned if members wanted to proceed with the cards. Mr. Roach felt that this was a good idea, noting that this would provide exposure for the Commission, and Ms. Griffith and Mr. Henderson concurred.

Ms. Griffith felt that members should have at least 50 cards on hand, noting that the printer may have a minimum order requirement.

Ms. Bogle suggested reaching out to the prison print shop since they sometimes do such projects at a reasonable price.

Mr. Roach moved to recommend that members come to the next meeting in their uniform shirts prepared to take individual and group pictures, seconded by Mrs. Sadusky and unanimously carried.

In-House Retreat

Mr. Roach reminded members that the purpose of an in-house retreat would be to have a meeting specifically so that members could get to know each other to determine what different resources and ideas they may have and in which areas members have expertise. He reminded members that he had suggested waiting until two (2) new members were appointed so that it would not be necessary to do this again after their appointments. Mr. Roach reiterated his opinion that an in-house retreat should not be done until there was a full Commission, feeling that it would not serve a valid purpose if new people were added.

Mr. Roach moved to recommend that the DHRC wait to hold an in-house retreat until the two (2) additional DHRC members are appointed, seconded by Ms. Griffith and unanimously carried.

DHRC Vacancies (First and Fourth Districts)

Members were advised that there were currently two (2) vacancies on the Commission. Ms. Griffith indicated that an acquaintance of hers, Ms. Jenifer Vaughn, had applied for the vacancy in the First District.

Mr. Roach offered to submit the name of a candidate for the DHRC Representative for the Fourth District to Mr. Henderson or to the City Clerk by Friday, March 18, 2016 and suggested that Chairman Henderson reach out to City Council to indicate the DHRC's desire to come as close as possible to having a full Commission by the next meeting.

Responding to Mr. Henderson, Ms. Bogle indicated that she could coordinate with the City to obtain polo shirts for new DHRC members and have them embroidered at Dover High School, noting that this was a simple process.

DHRC Logo

During the Regular City Council meeting of February 22, 2016, members approved the Commission's recommendation that Dover High School students be asked to create a logo for the DHRC in exchange for a $50 gift certificate.

During the DHRC meeting of March 16, 2016, Mr. Roach advised members that he has a good relationship with Dover High School. He noted that members had discussed soliciting a donation rather than using money from the budget for the gift certificate. Mr. Roach indicated that he did not mind donating $50 cash personally, and Mrs. Griffith suggested that all members could contribute money. Mr. Roach stated that he would reach out to the Dover High School art department or print shop to see if they could work on creating a logo and the winner could be given a cash prize.

Due to time constraints, this item was deferred until the next meeting.

African American Festival

During the Regular City Council meeting of February 22, 2016, members approved the Commission's recommendation that the DHRC Communications Committee work up a plan to recommend the DHRC's presence at the African American Festival this year.

During the DHRC meeting of March 16, 2016, Ms. Griffith stated her understanding that the Mayor and some of the members of City Council typically attend the annual African American Festival but do not have a table at the event. She felt that the DHRC should allocate $100 from the approximately $1,100 remaining in their budget to reserve a table at the Festival, noting the need to discuss what members want their mission to be at the event. Ms. Griffith indicated that the City may have some documents or other giveaways; however, she felt that the DHRC should come up with their own items to distribute and suggested that they could provide face painting or giveaways. She stated the importance of representing the districts and having a presence so that the community would know what the DHRC does and that they can count on the DHRC. Ms. Griffith suggested attending the Festival in shifts, since it would be a long, hot day, and allocating possibly $150 for the event. She felt that this may be an outreach effort that the DHRC would plan for each year.

Ms. Bogle suggested partnering with a youth organization, such as the City of Dover Youth Advisory Committee or the Dover High School Honor Society, for the event if face painting was to be done.

Mr. Roach concurred with the idea of reserving a table and suggested reaching out to separate entities that might not want to have a table and participating as a partnership; however, he also noted that the DHRC may want to establish themselves on their own.

Ms. Griffith expressed her opinion that the DHRC members should establish themselves. She felt there was nothing wrong with having kids coming to help as a community service, but she felt the DHRC should be the focal point. Ms. Griffith advised members that someone at her workplace had reached out to former Councilman Reuben Salters, who organizes the African American Festival, and he had offered to pay for a table if funding was unavailable, asking that someone let him know this by June 1, 2016. Ms. Griffith felt that it would be wrong for Mr. Salters to pay for the DHRC's participation and the Commission should pay for this out of their budget.

Responding to Mr. Henderson, Ms. Bogle explained that the African American Festival is held on the last Saturday in June.

Ms. Griffith stated the need to make the DHRC's participation fun so that people would not pass them by, noting that participants would not want to just be given papers.

Mr. Roach suggested that distributing free cold water might attract people and that wraps for the water bottles that identify the DHRC would help to get the Commission's name out.

Ms. Griffith suggested that perhaps water could be donated to the DHRC. She advised that legislators have water delivered weekly from Artisan and offered to ask some of the legislators for water.

Ms. Bogle stated that she recently participated in an event where Wawa donated 10 cases, or 240 bottles, of water. She said that water can be obtained as a mini-grant through the Wawa website, where the applicant enters information and indicates the store where water will be picked up. Ms. Bogle stated that there is also another company in Dover that typically has no problem donating water.

Ms. Griffith asked if Ms. Bogle could take care of this aspect of the event should members decide to proceed, and Ms. Bogle agreed.

Mr. Roach felt that if the Commissioners wore their shirts and gave out water, this would be enough and that members should have a blanket, unified statement in terms of who the DHRC is and what they do, noting that members would be attending the event in shifts and would need to give out consistent information.

Ms. Bogle suggested that perhaps a press release with pictures should come before this event.

Mrs. Sadusky suggested that DHRC helium balloons might be an option. Responding, Ms. Griffith stated that it is possible to buy small helium tanks such as those used for birthday parties, or that this could possibly be donated.

Ms. Sadusky suggested allocating more than $150 for the event, perhaps $175.

Mr. Roach moved to recommend allocating $200 for the African American Festival from the DHRC budget, seconded by Ms. Griffith and unanimously carried.

Mr. Henderson advised members that he had presented the 2015 Human Relations Commission Report to City Council on March 14, 2016. He indicated that Council seemed very pleased with what the Commission was doing. Mr. Henderson stated that he would ask Council President Slavin to come back to talk to the DHRC in the very near future since there were new members, noting that Mr. Slavin has great ideas.

Mr. Roach requested that a more detailed update on the 2015 Human Relations Commission Report to Council be provided by Mr. Henderson at the next DHRC meeting, and Mr. Henderson concurred.

Mrs. Sadusky noted that some of her teenaged children are very passionate about the racism that they sometimes see in the school, and she questioned if some kind of youth discussion group could be held to bring kids together and give them an opportunity to talk about their experiences.

Ms. Griffith suggested that some kind of workshop could be held in this regard.

Mr. Henderson stated that this could be looked into for a future event, expressing his opinion that the youth could benefit from watching the "Cracking the Code" movie mentioned previously.

Responding to Mr. Roach, Mrs. Sadusky stated that her thought was that the DHRC could host something similar to a forum.

Mr. Roach suggested including an item titled New Ideas for Community Engagement to the next DHRC meeting agenda. He felt that Mrs. Sadusky's idea was a good one, noting that adults and Council are asked for ideas, but the youth are the most valuable resource because this will be their City.

Mr. Henderson indicated that this could also fall under the Education Committee.

Ms. Bogle questioned if anyone had done a community needs assessment and if the DHRC had access to this.

Mr. Roach noted that everyone had their own ideas but expressed the desire not to stray away from what the DHRC is supposed to be, noting his belief that new ideas for reaching out would be the first step. He believed that before identifying the issues that pertain to human relations, it is necessary to have a relationship with those in the City. Mr. Roach felt that the Commission was moving in the right direction in being recognized and getting to know people, and could then move in a direction to reach something tangible.

Mr. Roach moved to recommend that, by the next DHRC meeting, all members come up with a new idea in regard to a forum, task, or challenge for the community that they would like to see the DHRC undertake, seconded by Mrs. Sadusky and unanimously carried.

By unanimous consent, the meeting adjourned at 7:03 p.m.

Theodore A. Henderson
Chair

TAH/JS/dd/tm
S:\AGENDAS-MINUTES-PACKETS-PRESENTATIONS-ATT&EXH\Misc-Minutes\HUMAN RELATIONS COMMISSION\2016\03-16-2016 DHRC.wpd

COUNCIL COMMITTEE OF THE WHOLE

The Council Committee of the Whole Meeting was held on April 12, 2016, at 6:00 p.m., with Council President Slavin presiding. Members of Council present were Mr. Anderson, Mr. Sudler (arrived at 6:01 p.m., departed at 7:13 p.m., and returned at 7:22 p.m.), Mr. Neil, Mr. Lewis (arrived at 6:04 p.m.), Mr. Cole, Mr. Hosfelt, Mr. Hare, and Mr. Hutchison. Mayor Christiansen was also present (departed at 7:10 p.m. and returned at 7:26 p.m.) Civilian committee members present were Mr. Keller and Mr. Shelton *(Safety Advisory and Transportation)*, Mr. Caldwell and Mrs. Horsey (*Parks, Recreation, and Community Enhancement*), Mr. Blakeman and Ms. Stewart *(Utility)*, and Mr. Shevock and Ms. Maucher (*Legislative, Finance, and Administration*).

AGENDA ADDITIONS/DELETIONS

Mr. Hutchison moved for approval of the agenda, seconded by Mr. Neil and unanimously carried.

Review of FY 2017 Preliminary Budget and Capital Investment Plan (CIP)

Council President Slavin advised those present that this two (2) hour meeting would likely lead to up to 15 or more hours of budget hearings between now and the end of May. He indicated that consideration of the FY 2017 budget would take place a little earlier in the budget season and extend a little later in the year than usual because the City would wait to see what occurs with some of the State's issues before adopting the final budget. Mr. Slavin reminded members that last year's budget was very challenging and the FY 17 budget, although perhaps not as daunting, would be challenging nonetheless.

Mr. Scott Koenig, City Manager, concurred that last year had been a very difficult budget year and that Council had been asked to do some heavy lifting and approve a large property tax increase of approximately 19.9 %. Council had directed Staff not to come back for a tax increase for FY 17 and to look at mid-year fee adjustments for rental and other permits that had not been adjusted in recent years. Mr. Koenig stated that the Electric Fund budget was the least difficult of the City's three (3) funds to balance and was seeing a downward trend in power costs over the long term. With respect to the Electric Fund, the City was getting up to authorized staffing levels and delivering on capital and operational projects. Mr. Koenig explained that the five (5) year forecast for the Water/Wastewater Fund was a little more challenging. Staff proposed to keep rates the same in the budget for this fund. Mr. Koenig advised that there had been discussion regarding an inclining block, which was on the radar screen for water and sewer rates, but staff did not believe that this would have to be enacted in the FY 17 budget. Mr. Koenig indicated that the General Fund budget had the most pressure and concerns, with a gap in policy compliance of a little more than $1M. He stated that ways to close this gap would be discussed in the coming months prior to the budget discussions.

Mr. Koenig reviewed a memorandum regarding FY 2016/2017 Preliminary Budget & Capital lnvestments Plans (5 Years), dated April 6, 2016. He advised that there had been a fair rebound of real estate property transfer taxes and that staff was keeping an eye on State revenues. Mr. Koenig reminded members that, when the budget year began, Staff had been asked to have an alternate plan to reflect the potential for no State revenue transfers; however, current indicators from the Delaware Department of Transportation (DelDOT) budget reflected that Municipal Street Aid and Community

Transportation Funds (CTF) would be funded at the current level. Additionally, discussions related to Payment in Lieu of Taxes (PILOT) in draft bills indicated that PILOT may be more favorable to the City in FY 17, partly due to changes in the allocation formula with existing funds. He advised that proposed changes to State law regarding PILOT would add provisions for cities with a minimum population of 25,000, and add funding to the total pot available, which would indicate that the City may receive additional PILOT funds; however, this was yet to be seen. Mr. Koenig noted that the State had increased the City's health insurance premiums by 7.7% and that the workforce shares this cost, with some employees sharing at an 85/15 rate and newer employees at 80/20. He expressed his belief that health care costs had increased by approximately 21%, compared to 15% last year.

Mr. Koenig explained that there was an increase of 16.5% in payroll in the General Fund and 3.4% in the Water/Wastewater Fund related to the Civilian Pension Fund, but a 31.1% decrease in this expense in the Electric Fund based on biennial actuarial calculations. Percentages for Other Post-Employment Benefits (OPEB), which had been a concern, decreased across all funds, as follows: General Fund, 2.2%; Water/Wastewater, 4.6%; and Electric, 5.4%.

Mr. Koenig informed members that new debt service was proposed for a couple of projects in the General Fund, one (1) of which was the replacement of the City's Enterprise Resource Planning System in hopes of fully integrating finances across the City, including the Police Department and other satellite locations. This would allow for a true electronic dashboard reflecting all revenue and expense classifications across the City, including grant management and other types of revenue that are currently not easily accounted for. Mr. Koenig indicated that abandonment of the old PW2 Site/Tar Ditch was also proposed for debt service funding. This stormwater improvement would alleviate flooding at the Water Street/Governors Avenue intersection across from Bayhealth Medical Center down to old PW2, at an estimated cost of $7.6M for construction. He stated that Staff would seek to use City funds and also to partner with the State and other interested entities for construction. Mr. Koenig noted that there would also be debt service related to water/wastewater projects using the State revolving fund. Several water/wastewater projects would be bundled together to fund construction of new pump stations and similar projects over approximately a three (3) year period, as well as expansion of the water treatment plant.

In reviewing Financial Policy Compliance, Mr. Koenig noted that there was a gap in the General Fund of approximately $1.2M. The Water/Wastewater and Electric Funds were both positive in terms of compliance; however, the five (5) year projection for the Water/Wastewater Fund indicated that additional funding through rates may be required.

Referring to the FY 2017 Preliminary Annual Operating Budget - Dover Delaware - General Fund Cash Receipt Summary, Mr. Koenig indicated that a beginning of the year adjustment would be made to the beginning balance after Mrs. Donna Mitchell, Controller/Treasurer, receives audit results. The projected beginning balance in the General Fund for FY 17 was approximately $4.45M, which was approximately 11.9% above the FY 16 numbers. Mr. Koenig informed members that some revenues were slightly increased. He expressed concern about Kent County book reimbursement, which reflected a decrease of approximately $50,000; however, he explained that those numbers were balancing out by other revenues coming from business licenses, permits, etc.

Mr. Koenig stated that property tax revenues were estimated at $12.932M, noting that staff had added tax ratables to the profiles for this year. He advised that recreation revenue was projected to increase slightly and franchise fees were projected to be flat. No sanitation rate changes were projected at this point and sanitation fees were trending slightly lower, with a reduction of approximately $42,000. Mr. Koenig indicated that court fees and investment income were increasing slightly. He stated that there was not much change in interfund receipts and transfers. Mr. Koenig explained that although there was a slight change in police-related extra duty, this is a pass through number and when expenses are considered, there would be an overall cost reduction.

With respect to transfer tax, Mr. Koenig stated that this revenue was trending up. The initial FY 16 budget projected transfer taxes at $1.34M and the current revised projection was $1.986M; however, staff expected this amount would be exceeded. Transfer taxes were tagged at $1.54M for FY 17; however, Mr. Koenig stated that this revenue stream is approached with caution. He noted that during high development years from 2006-2008, transfer taxes were as high as $3.4M or $3.6M; however, when the bottom fell out of the real estate market, these revenues pulled back to approximately $1M. Mr. Koenig indicated that this reversal tracked very closely with what was experienced in the General Fund. He cautioned members to be very mindful of this in developing the FY 17 budget, and did not recommend increasing to estimates of $1.9M or $2M for this revenue stream. Mr. Koenig reiterated that municipal street aid was expected to remain flat for the current year, and it was hoped that this number would track at approximately $673,000. He indicated that transfers were proposed from the Water/Wastewater Fund and the Electric Fund, explaining that this was a return on the City's investment in the utilities and would help to keep property taxes down. Transfers amounted to $875,000 from the Water/Wastewater Fund and $10M from the Electric Fund, which were the same as last year. Total revenues proposed for the General Fund for FY 17 were $42.37M.

Mr. Koenig reviewed some of the changes in departmental expenses in the General Fund Expense Summary. He noted that there was an increase of 6.1% in the City Clerk's Office, a fair change in Library expenses, and a large change in total dollars of approximately $1.2M, or 8%, in the Police Department. Mr. Koenig advised that the large increase in the Streets Division was predominantly related to Municipal Separate Storm Sewer System (MS4) permit compliance and grass mowing and ditch cleaning on land owned by the City at the Garrison Oak Technical Park. He stated that there was a slight reduction of approximately $91,000 in Sanitation due to an expected reduction in landfill rates. Facilities Management expenses were also reduced because the head count in that division was declining as a result of the privatization of custodial services following the retirement of several employees. Mr. Koenig noted that total departmental spending was increased by approximately $2.2M or 6.8%. Referring to Other Expenditures, he advised that debt service was being adjusted upwards; a contribution of $70,000 was proposed to the Downtown Dover Partnership (DDP), which would keep the City's transfer to the DDP flat for FY 17; and insurance expenses and retiree health care were increased. Mr. Koenig stated that a total balance in expenditures of approximately $46,820,000 was proposed. He indicated when expected revenues are offset with the proposed expenses, the City would be in the hole by approximately$117,000; however, to keep the budget in compliance with policy, approximately $1M would have to be added.

If revenues are not adjusted, there would be a need to shave the General Fund by approximately $1.1M to balance the budget.

Mr. Hutchison noted that the State had been discussing real estate transfer tax and questioned if Mr. Koenig had heard whether the State would be taking some of these funds. Responding, Mr. Koenig stated that the City met with legislators early in the fiscal year, when it seemed there would be a lot of discussion regarding real estate property transfer tax; however, he had not heard much more about this since August 2015. He indicated that this was the State revenue stream that he was most concerned about. Mr. Koenig explained that transfer tax is now split 50/50, with 1.5% going to the State and 1.5% going to the City. Last year 2.0% was proposed to go to the State and 1% to the City, which would result in a revenue loss of 17% or 18%. Mr. Koenig had not heard that the proposed bill had been reintroduced, expressing his belief that legislators were waiting for final Delaware Economic and Financial Advisory Council (DEFAC) numbers to be released. He stated that this is one (1) of the largest revenue streams that the City receives from the State, and the proposal discussed last year was significant and would result in a reduction to the City of several hundred thousand dollars.

Mr. Sudler questioned the best way to shave the $1M needed to balance the budget. Responding, Mr. Koenig stated that he thought that there would be discussions at all levels. He indicated the possibility of going back to departments and asking for only what is necessary, or making an adjustment to the General Fund capital plan which may involve deferring vehicles or reducing the street program. Mr. Koenig informed members that requests from citizens regarding services were continuing to escalate. He expressed the possibility of pulling back some of the MS4 funds for ditch maintenance; however, he stated the importance of coming into compliance with this permit, so this would not be first on the list. Mr. Koenig indicated that expectations in the Sanitation budget for tonnages going to the landfill would be reviewed, as would vehicles, open positions, debt service, and all types of issuances. He stated that everything that would maintain current levels of service would be reviewed; however, it may be necessary to discuss cutting levels of service.

Mr. Sudler asked if there was a process for prioritizing residents' requests for services and determining those that would be met in a given year. Responding, Mr. Koenig stated that, in his experience, residents typically express concern about the level of service at their house rather than elsewhere. He noted that staff takes into consideration feedback from those who come to speak at the budget discussions, Council, and social media; however, a majority of the requests received are for additional or enhanced services at the same or lower cost.

Mr. Slavin asked if a 2.5% adjustment of expenses and revenues was needed to come into policy compliance, and Mr. Koenig expressed his belief that this was correct.

Mayor Christiansen reminded members that one (1) of the functions of the Office of the Mayor was to work closely with legislators. He stated that the current formula for the PILOT program was being worked on and had been discussed with those in New Castle County who were tired of giving money to the City of Wilmington. Mayor Christiansen indicated that other municipalities with State of Delaware properties were being looked at. He was very comfortable that this matter would move

forward in the legislature and that the current realty transfer tax formula would remain intact unless DEFAC reports drastic funding problems. Mayor Christiansen advised that he and the City's standing committee chairs were planning an update and lunch with members of the Kent County legislative delegation, along with key members of New Castle and Sussex Counties, to ensure that the well-being of the City of Dover and other municipalities in the State would be looked after. Mayor Christiansen felt that those in Legislative Hall would be amenable to suggestions and recommendations developed since this was the middle of an election year. He indicated that he would keep Council and staff apprised regarding anything that might affect funds from the State, including DelDOT funding, community transportation funds, and municipal street aid.

Mr. Hare noted that some City positions that were vacant last year were still vacant. He suggested that if a position remains vacant for six (6) months, it should be vetted through the Legislative, Finance, and Administration Committee and Council before it is filled so that the need for the position can be justified. Mr. Hare did not want it to become a habit for funds for such positions to be used elsewhere, noting that it might be possible to eliminate them.

Mr. Hare asked if an inventory of vehicles and equipment would be provided, stating that supervisors should be able to adjust schedules to keep vehicles to a minimum. Responding, Mrs. Mitchell stated that the concept of sharing vehicles was discussed last year in relation to cost-savings ideas; however, staff had not yet gotten into that process. Mr. Hare indicated that he would like to see an inventory of all City vehicles and equipment by department to see if there were ways to share before making purchases.

In regard to vacant positions, Mr. Koenig stated that the City had been actively recruiting for almost every vacant position. He expressed his preference not to have to come back to Council every time a position is open for six (6) months, noting that he had been hired to manage the budget. Mr. Koenig advised members that there are unique instances in every department. For example, he explained that, Mr. Harry Maloney, Electric Director, was in the process of changing the Electric Department, hiring staff, and reorganizing positions as new people come into the organization. Mr. Koenig felt that making sure the appropriate people are in the right place is a staff/manager level decision, and he noted that some positions would be vacant for more than six (6) months. He indicated that coming back to Council to simply ask if he can fill a position would add an additional layer and burden of paperwork. Mr. Koenig felt that the budget could be managed as presented. He noted that staff had been working on at least one (1) position in the Public Works Department that had not yet been posted, explaining that, in some cases, positions in this Department had been through two (2) or three (3) postings due to employees quitting after being hired. Mr. Koenig pointed out that each department is unique and expressed the desire for Council to authorize the positions and allow staff to execute the budget based on that.

Mr. Hare expressed his opinion that if someone was not hired within six (6) months of a vacancy, the position was not that important. He reiterated his view that positions that remain vacant for more than six (6) months should be vetted.

Mr. Hosfelt stated that this matter was previously discussed last fall and Ms. Kim Hawkins, Human Resources Director, had prepared a report for him in this regard. He questioned if this report could be updated and given to all members of Council to provide a better understanding of recruitment, and Mr. Koenig stated that this could be done.

Responding to Mr. Hosfelt as to whether employees were quitting due to the pay scale, benefits, or other reasons, Mr. Koenig explained that some employees find the job different from what they expected, others have left during the review period because they were not a good fit for the organization, and some have transferred to another department. He noted that openings can cause a cascade effect in the organization that affects four (4) or five (5) positions. Mr. Koenig advised that there have been increasing discussions and complaints about the closure of the defined benefit pension plan, and some employees feel that the defined contribution plan is a retirement savings plan that is not the same as a defined benefit plan. He noted that this is a matter of perspective since the City's defined contribution plan is better than some private sector companies that do not offer anything. Mr. Koenig stated that some employees had left or retired because they were unhappy that the City was about to require health care cost sharing, and this was still rippling through the organization three (3) or four (4) years later. He explained that there had been recent instances when a selection was made for a position and the candidate asked for $3 or $4 per hour more than what was offered, and staff did not have the ability to do this. He noted that in some cases union negotiations had taken away a tool that private sector companies might be able to use since a union did not want the City to leapfrog over staff that had been working with the City for a while. The City had wanted to hire employees at levels ranging from A to E; however, the union wanted to use only levels A to C.

Mr. Koenig expressed additional concerns about changes in the private marketplace that were affecting employees, especially new, younger employees who may be covered by their parents for health insurance and for whom the benefit package may not register. He advised members that the hourly rate is what matters to these employees, but health insurance is a major part of the City's total cost for employment, and the City cannot convert the value of health care to an hourly rate addition under any of the City's union contracts because this is not an acceptable way to hire. Mr. Koenig noted that in some cases municipalities not far from Dover are hiring at $2 an hour higher, and the City has challenges in the workforce and in recruitment.

Mr. Sudler questioned if interim employees are selected to fill positions when employees resign and how soon staff solicits, considers, and interviews prospective employees. Responding, Mr. Koenig stated this would depend on the position and the part of the organization involved. In some cases a position's duties are absorbed by other employees in the office; however, there are interim appointments at the department head level because someone must be the overall authority in the department.

In regard to recruitment, Mr. Koenig explained that once an employee resigns it is up to the department to fill out a written request to recruit and indicate that this is a position that is needed and not a placeholder. This is submitted to the City Manager for review and forwarded to the Human Resources Department. The sooner the department head submits paperwork, the sooner they get into

the queue for advertising. Some departments focus a lot of time and attention immediately when someone resigns; others take a more structured approach. Mr. Koenig indicated that there was not an across-the-board answer to Mr. Sudler's question, because department heads, in some cases, control a portion of the equation to get everything in, have interviews scheduled, and make selections.

Mr. Sudler asked if it would be beneficial for City Council to designate a time frame across the board for all departments to solicit for positions. Responding, Mr. Koenig expressed his belief that this was not necessary.

Mr. Hare concurred that a designated time frame was not necessary; however, he felt that if a department head loses an individual and goes half a year before considering hiring someone, they may not be the right person to be a department head in a key position. He believed they should come before the Legislative, Finance, and Administration Committee to explain why it took so long, noting that it does not take half a year to find a replacement in the business sector.

In response to Mayor Christiansen regarding venues where City employees are solicited, Mr. Koenig indicated that very few positions are posted in the newspaper anymore; however, they are posted on the City's website and other social media outlets, and many are shared by City employees. Positions are posted on all bulletin boards, and staff shares information with Delaware Technical and Community College and has participated in job fairs there. Mr. Koenig indicated that the City had held its own job fairs and, for some of the more technical positions, staff had advertised in national journals. It was Mr. Koenig's belief that related links are also sent to Delaware State University. The number of applications received can range from four (4) or five (5) to several hundred, depending on the time of year or the market. Mr. Koenig stated that a wide range of outlets is used for jobs, and it may be a matter of whether people want to select the City as an employer. He noted that it took quite a while to hire a number of technical jobs, such as engineering staff, and to fill the Electric Director position. Mr. Koenig informed members that the services of a recruiter were engaged for the Electric Director position and this did not work; however, staff received contacts from people in the industry that had experience in this type of work. Mr. Koenig noted that advertising for positions in trade journals, etc., can cost several thousand dollars. He assured members that staff was always hoping to expand when reaching out to job applicants because each department head wants to hire the best person available for their opening.

Mr. Anderson, noting that electric costs had decreased, questioned the reason for the slight increase in funding for street lights and if these funds would be used for retooling or replacing street lights. Responding, Mr. Koenig expressed his belief that the street light payment identified in the General Fund was for electricity and maintenance related to those lights, stating that there was no proposed change to the electric rate for FY 17. He indicated that lights were being added and the system was getting bigger.

In response to Mr. Anderson as to whether the City continued to use temporary help, Mr. Koenig stated that the City uses temporary help in the Grounds and Sanitation Divisions. He indicated that there were difficulties with temporary help, noting that these individuals are required to pass

background checks, are not allowed to drive because of CDL issues, and are restricted to pure labor functions such as cutting grass, sanitation, and work in the Streets Division, such as collection and assisting the sign painter. To Mr. Koenig's knowledge, temporary help had not been used recently in administration.

Mr. Koenig reviewed the Water/Wastewater Fund Summary, noting that there had been adjustments to beginning balances. Under base reviews for FY 17, he indicated that staff was still assessing the impact of revenues from Calpine. The total revenue for Water/Wastewater in FY 16 was slightly over $15M and was projected at $15.8M for FY 17. Mr. Koenig pointed out slight growth in wastewater revenues due to new connections. The total increase in revenue would be approximately $89,500 for water/wastewater.

Mr. Koenig indicated that expenses in the Water/Wastewater Fund included transfers, the cost of engineering, the cost of running the plant, etc. Wholesale changes were not requested in the capital plan, and staff was trying to stick with the general authorizations that Council had expected over the five (5) year period. Mr. Koenig informed members that debt service would be issued in the Water/Wastewater Fund, noting that a treatment upgrade was planned for the Long Point Road Treatment Plant and design was almost complete. Construction was currently estimated at approximately $2.4M and the State revolving fund would be used for this. The State revolving fund would also be used for pump station replacement and upgrade projects. Mr. Koenig felt that staff was having success in working their way through capital project authorizations and starting to catch up with the expenditures that Council had authorized in years past. The backlog of projects had been decreasing over the last couple of years, although there had been times when it had been necessary to come before Council to modify project budgets due to estimates that had been incorrect and bids that had come in high. In some cases, projects had been finished under budget and project budgets were transferred. Mr. Koenig stated that staff had focused on modifying the capital plan to stay within the financial authorization of Council. He advised that all wastewater is sent to Kent County for treatment, and this is a direct pass-through cost.

Mr. Hutchison questioned how the financial numbers from Calpine compared to projections, based on the short period of time that Calpine had been in operation. Responding, Mr. Koenig stated there was discussion early on that revenues were projected in the $1.6M range; however, this year's revenues for water were only projected at approximately $700,000 to $800,000 for the Garrison Energy Center. He noted that it had been less than one (1) full year since construction finished and there was a major outage in the fall while things were being finalized. Mr. Koenig indicated that the City was seeing the ramp-up of this facility moving into the springtime, and he felt it would be another six (6) months before there would be a true gauge of the final numbers. He indicated that water revenues seemed to be slightly less than projected but the sewer revenues slightly more, noting that Calpine may have been referring to both water and sewer when they provided the $1.6M figure. Mr. Koenig informed members that Calpine is the top water user in the system and as their run profile starts to solidify, the true revenue profile will be seen.

In response to Mr. Hare's request for clarification regarding Intrafund Service Fees and Bank and Credit Card Service Fees, Mr. Koenig stated that the City's customers use credit cards to pay bills at Customer Service, but the City absorbs the transaction fees, which are allocated to the different funds.

Mr. Hare questioned if the City should consider charging an additional 1.5% or 2% for those using credit cards to pay, as many other companies do. Responding, Mr. Koenig stated that staff had gone back and forth on that internally; however, he did not agree with charging customers an additional fee, noting that a transaction cost is not paid for using a debit card at stores like Walmart. He expressed the desire to encourage people to pay their bills and not avoid doing so because of the credit card fee. Mr. Koenig felt that, with a perfect rate design, the City would assume that everyone is using credit and this would be included in the rate; however, this was not the case currently. He advised that payment procedures are slightly different from department to department, noting that a customer cannot walk up and swipe a card to pay a bill in Customer Service but must go off to the side and make a phone transaction, and the system is not where he would like it to be. Those who pay for a building permit in the Planning Department can swipe a credit card.

In regard to Intrafund Service Fees, Mrs. Mitchell informed members that this is where administrative costs for the City Manager's Office, City Council, City Clerk, Finance, Human Resources, Information Technology, Facilities, Fleet, and Warehouse are allocated to all three (3) funds. This is calculated using formulas based on assets, personnel costs for Human Resources, and the head count. Mrs. Mitchell indicated that Water/Wastewater Fund assets had climbed since more projects had been completed, which drove their allocation percentage higher. The Electric Fund's percentage of those costs remained stable.

Mr. Slavin clarified that this was the business side cost of running the utility. He cautioned members that when budget hearings are held in May, cuts are sometimes offered as a way of saving money in the General Fund; however, 100% of that cost is not always saved in the General Fund because costs are sometimes allocated across the three (3) different funds.

Mr. Sudler asked how long the City had been allocating for Intrafund Services. Responding, Mrs. Mitchell stated that this had been done since the 1980s.

Mr. Neil stated his presumption that credit card costs had been negotiated at the lowest possible level. He noted that volume retailers can get a lower rate and questioned if the City does that as well. Responding, Mrs. Mitchell stated that credit card and merchant services are bid out when the City bids out bank services and staff looks for the lowest rates.

Mr. Koenig pointed out, in regard to potential future rate changes for the water and sewer utility, that when talking to the State water is a scarce resource. Staff spends a lot of time and energy trying to plan the City's water resources and make sure the City has the permits to pump out as much water as needed from the system. The City is monitored closely by Public Health regarding the quality of water and must pass inspections and testing. Mr. Koenig informed members that as allocation permits have come up for renewal, modifying these permits has been discussed. In the past, there

may have been eight (8) wells that were all at 1,000 gallons, but if a well can pump only 680 gallons, that permit is adjusted down to 680 gallons. Mr. Koenig indicated that staff had been doing a lot of permit management and discussion with the State about the incentive to value water as a resource. He explained that when water is cheap, it is not valued as much as when it is expensive. When discussing allocation expansion, the State looks at rate design, whether people are being encouraged to save water, and if there is an active promotion of low-flow faucets and fixtures. Mr. Koenig stated that when considering how to develop the City's next water resource, discussion about rates will become part of the equation. When the City applies for the State revolving fund, they look at the City's financial abilities and the bond market. Mr. Koenig pointed out that some private sector providers have a tiered system where more water being used results in a higher rate being paid. He felt that future rate design for the water and sewer utility would likely mirror that type of philosophy. Mr. Koenig stated that this discussion was a precursor to consideration of the next rate adjustment and advised members that they would see a proposal from his office regarding a block rate design.

Mr. Sudler asked if the City has incentive programs for residents to save water. Responding, Mr. Koenig stated that staff does not go in and tell people to use low-flush toilets; however, new plumbing codes for new construction and remodeling have requirements for things such as low-flush and low-flow faucets. Behavior changes are also occurring as part of the sales market. Mr. Koenig felt that the price of water in the City of Dover, at $3 per thousand gallons, was not driving people to be more efficient in water use; however, such changes were being driven by the desire to save resources or to change fixtures.

In response to Mr. Sudler regarding the plumbing code used by the City, Mrs. Ann Marie Townshend, Director of Planning and Community Development, stated that the City had adopted the 2009 code but the State had adopted the 2015 code and requires the City to use what they adopt; therefore, the City had been using the 2015 code. Mrs. Townshend explained that the International Code Council (ICC) comes out with updated codes every three (3) years. Since adopting new codes every three (3) years would be a challenge administratively, in training code officials, and in working with the development community, the City had typically done this every six (6) years. Mrs. Townshend indicated that there had been discussion about adopting the 2012 code, which is used by Kent County; however, the 2015 code had now been issued. She stated that the City would either adopt the 2015 code, since they were required to use the plumbing and energy codes for 2015 by the State, or would wait until 2018.

Responding to Mr. Sudler, Mrs. Townshend advised that the 2009 codes were adopted by reference in Chapter 22 of the City of Dover Municipal Code.

In response to Ms. Maucher regarding when the last cost of service rate design was performed, Mr. Koenig stated his belief that the City had never had a true cost of service rate design done by a consultant for the water/wastewater utility. He advised that the utility's rate design was very rudimentary. Mr. Koenig stated that it took approximately four (4) or five (5) attempts to get a customer charge for the water rate on the water portion of the bill. In the future, when discussing the inclining block, Mr. Koenig felt that the City may want to do a cost of service rate design, noting that large customers have a substantial impact on the system that is probably not, from a rate design

standpoint, being allocated and reported through those types of standards. Mr. Koenig stated that the electric cost of service is very detailed and involves a lot of accounting and discussion; however, in regard to water, staff looks at how much is pumped into the system, the losses, and the capital plan and then develops a rate. Everyone is treated equally; however, Mr. Koenig felt that there would be a need to look at the cost of service to get a fair allocation of costs as the City moves toward a more modern utility.

In regard to expanding City water and water rights in new wells and aquifers, Mr. Anderson asked if there were any potential cost increases in the future when drilling in deeper aquifers. Responding, Mr. Koenig stated that there would be cost increases without question. He explained that the City draws from three (3) aquifers: 1) the Columbia, which is the unconfined aquifer on the east side of the City; 2) the Cheswold, which is a middle-depth confined aquifer; and 3) the Piney Point, which is a deep, confined aquifer. Mr. Koenig advised that the State has not allowed very many, if any, new wells in Piney Point because they are concerned about mining the water out of this aquifer; therefore, Piney Point is the most difficult to get a new well in. He explained that the City was able to drill a new well at Piney Point because two (2) old permits were given up, the permit location and allocation were moved to obtain authorization to go into the aquifer, and there were no additional allocations of water for this.

Mr. Koenig informed members that there seemed to be some room for expansion in the Cheswold aquifer and a new well was being proposed in the capital plan for this. He indicated that staff originally planned to go into the very deep Frederica aquifer; however, after working with the State, it appeared that the City may be able to get into the Cheswold aquifer and get the appropriate allocation at a mid-range depth, which would significantly reduce the cost of the well. Otherwise, it would be necessary to go deeper than Piney Point to get water, which could lead to additional costs.

Mr. Koenig indicated that a permit was issued in the early 1990s at the Long Point treatment plant. He noted that this area was under heavy influence of agricultural wells now and the City's long-term allocation there was shrinking. Mr. Koenig informed members that as much as 5M gallons were expected to run through this plant when it was originally designed. The plant redesign 27 years later was in the 3M gallon range, with the potential to expand to up to 4M. Mr. Koenig stated that in the 20 plus years that the plant had been in operation, it had probably never pulled even 3M gallons a day from the aquifer. There was room for growth from the City's system in the aquifer; however, in the overall umbrella of the City, the City would be pulling from the confined aquifers, and the costs would be significant when the City has to drill new wells. To Mr. Koenig's recollection, the cost was approximately $1.1M for the Piney Point well that produced approximately 600 to 700 gallons per minute.

Mr. Anderson questioned what would happen if there were expansions at the Garrison Oak Technology Park, such as for Calpine. Responding, Mr. Koenig stated that the engineering calculations for Calpine coming online indicated that the City would need a new tower immediately; however, Calpine had now been running for nine (9) months. The tower was nearly ready to go into service; however, the system went through the summer and the end of the last season without the need for the tower to be online. Mr. Koenig explained that when engineering calculations are run

for margins of safety and safe allocations, it is assumed that a major facility is offline, as if there were a major fire going on, which creates a handicap. He advised that the system was currently designed so that Block 1 would not affect allocation.

Mr. Koenig stated that if Calpine moves forward with Block 2, the City would look at the run profile of Block 1, as well the expected demand from a second block. He noted that estimates for a second block had ranged from 50MW to 520MW, and staff had not been able to get a definite answer from Calpine on this. Mr. Koenig indicated there had been changes in the City's Code since Block 1 was authorized; therefore, if Calpine proceeds with Block 2, there would be no cap on their impact fees. Mr. Koenig stated his belief that the impact fee for water and sewer for Block 1 would be more than $15M; therefore, Calpine would have to make a significant capital transfer to the City for Block 2 under the current ordinance. This money would have to be used to offset an investment for more supply. Mr. Koenig stated that the question, from an engineering standpoint, was whether the City could accommodate Calpine if they wanted to proceed today. He indicated that he did not have this answer tonight; however, the City is ready for those types of things to be introduced.

Responding to Mr. Neil, Mr. Koenig stated that City encompasses approximately 24 square miles; however, the City's electric service territory granted by the State is approximately 74 square miles, which is almost three (3) times the size of the City. In regard to the water service territory, Mr. Koenig estimated that 80% to 90% of the customers outside City limits are residential. There are subdivisions outside the City that receive City water and in some cases, City sewer, such as Rodney Village, Kent Acres, St. Jones Commons, and Wolfe Creek. Service areas extend beyond the City perhaps five (5) to 15 square miles. Some customers outside the City have electric, water, and sewer; some electric or water only; some have other combinations.

In response to Mr. Hutchison regarding the volume of calls regarding brown water with increased water usage on the east side and the flushing of pipes, Mr. Koenig stated that there were approximately 10-20 complaints reflected on a flushing report last week, and he expressed his impression that the number of calls was down. He noted that there is a lot of water running through the east side of the system when Calpine is running and the system is self-cleaning in some cases. Mr. Koenig indicated that complaints had decreased from years past.

Responding to Ms. Maucher regarding the rate differential for in-City versus out-of-City customers, Mr. Koenig stated his belief that this was spelled out in the Code and the differential was 50%. The in-City rate is $3.00 for 1,000 gallons, compared to $4.50 per 1,000 gallons outside the City.

Expressing his opinion that $3 per 1,000 gallons seemed like a very good rate, Mr. Hare questioned how often the City checks its water rates. Responding, Mr. Koenig stated that this is an excellent rate from the customer standpoint. He explained that the Finance Department had solicited rates from a number of municipalities, and a comparison of public and private providers would be provided during the upcoming budget hearings.

In response to Mr. Anderson, Mr. Koenig confirmed that the City's rates are so low that Tidewater Utilities buys water from the City and has three (3) active interconnections: 1) at Denney's and Kenton Roads; 2) at Denney's Road and Carlisle Village, and 3) running south on State Street, which feeds mobile home parks and other areas. Mr. Koenig explained that Tidewater has several of the top 10 meters that produce for the City of Dover. They buy at the in-City rate at $3 per 1,000 gallons and sell it in accordance with their tariff, which Mr. Koenig believed exceeds $8 per 1,000 gallons.

In regard to wastewater, Mr. Anderson noted that the City had put a lot of money into reducing infiltration over the last five (5) years and asked if a benefit had been received from this. Responding, Mr. Koenig stated that there had been a benefit. He noted that the Public Works Department had submitted applications for the return of impact fee credits related to Inflow and Infiltration (I & I) and he indicated that he would bring this report to the budget hearings. Mr. Koenig explained that I & I is outside rainwater and groundwater penetrating into the sanitary sewer system. He stated that this is a burden on the system that the City, as a utility, is paying extra to treat.

Mr. Slavin noted that the City sends rainwater to Kent County, who cleans it, and the City is charged for this.

Responding to Mr. Anderson as to whether the City had been able to reduce the amount that the City had been investing, Mr. Koenig indicated that he did not have those numbers with him but would bring the data to the budget hearings.

In regard to credit cards and their effect on all three (3) funds, Mrs. Mitchell advised members that in the past, all bank and credit card fees were netted against interest income; however, staff had made an accounting change. For example, referring to the Water/Wastewater Fund Summary, Lines 12-13, regarding water and wastewater interest, she explained that the figures for 2014/15 Actual were negative because those fees were netted against the interest. Referring to Line 31, Bank and Credit Card Fees, she explained that there was a zero balance, because staff did not have this information segregated at that time. Mrs. Mitchell stated that staff had since segregated the bank fees, so the interest earned increased in each of the funds.

In regard to the Electric Revenue Fund Summary, Mr. Koenig informed members that the Electric Fund had slightly over $80M in revenue. He stated that the largest revenue was from Direct Sales to Customer, which was projected to increase slightly by $712,000 or 0.9% because a slight increase in the load profile was projected. Mr. Koenig reminded members that there had been a lot of conflict and uncertainty in the industry. There had been fairly large expansions of commercial customers, including the Edgewell/Energizer and Kraft Heinz facilities; however, the long-term load profile of the utility was expected to be relatively flat. He noted that the utility is under a lot of influence from people wanting to put in private solar and other measures that will affect the system. Mr. Koenig indicated that there was a very slight increase in direct sales to customers, which cascades down into utility tax revenue, and a slight increase in miscellaneous revenue. He noted that the transfer from the Rate Stabilization Fund would be decreased for FY 17. Total revenues associated with the proposed FY 17 budget would be roughly $81.3M; however, there was a very substantial beginning

balance in revenues of approximately $93.9M, resulting in a total change of approximately $4.2M or an increase of approximately 4.7% from FY 16.

In regard to expenses, Mr. Koenig informed members that the cost of power supply had been decreasing, and this trend was expected to be realized in FY 17, although staff was still working on related issues for FY 16. Mr. Koenig pointed out that PJM charges regarding transmission were going up substantially, noting that it seemed that money was being moved from one (1) bucket to another to adjust to how the system is charging the City for power from the grid. He stated that there were additional capacity charges. Mr. Koenig indicated that power plant operations were proposed to decrease slightly by approximately $217,000, and the total cost of power supply and generation was approximately $49.1M.

Mr. Koenig pointed out that the transfer to Improvement & Extension (I & E) in the amount of $2.5M was to keep the City's infrastructure up to date. There was a $10M transfer to the General Fund and transfers to the depreciation, future capacity and rate stabilization reserves, with transfers totaling approximately $15.25M. The total budget balance and expenses resulted in a positive balance of approximately $4.2M.

Mr. Koenig, referring to Line 62, Exceeds (Remains) to Meet Requirement, indicated that the Electric Fund was over the policy requirements by approximately $5.15M. He advised that adjustments were needed to this and the other funds, noting that one (1) of the capital projects would influence the FY 17 budget and one (1) the FY 18 budget in the Electric Fund. Substation replacements were also being discussed in the five (5) year plan, and whether cash would be paid or debt would be issued for these things. Mr. Koenig reiterated that the Electric Fund had a positive balance; however, this number would be refined moving forward as proposals related to the Electric Fund are made in the final budget discussions.

Mr. Blakeman, referring to Line 13, Power Supply, of the Electric Revenue Fund Summary, noted that the cost of power supply was projected to decrease by $6.8M or approximately 29%, and asked if this was a one (1) year anomaly or was anticipated to be an ongoing trend, and if this was a fixed cost that is projected out. Responding, Mr. Koenig advised members that Mrs. Mitchell had indicated that these figures reflected the open hedge position as well as the purchase position, so this was why there was a large decrease in power supply but an increase in PJM transmission and fees. He stated that there is some influence in the hedge purchasing moving forward.

Mr. Blakeman asked whether hedging was bringing the price down and if the City was still buying the same number of kilowatt hours. Responding, Mrs. Mitchell explained that this was not the case. She explained that there was unhedged energy since hedges were not 100% covered. The hedges are included in the power supply, but the PJM figures reflect buying off the market and are the offset to what the City has not hedged. Mrs. Mitchell stated that the City may be 100% hedged in the current year, but may be only 80% hedged in 2017, the out year. Mrs. Mitchell stated that the figures represented the hedges that are in place. The unhedged energy comes from the PJM; therefore, these two (2) figures must be netted together.

Mr. Blakeman asked if this discussion pertained to the PJM spot market energy, and Mrs. Mitchell confirmed this. Mr. Blakeman indicated that this was decreased by approximately 52.9% in FY 17. Mrs. Mitchell stated her belief that the unhedged energy was included in the PJM Charges - Transmission and Fees, on Line 19 of the Electric Revenue Fund Summary. Mr. Blakeman questioned if transmission and fees included energy rather than services for transmission. Responding, Mrs. Mitchell stated her belief that the unhedged energy is included in the PJM energy and transmission, and the projection was increased by approximately $4.3M for FY 17 because this was the unhedged portion. She confirmed that transmission fees include some energy; however, she indicated that she would have review this to make sure that amounts were in the correct place.

Mr. Blakeman noted that capacity charges were approximately the same for FY 17; however, the capacity credits were decreased by approximately 29%. He questioned if this decrease in the cost of capacity was an ongoing trend. Responding, Mr. Koenig stated that a temporary dip was projected for FY 17 and a temporary rebound was then projected for a couple of years, followed by what he felt could be termed as some question marks.

Mr. Blakeman asked if transmission and distribution under direct expenditures were decreased due to a reduction in manning or material costs. In response, Mr. Koenig stated that this was being driven by the reductions in pension and OPEB funding since the City was on schedule in this regard. He noted that the City had to put extra money in for a while, but this had now leveled off and started to decline in the Electric Fund. He reiterated that this was the City's only fund in this position.

Mr. Anderson asked at what percentage the City was covered for price increases or hedging for FY 17. Responding, Mr. Koenig stated his recollection that the target when entering the budget year on July 1, 2017 would be approximately 80%. He indicated that the City was getting close for FY 18, and some of the other purchases made for some of the out years were close to 80%. Mr. Koenig advised members that the City would be right at or a little above 80%.

Noting the decline in capacity credits, Mr. Anderson questioned whether the City was getting less in capacity credits because the cost of power was down, and he inquired if these items track together. In response, Mr. Maloney stated that the drop in the City's capacity credits was due to an outage during the peak period in the last week of February 2015. He indicated that the City took a temporary hit that was showing up in this year's budget. Mr. Maloney stated that there was a need to go out and find replacement capacity, and this was the added cost. He projected that this should be a one (1) year rebound, noting that in this capacity planning year the City had been doing very well and there had not been any outages.

Mr. Neil noted that two (2) of the old plants would be going offline and questioned if this was reflected in the calculations. Responding, Mr. Maloney stated that buying replacement capacity for these plants would not be reflected until FY 18.

Mr. Koenig reviewed the Governmental Capital Projects Fund Summary, which identified the different revenue sources and predicted expenditures related to the capital plan for each department. The proposed revenue and expenditures were approximately $11.3M.

Mr. Anderson indicated that a developer had made a PILOT payment and questioned why this did not appear in the budget for the Parkland Reserve. Responding, Mrs. Mitchell advised members that none of the reserve funds were included at this point, but they would be included when the budget is brought forward in May. She indicated that staff had focused on the three (3) major funds for this presentation.

Mr. Koenig reviewed the Water/Wastewater Improvement & Extension Fund Summary, which had a total beginning balance and revenues of approximately $7.8M between the two (2) funds. There were expenditures of $1.33M in water, slightly over $2M in wastewater, and $1.2M in treatment expenses. He advised that total expenditures were roughly $4.5M, which would cover capital improvement and vehicle purchase expenditures.

Responding to Mr. Hare, Mr. Koenig stated that detailed information regarding the vehicles was provided in the Preliminary Capital Investment Plan - FY17 thru FY21, and staff would come back with a presentation on vehicles as part of the overall budget. He indicated that this evening's meeting was for a general overview of the expected expenses by category.

Mr. Koenig reviewed the Electric Improvement & Extension Fund Summary, noted that it was related to capital projects. He stated that a portion was for generation, transmission and distribution, electrical engineering, and meter reading.

In summary, Mr. Koenig stated that the Electric Fund, while challenging, was going fairly well, noting that the electric system received a reliability award during the City Council meeting held the previous night. He stated that this was an important award from an economic development and customer service standpoint. Mr. Koenig indicated that this was a reflection of the dedication of staff in keeping the system running, the City's continuing investment in keeping the system running 24/7 with very few interruptions, and the City's return on this investment.

Mr. Koenig advised members that there were challenges on the water and sewer side. The City had not quite reached the revenue plateaus that were originally promised for Calpine, but staff was working through some of the actual run profiles to see what the final revenues would be. The City was investing in the expansion of the supply side of the system, water pumping stations, the water treatment plant, renewals and replacement of pipe to improve water quality, and increased diameters in pipe sizes. He indicated that, when taking on new developments, the electric and water/wastewater systems are getting bigger and there are more customers, so there is an opportunity to expand these systems and increase the revenues associated with them. Mr. Koenig stated that challenges associated with the water/wastewater system were the future rate design issue, the future structure of water, and the continued focus and effort on renewals and replacement of the system, noting that, in some cases, pipe had been in the ground for 100 years and was still performing.

Mr. Koenig reiterated that the biggest challenge would be in the General Fund, as it had been for a number of years. There were some positive things over the last few years, including an uptick in realty transfer taxes and increased construction activity. He noted that an increase in houses being built results in new commercial structures being built. Mr. Koenig felt that these were good signs

for revenues coming into the local government, since the City derives a substantial amount of revenue from property transfers and construction-related activity. When the economy is moving in the City and there are real estate transfers, this usually equates to the City's budget improving from an overall revenue standpoint. Mr. Koenig stated that challenges associated with the General Fund include increased public safety spending for the police and potential fire purchases going forward, as well as increased spending related to the MS4 permit. He advised members that there was not a recommendation in the current proposal for non-bargaining salaries; however, all of the labor contracts that had been signed and were in place were reflected in the proposal. Mr. Koenig indicated that there was an uptick in health care costs, but these were being offset, in some cases, by decreases in funding to the Electric Fund. He also noted that there was some pension cost escalation related to the General Fund. Mr. Koenig indicated that staff would be bringing forward some discussions regarding how to fund public safety in the budget hearings, but staff was very conscious of the heavy lift that Council did with regard to the property tax rate increase last year and was committed to maintaining that property tax rate. Staff felt that, with some minor adjustments, the current level of service could be delivered within the current tax structure.

Mr. Slavin stated that the proposed capital plan would be reviewed at a later date.

Mr. Anderson questioned what formula was being used to project transfer taxes. Responding, Mrs. Mitchell advised members that the last three (3) to five (5) years in the Municast forecast model provided the basis for the preliminary numbers in the draft budget. Changes in these trends are reviewed and, based on that, staff prepares an estimate looking at the year to date. Mrs. Mitchell stated that staff does not look at property sales, noting that considering just the number of sales distorts the estimate. She indicated that trends in residential housing are fairly stable, so staff uses these figures and ramps them up to account for what they think may be the large receipts, such as those for apartment complexes. Mrs. Mitchell noted that there had been several large receipts in the current fiscal year totaling more than $0.5M, which occurs in some years and not in others, so staff tries to be conservative in their estimates.

In response to Mr. Anderson regarding how confident staff was with revenue numbers, Mrs. Mitchell stated her personal level of confidence at 90% - 95%. Mr. Sudler asked what would be included in the missing 5%, and Mrs. Mitchell indicated that she did not know what might be missing but, as a precaution, she did not want to say that staff felt 100% confident.

Mr. Koenig stated that in general he was very confident in the overall numbers. He stated the desire to take one more look at both the expense and revenue sides coming into the final budget presentation. Mr. Koenig indicated that the transfer tax is somewhat challenging from the administrative side and he did not want to overestimate it. He did not want the transfer tax to be the budget balancer, because he felt this would be a slippery slope from the administrative side. In regard to property taxes, Mr. Koenig indicated that Mrs. Cheryl Bundek, Tax Assessor, would probably be asked once more if she was sure of the numbers or if there would be changes; however, he felt this would not fluctuate very much. He stated that staff now accounts for exemptions that are issued, and the number presented was the number that staff expected to receive during the budget year based on current calculations. Mr. Koenig indicated that staff may review permits, licenses, and

Planning Commission authorizations to see what has happened during the past few months, but he did not expect large changes amounting to several hundred thousand dollars.

In response to Mr. Anderson as to when members would hear proposals resulting from the public safety study being conducted by the Center for Public Safety Management, Mr. Koenig stated that fire and Emergency Medical Services (EMS) recommendations were available on the City's website. He expressed his desire for the consultant who prepared the report to provide a presentation to Council or the Council Committee of the Whole; however, this had not been scheduled and it was uncertain if it would occur before, during, or after the end of the budget hearings. Mr. Koenig indicated that the consultant had done a site visit two (2) or three (3) weeks ago regarding the police portion of the study. He expressed his hope that this report would be finalized and made available in the next six (6) to eight (8) weeks.

In response to Mr. Shevock as to whether the decreasing landfill fees are offset by recycling fees, Mr. Koenig stated his recollection that the reduction in tipping fees was between $6.00 and $10.00 per ton. He explained that the City typically signs a differential disposal fee agreement with the Delaware Solid Waste Authority (DSWA) that sets the City's fee for a three (3) year period, and this agreement is approved by Council. Mr. Koenig noted that the DSWA is the City's only option for solid waste disposal. He advised members that there had been some difficulty with the performance of the City's recycling contractor and thought it likely that there would be internal discussion and proposals at the administrative level regarding how the City would handle recycling in the long run. He stated that the expense for the contractor exceeds the reduction in the landfill tipping fee; therefore, there was a net increase in expenses and staff was not happy with the service. Mr. Koenig indicated that he would like to implement weekly recycling since he believed this would increase the amount of recycling, noting that this would create some operational problems. He indicated that he would not be bringing this proposal for the FY 17 budget. Mr. Koenig explained that currently there was a need to separate waste and touch it more times, so costs were going up. Previously, customers put yard waste, household trash, and recycling in a 90-gallon, black trash containers, which were picked up and dumped by the City; however, staff was now under pressure to separate recycling, household garbage and yard waste, and bulk trash and yard waste are also picked up. Mr. Koenig stated that the service was being stretched. There were also challenges in areas with higher density or smaller properties, with limited space for setting out containers while allowing distance between containers and space for cars. Mr. Koenig indicated the need for the City to adjust and modify service delivery, and to discuss this with communities, noting that there may not be a one (1) size fits all for communities. He stated his belief that sanitation service would be modified over the next several budget cycles. Mr. Koenig stated that some customers have recycling every week but not trash, which is difficult for the City as a service provider to adjust to. He indicated that the City was having difficulty providing levels of service that customers are happy with, and the sanitation budget is challenging. He reiterated that at this point the tipping cost reduction would not cover the cost of recycling or enhanced recycling. Costs were close, but there was not a one (1) to one (1) ratio.

Mr. Neil moved for adjournment of the Council Committee of the Whole meeting, seconded by Mr. Hosfelt and unanimously carried.

Meeting adjourned at 8:01 p.m.

Timothy A. Slavin
Council President

TAS/TM/js/dd
S:\AGENDAS-MINUTES-PACKETS-PRESENTATIONS-ATT&EXH\Committee-Minutes\2016\04-12-2016 CCW.wpd

City of Dover

Memorandum

Office of the City Manager
PO Box 475
Dover, DE 19903
Phone: (302) 736-7005
Fax: (302) 736-7002
E-mail: skoenig@dover.de.us

To: Mayor and City Council

From: Scott D. Koenig, P.E., City Manager

Date: April 19, 2016

Subject: Semi-Annual Inspection – Robbins Hose Company

In accordance with Section 46-43 of the City Code, the City Manager performed the required semi-annual inspection of the Dover Fire Department on Friday, April 15, 2016 at 1:00 p.m. with Chief Carleton Carey, Jr., Mr. Ronald Rhodes and Mr. Carter Knotts, Fire Chief's Assistant. This inspection was held at Robbins Hose Station No. 1. The following items were discussed:

1) The roof at Station # 2 – UPDATE - Robbins Hose Company and City staff will continue to monitor the age and condition of the roof at this location and include in the Capital Improvement Plan at the appropriate time. The roof is approximately twenty-three (23) years old as of this writing.

2) The roof at Station # 1 – UPDATE – Chief Carey indicated the roof has not leaked in 2016. Robbins Hose Company was able to secure a contractor to resolve leaks in the Communications Center.

3) The Fire Department is still interested in the replacement of Engine #7. A formal request and action form will be sent to City Council in May 2016.

4) Siren Maintenance – The sirens at Station #1 and Dover Street are scheduled for maintenance in the coming weeks. There are a total of seven (7) sirens. All of the sirens will require some level of maintenance. This work will be completed over the next several months.

5) Recruitment/Retention Membership – Discussion was held regarding this topic. Chief Carey indicated he planned to meet with Mayor Christiansen to discuss ideas to improve the recruitment and retention of volunteers.

6) Future minor improvement to Station #2 concrete ramp - Station #2 has identified a possible extension to the existing ramp (a 10'x10' area) to improve vehicular movement. A funding source must be sought for this improvement. This is not a critical request.

7) Potential Property Tax Credit – UPDATE – Former Chief Hall previously described a potential incentive to entice volunteers to actively participate in the community needs regarding the Fire Service. A potential property tax credit could be extended to volunteers who meet prescribed conditions to qualify for a tax credit. The City Manager asked for a written request so a formal request could be considered by City Council in the future. NO ACTION HAS BEEN TAKEN BY ROBBINS HOSE COMPANY ON THIS SUBJECT.

As always, the Robbins Hose Company continues to provide an outstanding level of service to the City of Dover and the unincorporated areas of the fire district. Please feel free to contact me if you have any questions or concerns.

SDK/ymm

cc: Carleton Carey, Jr., Fire Chief
Donna Mitchell, Controller
Carter Knotts, Fire Chief's Assistant
Kirby Hudson, Assistant City Manager

Dover Youth Advisory Committee

Memo

To: Dover City Council

From: Rebecca Anderson

cc: City Clerk's Office

Date: April 6, 2016

Re: Minute Action plan

The Dover City Council required an action plan from the committee regarding its minutes because the committee has failed to be consistent in its reporting due to inconsistent secretarial attendance. Remedying this problem is a top priority that I have taken on as the new chairperson. The committee did not have a January meeting due to post holiday quorum issues, but it is up to date with March and April has been drafted. December and February are addressed below.

The Youth Advisory Committee formed an action plan on April 4th for record keeping. We'd like to request a city clerk to come in before our next meeting, May 2, 2016 to teach members how to properly record minutes. With this we can use volunteers until July to fulfill any requirements. However, for the next fiscal year we'd like to request a thousand dollar budget for record keeping to contract an adult through the city. as well as digital equipment to prevent some of the confusion and errors encountered. Our February meeting recording was damaged by the tape recorder and we need to have the tape repaired as well as prevent incidents like this in the future. We note that the enabling resolution does not require the committee secretary to take minutes but keep copies of them. We are the only committee known to us keeping our own minutes; therefore, if that is to continue, we request minimal assistance in doing so.

In accordance with a FOIA request, we'd like to request the clerks to transfer the information on the tape from the December 7th meeting into minutes due to the sensitive circumstances and a need to ensure it is done properly.

Thank you,

Rebecca Anderson

Chairwoman of The Dover Youth Advisory Committee

We thank the Dover City Council for a unique opportunity to develop leadership skills by serving the public. My name is Rebecca Anderson. I am the chair for 2016 of the Youth Advisory committee and was authorized to issue this report. The committee is focused in 2016 on showing success in its core mission of advocacy to City Council and the community of issues which affect youth and providing family friendly youth events. Our strategy is to add value to community, discover the needs of youth in the community, and present a strategy to fulfil those needs. The focus will be on successfully fulfilling the mission with simpler events than last year. We hope that by building a successful foundation that we will gain expertise to do something more impressive in the future.

The Dover Youth Advisory Committee, since beginning in May 2015 has put vast effort into uniting the community and serving the citizens. From May to December majority of the committee's energy went into the New Year's event due to an outcry from the community to start the year together since we've lost First Night. For this we created a website and Facebook page for performers to register as well as to inform the general public about our event. Another way the committee informed the public was word of mouth. I along with Theresa Morris, an adult advisor, and others walked along Loockerman Street and talked with local business owners about this event. Many were overjoyed, missing the business gotten from previous years. All but one business gave us their support. As for individuals over - signed a petition in support of The Dover Youth Advisory Committee. Over 115 people volunteered to assist or perform for the city and over $30,000 mostly in kind donations (more than $5000 in cash) was donated to this event, something no one thought could be done.

Part of this donation was an in kind donation of $7500 from our local fireworks company. They handled a special event permit which was required for the event and according to the fire marshal, essential for the safety of the citizens. However, the city manager told us that we needed to get rid of the fireworks and that he wouldn't sign off on the insurance for us because he felt the execution deadline was too tight. The problem with dropping the fireworks, is that the company had volunteered to take care of permits and that was included as an option in the contract. In the transition back, the fire marshall was not covered until late. That was a critical failure. Even with a councilman as an advisor for the committee who asked repeatedly about any missing content such as permits, we were not taken as seriously as other committees In reality we started making plans and contacts back at our start in May, but weren't heard until deadlines were approaching. No one showed up to go over the permits until December 29. In fairness, we did discuss the events with top staff in September at the City Manager's office which is why the committee revised its plans.

A lack of communication was to blame for the cancellation of the event because if we received the guidance requested people would be looking forward to the next New Year event led by the youth.
We took no money from the government and in the end, we simply were requesting a block party so long as there was something for families to do.

While there will be difference of perspective, we hope that we can be united on a path forward. Our strategy is to build a record of success by accomplishing 3 simpler but meaningful events in stead of one big complicated event. I was elected a chairwoman of the committee on December 29, 2015 so I am asking for the opportunity to turn the page. We are reaching out to set new goals and new contacts. We have reached out to Mrs. Tonda Parks of DDP, Senior VP Paul Lakeman of Bayhealth, Ms. Wendy Vestfall of Kent County Tourism, Dr. Chanda Johnson of Restoring Central Dover, our Mayor Robin Christiansen and others. Mr. Ed Perez has

volunteered to help set a comprehensive step by step guideline. Mrs. Anne Marie Townsend has indicated a willingness to coordinate with us. Rev. Grimes who chairs the Restoring Central Dover Youth Committee has offered significant assistance. We have reached out to organizations for grants as well.

In spite of the setback, we still strive forward. Our main focus for this year now are participating in the first weekend and we have created a Workgroup with our members Michael Koisor and Jessica Simmons, to specialize in developing those plans. For the first weekend we are working out details such as a slip and slide, surveys and other content.

We've also established a working group for classes for the youth with me as a member. I've received a contact from Paul Lakeman, a representative of Bayhealth, who is interested in ensuring that the youth of Dover get opportunities such as a Safe Sitter class despite their income. I've also contacted Nauleen Perry from Delaware Technical Community College due to the array of classes and certifications that may be collected from there. Others have also shown interest and offered their venues in the case that Bayhealth or Delaware Technical Community College run into a dilemma with the availability of rooms.

We plan to have a summer event in coordination with an already existing 1st Weekend in August. We are planning to have an indoor end of year concert to set the stage for a major future event if indeed a future committee chooses to got in that direction.

We have 3 needs that we will address with the help of the city. 1. We need to begin recruitment for 3 to 4 positions on the committee. 2. We need to have reviewed any applications for a second adult advisor. 3. We need to be able to contract someone to take minutes and assist the Secretary and request a modern recording device.

We ask for renewals of the terms of the active members both youth and adults so that lessons learned will be able to be applied.

We thank the Community, City Council, the Mayor and City staff for allowing us to be part of the renewal of Dover. We are optimistic that Dover’s future will shine brighter than its noteworthy past. We request only the same support that other city committees receive when we interact with the city. We are grateful the beginnings of a new era of cooperation. The last year may have not been the success we hoped, but coming so close has given us the foundation of knowledge for future success.