REGULAR COUNCIL MEETING
AGENDA

FEBRUARY 22, 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 LEWIS

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 FEBRUARY 8, 2016**

2. **CERTIFICATE OF APPRECIATION - DOVER ELKS LODGE #1903 CODE PURPLE GRANT PROJECT**

* 3. **APPOINTMENT OF DELAWARE MUNICIPAL ELECTRIC CORPORATION (DEMEC) ALTERNATE DIRECTOR** *(HARRY MALONEY)*

4. **FINAL READING OF PROPOSED ORDINANCE #2015-24 - REZONING REQUEST FOR PROPERTY LOCATED ADJACENT TO THE WEST PROPERTY LINE OF 1042 SOUTH BRADFORD STREET**

   THE FIRST READING OF THE PROPOSED ORDINANCE WAS ACCOMPLISHED DURING THE COUNCIL MEETING OF DECEMBER 14, 2015. ON FEBRUARY 8, 2016, CITY COUNCIL DEFERRED ACTION UNTIL FEBRUARY 22, 2016. COPIES ARE AVAILABLE AT THE ENTRANCE OF THE COUNCIL CHAMBERS.

   A. **PROPERTY LOCATED ADJACENT TO THE WEST PROPERTY LINE OF 1042 SOUTH BRADFORD STREET, CONSISTING OF A 2,373$^{+/-}$ S.F. PORTION OF A 10,373$^{+/-}$ PARCEL, OWNED BY HALPERN FAMILY PROPERTY INVESTMENT, LP. THIS PROPERTY IS CURRENTLY ZONED R-8 (ONE FAMILY RESIDENCE) AND THE PROPOSED ZONING IS C-1A (LIMITED COMMERCIAL).**

   (TAX PARCEL: ED-05-077.17-03-14.00-000; SECOND COUNCIL DISTRICT; PLANNING REFERENCE Z-16-01)

* **5. DOVER HUMAN RELATIONS COMMISSION REPORT - FEBRUARY 2, 2016**

A. INTRODUCTION OF NEW MEMBER

B. ELECTION OF COMMISSION CHAIR

(COMMISSION ELECTED MR. THEODORE HENDERSON TO SERVE AS THE COMMISSION CHAIR)

C. DHRC COMMITTEE UPDATES

C-1. GOVERNMENT POLICY, PROGRAMS, AND PRACTICES COMMITTEE *(MCGIFFIN)*

C-2. COMMUNITY ENGAGEMENT COMMITTEE *(ROACH)*

C-3. EDUCATION COMMITTEE *(HENDERSON)*

C-4. COMMUNICATIONS COMMITTEE *(GRIFFITH)*

D. NEW BUSINESS

D-1. 2015 DHRC ANNUAL REPORT TO CITY COUNCIL

(COMMISSION APPROVED THE 2015 DHRC ANNUAL REPORT)

D-2. AFRICAN AMERICAN FESTIVAL

(COMMISSION RECOMMENDED THAT THE COMMUNICATIONS COMMITTEE WORK UP A PLAN TO RECOMMEND THE DHRC'S PRESENCE AT THE AFRICAN AMERICAN FESTIVAL THIS YEAR)

E. SCHEDULING OF 2016 MEETING DATES

* **6. COUNCIL COMMITTEE OF THE WHOLE REPORT - FEBRUARY 9, 2016**

A. PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE

A-1. DRAFT COMMITTEE STRATEGIC PLAN TO SUBMIT FOR STAFF REVIEW

(COMMITTEE DEFERRED ACTION PENDING FURTHER INFORMATION)

A-2. COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM QUARTERLY UPDATE (OCTOBER, NOVEMBER, AND DECEMBER)

(COMMITTEE RECOMMENDED ACCEPTANCE OF THE REPORT)

A-3. CITIZEN SUGGESTION - ECONOMIC EMPOWERMENT (CLAY HAMMOND)

(COMMITTEE RECOMMENDED REFERRING THE MINUTES OF THIS MEETING TO THE CITY'S ECONOMIC DEVELOPMENT OFFICE)

B. UTILITY COMMITTEE

B-1. ADDITIONAL POWER SUPPLY ALTERNATIVES

(COMMITTEE RECOMMENDED AUTHORIZING THE ENERGY MANAGER TO EXPLORE TWO (2) EXCEPTIONS TO THE GOVERNING ENERGY COMMODITY RISK POLICY TO PURSUE NEGOTIATIONS FOR TWO (2) SEPARATE COMMODITY TRANSACTIONS INTENDED TO MEET THE CITY'S ELECTRIC LOAD REQUIREMENTS AND REDUCE THE CITY'S RISK)

B-2. QUARTERLY REVIEW OF UTILITY RELATED CAPITAL INVESTMENT PLAN (CIP) (ELECTRIC AND WATER/WASTEWATER)(OCTOBER, NOVEMBER, AND DECEMBER)

(COMMITTEE ACTION NOT REQUIRED)

B-3. TEA/NAES REPORT (OCTOBER, NOVEMBER, AND DECEMBER)

(COMMITTEE RECOMMENDED ACCEPTANCE OF THE REPORTS)

B-4. UPDATES

(COMMITTEE ACTION NOT REQUIRED ON THE BELOW ITEMS)

C. LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

C-1. DISCUSSION - ELECTRIC CUTOFF PROCESS REVIEW

(COMMITTEE ACTION NOT REQUIRED)

* **6. COUNCIL COMMITTEE OF THE WHOLE REPORT - FEBRUARY 9, 2016 (CONTINUED)**

C. LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE (CONTINUED)

C-2. PROPOSED ORDINANCES

C-2-A. #2016-01 WITH STAFF AMENDMENT #1 (SA#1) AMENDING CHAPTER 18 - ANIMALS, SECTION 18-1 - DEFINITIONS, AND 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:, PARAGRAPH (D) - KEEPING DOMESTIC ANIMALS AND ARTICLE 12 - DEFINITIONS (SEE ITEM #8-A)

(COMMITTEE RECOMMENDED REFERRING PROPOSED ORDINANCE #2016-01 TO STAFF TO MAKE THE CHANGES DISCUSSED FOR FIRST READING)

C-2-B. #2016-07 - SECOND BUDGET AMENDMENT FOR FISCAL YEAR 2015/2016 (SEE ITEM #9-A)

(COMMITTEE RECOMMENDED ADOPTION OF ORDINANCE #2016-07)

C-3. REPORT OF INDEPENDENT PUBLIC ACCOUNTANTS FOR THE FISCAL YEAR ENDING JUNE 30, 2015

(COMMITTEE ACTION NOT REQUIRED)

7. EVALUATION OF BIDS

A. HAZLETTVILLE ROAD INTERCEPTOR REPLACEMENT PROJECT

(STAFF RECOMMENDS AWARDING THE CONTRACT TO EASTERN STATES CONSTRUCTION SERVICE, INC. FOR THE AMOUNT OF $774,035 (BID #16-0027PW))

B. SILVER LAKE DAM SLUICE GATE REPLACEMENT

(STAFF RECOMMENDS AWARDING THE CONTRACT TO NUPUMP CONSTRUCTION CO. FOR THE AMOUNT OF $80,900 (RFQ #2016-006DPW))

8. FIRST READING - STAFF SUBSTITUTE (SS#1) FOR PROPOSED ORDINANCE #2016-01

THE FIRST READING IS OFFERED ON THE FOLLOWING PROPOSED ORDINANCE. AMENDMENTS TO APPENDIX B, ZONING, REQUIRE A PUBLIC HEARING. IT IS RECOMMENDED FOR REFERRAL TO THE PLANNING COMMISSION ON MARCH 21, 2016 AND THAT A PUBLIC HEARING BE SET FOR APRIL 11, 2016 AT 7:30 P.M., AT WHICH TIME THE FINAL READING AND COUNCIL ACTION WILL TAKE PLACE. COPIES OF ALL PROPOSED ORDINANCES ARE AVAILABLE AT THE ENTRANCE OF THE COUNCIL CHAMBERS OR CAN BE OBTAINED FROM THE CITY CLERK'S OFFICE.

A. STAFF SUBSTITUTE #1 (SS#1) FOR PROPOSED ORDINANCE #2016-01 AMENDING 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

(LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE)

9. FIRST READING - PROPOSED ORDINANCE #2016-07

THE FIRST READING IS OFFERED ON THE PROPOSED ORDINANCE. THE FINAL READING OF THE ORDINANCE AND ACTION BY COUNCIL WILL TAKE PLACE ON MARCH 14, 2016. COPIES OF ALL PROPOSED ORDINANCES ARE AVAILABLE AT THE ENTRANCE OF THE COUNCIL CHAMBERS OR CAN BE OBTAINED FROM THE CITY CLERK'S OFFICE.

A. #2016-07 - SECOND BUDGET AMENDMENT FOR FISCAL YEAR 2015/2016

(LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE)

10. FINAL READING - PROPOSED ORDINANCES

THE FIRST READING OF THE PROPOSED ORDINANCES WAS ACCOMPLISHED DURING THE COUNCIL MEETING OF FEBRUARY 8, 2016. COPIES OF THE PROPOSED ORDINANCES ARE AVAILABLE AT THE ENTRANCE OF THE COUNCIL CHAMBERS.

A. #2016-05 AMENDING CHAPTER 106 - TRAFFIC AND VEHICLES, ARTICLE III - STOPPING, STANDING AND PARKING, DIVISION 2 - METERED PARKING, SECTION 106-164 - VIOLATIONS; PENALTIES

B. #2016-06 AMENDING CHAPTER 26 - BUSINESSES, ARTICLE II - LICENSES, SECTION 26-40 - LICENSE ISSUANCE, EXPIRATION AND FORM, AND SECTION 26-42 - PENALTY FOR LATE PAYMENT OF LICENSE FEE

11. CITY MANAGER'S ANNOUNCEMENTS

12. COUNCIL MEMBERS' ANNOUNCEMENTS

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REGULAR COUNCIL MEETING

The Regular Council Meeting was held on February 8, 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. Hare, and Mr. Hutchison. Mr. Hosfelt was absent.

Council staff members present were Captain Stump, Mrs. Mitchell, Mr. Koenig, Mrs. Townshend, Fire Chief Carey (departed at 7:29 p.m. and returned at 8:19 p.m.), Deputy City Solicitor Pepper, and Mrs. McDowell. Mayor Christiansen was also present (departed at 7:33 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. Steven Towers, 400 Harmony Lane, advised members that he lives in The Village at McKee Branch, which is a new development. He proposed that the City share the expense of adequate lighting for the S1-S4 pole lights at this development with East Coast Property Management, Inc. Mr. Towers stated that this is a high crime area and, with the current lighting, you cannot see your hand in front of your face.

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

AGENDA ADDITIONS/DELETIONS

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

Mr. Neil requested that item #3-B-b-1- Legislative, Finance, and Administration Committee Report - Persimmon Park Place Drainage Project, be removed from the Consent Agenda.

Mr. Lewis moved for approval of the Consent Agenda, as amended, seconded by Mr. Hare and carried by a unanimous roll call vote (Mr. Hosfelt absent).

ADOPTION OF MINUTES - EMERGENCY COUNCIL MEETING OF DECEMBER 29, 2015

The Minutes of the Emergency Council Meeting of December 29, 2015 were unanimously approved by motion of Mr. Lewis, seconded by Mr. Hare and bore the written approval of Mayor Christiansen.

ADOPTION OF MINUTES - REGULAR COUNCIL MEETING OF JANUARY 25, 2016

The Minutes of the Regular Council Meeting of January 25, 2016 were unanimously approved by motion of Mr. Lewis, seconded by Mr. Hare and bore the written approval of Mayor Christiansen.

PUBLIC HEARING/FINAL READING OF PROPOSED ORDINANCE #2015-24 - REZONING REQUEST FOR PROPERTY LOCATED ADJACENT TO THE WEST PROPERTY LINE OF 1042 SOUTH BRADFORD STREET

A public hearing was duly advertised for this time and place to consider the rezoning of property located adjacent to the west property line of 1042 South Bradford Street, consisting of a $2,373^{+/-}$ s.f. portion of a $10,373^{+/-}$ parcel, owned by Halpern Family Property Investment, LP. This property is currently zoned R-8 (One Family Residence) and the proposed zoning is C-1A (Limited Commercial) (Tax Parcel: ED-05-077.17-03-14.00-000; Second Council District; Planning Reference Z-16-01).

Mr. Sudler moved that the Final Reading of Proposed Ordinance #2015-24 be acknowledged by title only, seconded by Mr. Cole and unanimously carried. *(The First Reading of the ordinance was accomplished during the Council Meeting of December 14, 2015.)*

Planner's Review

Mrs. Ann Marie Townshend, Director of Planning and Community Development, reviewed the petition to amend the zoning district and the findings and recommendations of the Planning Commission. She noted that the purpose of the rezoning is to administratively shift the zoning line to allow the neighboring commercial property on South Governor's Avenue to expand its parking.

Mrs. Townshend advised that the Planning Commission recommended approval of the rezoning request and reminded members that anyone voting against the Planning Commission's recommendation will be required to state the reason for their vote

Responding to Mr. Sudler, Mrs. Townshend stated that she was not aware of any Planning Commission members visiting the site; however, she was very familiar with the area.

Public Hearing

Council President Slavin declared the public hearing open.

Mr. Randy Duplechain, Davis, Bowen & Friedel, Inc., stated that he was representing Mr. Dave Wood and Dr. Joel Halpern on this request for rezoning. He noted that they were requesting that the rear portion of the residential lot be rezoned to commercial, which will allow them to expand the existing parking on the commercial property, which is currently an office space. Mr. Duplechain advised that there are currently two (2) renters on the first floor, one (1) is the Board of Elections and the other is Blue Cross. Chesapeake Utilities is leasing the second floor and they are going to expand their office space into that property. He stated that there are about 56 spaces on the property and they think it is close to being adequate; however, they are not sure if it would meet their requirements and would like to add another seven (7) to eight (8) parking spaces to allow for overflow parking.

Mr. Duplechain advised that some parking was removed when Governors Avenue was turned into a four-lane road. He noted that there used to be parallel parking there and there is some parking on the side streets; however, he thought it was restricted certain hours of the day. Mr. Duplechain reiterated that the request was to expand the parking a little bit, to provide a little more room, should

it be needed for visitors. He noted that the Grange is on the south side of this property, so there is a parking lot adjacent to this property, and the parking that they would be installing will be screened with a privacy fence.

Mr. Hutchison asked how many people would be working in the Chesapeake Utilities office. Responding, Mr. Duplechain stated that he thought approximately 50 people would occupy the Chesapeake Utilities office space and he was unaware of the number of people working at the Board of Elections. He stated that very few cars use the parking lot at this time.

Mr. Hutchison advised that he passes the parking lot every day and it is never full. He questioned the need for additional parking spaces.

Mr. Neil requested clarification on whether it was the tenant or the owner of the building who was requesting additional parking. Responding, Mr. Duplechain stated that the building owner was requesting the additional parking based on concerns raised by the tenant.

Mr. Hare stated that his concern was that they were not sure that additional parking was necessary and the impression was given that the negotiation for the lease of the space was based upon getting these parking spaces, even though the people renting the space feel they have enough parking. He suggested that it would be worth waiting to see if additional parking is needed instead of inconveniencing the residence with another parking lot that may or may not be used. Mr. Duplechain stated that the tenant was the one that brought the concern that there may not be enough parking to the owner of the property.

Mr. Hare stated that the property is advertised as having ample parking and there are 56 parking spots, with 35 to 38 empty spots at any given time every day.

Responding to Mr. Sudler, Mr. Duplechain stated that he would assume the hours of business would be from 8:00 a.m. to 5:00 p.m. and, although there is parking on both sides of the side street, there are signs indicating that there are restrictive hours on one (1) side of the road.

Dr. Joel Halpern, 4 Forest Hills Court, stated that there is permit parking which does not allow all day parking. He noted that the normal business hours of operation are usually from 9:00 a.m. to 4:00 p.m. Dr. Halpern advised that the current parking does not meet the requirements that the tenant has asked for, noting that some spaces were removed during the Governors Avenue construction. He noted that it was Chesapeake Utilities' plan to build a new building and he does no know how long they will be in this building.

Dr. Halpern stated that he did not think the current number of parking places meets the requirement. Mr. Hare stated that if the building were being built new, the requirement would be one (1) parking space for every 300 square feet. Mrs. Townshend advised that the C-1A zone does not specify a parking requirement; however, the other zones where offices are permitted are typically one (1) for every 300 square feet, as a minimum. Mr. Hare advised that this building has one (1) parking space to 290 square feet, which more than meets the parking requirements of the City and other zoning

areas. Mr. Duplechain reiterated that the tenant expressed concerns about the amount of parking and that the owner felt that they had adequate parking.

Ms. Toni Gillis, 1086 South Bradford Street, provided a petition with 18 signatures opposing the rezoning.

Ms. Gillis stated that, a few years ago, a rezoning was requested on their street for more commercial space and they were told at that time that there was a moratorium on rezoning property on South Bradford Street. She stated that, to the best of her knowledge, that moratorium has not been changed. Ms. Gillis stated that South Bradford Street is a community of families with small children and the very elderly and they like the street quiet and calm. She stated that they understand that they have mixed use on their street; however, they would like to maintain it at the current use level, noting that there has been a significant creep of commercial space into the neighborhood. Ms. Gillis stated that they do not want more commercial space and traffic on their street where their children are playing and the elderly are crossing the street. She noted that it is already difficult to cross the street due to traffic.

Ms. Gillis advised that she spoke against the rezoning of this property at the Planning Commission meeting and she thought it was interesting that the two (2) members who voted against it cited creep into the neighborhood.

Ms. Regina Stubbolo, 1081 South Bradford Street, stated that she has gone by the parking lot and there is hardly ever anybody parked there. She expressed concern about the possibility of other properties having a little bit of their property taken away to make parking spots. Ms. Stubbolo asked why they would add more parking spots if Chesapeake is building another building and will be leaving.

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

Mr. Slavin advised that, according to State law, the petition must be verified before action can be taken on the rezoning request.

Mr. Anderson moved to defer action on the rezoning request until the Regular Council meeting of February 22, 2016. The motion was seconded by Mr. Cole and unanimously carried.

COUNCIL COMMITTEE OF THE WHOLE REPORT - JANUARY 26, 2016

The Council Committee of the Whole met on January 26, 2016 with Council President Slavin presiding.

Safety Advisory and Transportation Committee

Proposed Ordinance #2016-05 - Amending Chapter 106 - Traffic and Vehicles, Article III - Stopping, Standing and Parking, Division 2 - Metered Parking, Section 106-164 - Violations; Penalties

Mrs. Traci McDowell, City Clerk, informed members that the Police Department requested Proposed Ordinance #2016-05 to reduce the maximum number of past due or accumulated violations from five (5) to three (3) in order for a vehicle to be subject to enhanced civil enforcement. She explained that the Department was getting ready to order a new stock of violation permits or ticket books. Since the dollar amount related to enhanced civil enforcement for accumulated unpaid violations was previously reduced from $200 to $100, the Police Department felt that the maximum number of past due or accumulated violations should be reduced correspondingly.

The Committee recommended adoption of Proposed Ordinance #2016-05, as recommended by Staff.

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

Request for Waiver - Appendix B - Zoning, Article 5 - Supplementary Regulations, Section 17 - Emergency Access Requirements - Waiver of Emergency Rear Access Requirement for The Grande, Building 4: Planned Neighborhood Design - Senior Citizen Housing Option (Application C-15-04)

Mrs. Ann Marie Townshend, Director of Planning and Community Development, reviewed a request for waiver of the emergency rear access requirement for The Grande, Building 4. She informed members that this waiver request was related to the requirement in the Zoning Ordinance for a 24-foot wide emergency rear access. Mrs. Townshend noted that although this is a requirement in the City's zoning ordinance, it is not in the State Fire Prevention Regulations or any of the other fire codes that the City has adopted. She reminded members that The Grande currently had three (3) buildings and they previously applied for and received the emergency rear access waiver for these buildings.

Mrs. Townshend stated that the request was reviewed by Staff, the Fire Marshal's Office, and the Development Advisory Committee (DAC). She noted that the request was also sent to the Dover Fire Department and no comments were received. Mrs. Townshend advised members that the site will comply with the State Fire Prevention Regulations, and the building will be sprinklered and have the 24-foot fire lane coverage in the front. She stated that it also will have the perimeter access required under the State Fire Prevention Regulations, noting that some of those provisions were not in place at the time that the corresponding zoning text was developed.

Mrs. Townshend stated that Staff recommended in favor of the requested waiver. The Planning Commission held a public hearing on the conditional use site plan for the apartment building and, after reviewing the DAC comments, also recommended the requested waiver.

Mr. Hutchison asked who sits in on the review process. Responding, Mrs. Townshend explained that the City's DAC includes the Planning Office, Fire Marshal's Office, Public Works, Kent Conservation District, and Delaware Department of Transportation (DelDOT). She stated that the plans are also distributed to police, fire and others, and meeting agendas are also provided to the school district. Mrs. Townshend informed members that she recently had a discussion with the Fire Department about participation in the DAC process. She noted that the Fire Department has someone who reviews plans as they come through and, although Staff may not receive comments from the Department, it does not mean they are not looking at the plans.

Mayor Christiansen strongly urged that all the departments that Mrs. Townshend contacts as part of the review process memorialize their objections or lack of objections in a letter to her so that she has a paper trail.

In response to Mayor Christiansen, Mrs. Townshend reiterated that she did talk to the Fire Department about this request and they indicated that they did not have any written comments to share. Mayor Christiansen stated that he would insist on written notification regarding comments or a lack of comments, noting that the leadership of the Fire Department changes on an ongoing basis.

Mr. Sudler asked how recent Mrs. Townshend's discussion was with the Fire Department and if she had spoken to the new Fire Chief. Responding, Mrs. Townshend stated her belief that she talked to Chief Hall before he left, as well as Mr. Carter Knotts, the Fire Chief's Assistant, who shared what the Fire Department's strategy would be for reviewing plans that go through the DAC.

Mr. Sudler asked for Mrs. Townshend's opinion regarding the Fire Department's overall feeling about the project. Responding, Mrs. Townshend reiterated that the Department indicated that they did not have any comments. Mr. Sudler questioned if Mrs. Townshend thought that their lack of comments meant that they agreed with it. In response, Mrs. Townshend stated that she would not want to presume anything, noting that she gave the Fire Department every opportunity to object if they had any concern.

The Committee recommended approval of the waiver for the elimination of the emergency rear access requirement for The Grande, Building 4: Planned Neighborhood Design - Senior Citizen Housing Option, as recommended by Staff and the Planning Commission.

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

Bicycle and Pedestrian Subcommittee Report

Mrs. Ann Marie Townshend, Director of Planning and Community Development, informed members that during the last Bicycle and Pedestrian Subcommittee meeting, members discussed the importance of, with some regularity, updating City Council and the Safety Advisory and Transportation Committee on the Subcommittee's activities. She stated that Mr. Jim Hutchison, Subcommittee Chair, was not able to attend the meeting; however, he hoped to be present at future meetings.

Mrs. Townshend noted that a number of Council members had attended some of the Subcommittee meetings and may be aware of some of things that have been going on. She reminded members that approximately one and one-half years ago the City received honorable mention through the League of American Cyclists as a bicycle-friendly community. Mrs. Townshend stated that the Subcommittee was currently in the process of working on a walk-friend community application, and trying to obtain credentials to market the City as a bicycle- and pedestrian-friendly city. She informed members that, under the leadership of the Dover-Kent County Metropolitan Planning Organization (MPO), the Dover Pedestrian Plan and the Dover Bicycle Plan were completed, noting that they were approved by City Council during their Regular Council Meeting of April 13, 2015.

Mrs. Townshend stated that the Subcommittee had held a number of events, including the third Annual Bike to Work Day last May. She informed members that the Subcommittee was actively planning for the 2016 Bike to Work Day, which she believed would be held on May 18th. Mrs. Townshend noted that on the evening of May 18th the Subcommittee would also host the second Annual Ride of Silence, which is a very short, quiet ride intended to remember and raise awareness of those who have lost their lives in cycling accidents.

Mrs. Townshend advised members that the Sub-Committee had been working very closely with Capital School District to introduce bicycle safety information into the curriculum of the physical education program in the District and, so far, it had been very well received. She stated that on the City's Parks and Recreation Department website, staff had added a page for bicycle and pedestrian information. Mrs. Townshend indicated that the Subcommittee was working with the schools to put out a bike rack design contest, noting that this was their second try because they did not get any entries last year.

Mrs. Townshend informed members that the most significant activity that the Sub-Committee is working on, with the City's Parks and Recreation Department, is planning a Dover Duathlon. She noted that there used to be a popular, introductory running/cycling event called Du-Dover which started at White Oak Park and ended

at Dover Park; however, the company discontinued the event. Mrs. Townshend stated that a Dover Duathlon was planned for the morning of April 23, 2016. She noted that members of the Sub-Committee were working to get sponsorships so that, in addition to covering costs, there could be a small contribution to an organization dealing with traumatic brain injury, which the Sub-Committee felt was important due to the tie between bicycle safety and brain injury. Mrs. Townshend informed members that the event was for the entry-level, multi-sport athlete and would include a mile-and-a-half run, followed by an eight (8) mile bike ride, followed by a mile-and-a-half run, and information regarding the event was on the City's website. She stated that the Subcommittee was also going to try to get a number of City staff to participate, and indicated that she hoped to do so.

Councilman Hutchison stated that the Subcommittee was outstanding and consisted of hardworking, focused men and women. He noted that the members were very dedicated to the cause and would make a difference.

Mrs. Townshend noted that the Subcommittee had brought forward ideas and formed a relationship between residents, DelDOT, the MPO, and the City, and through this group DelDOT had now found money for a number of projects and was making a significant investment.

Mr. Sudler asked if the bike/pedestrian friendly initiative would be included in the White Oak/Dover Park comprehensive plan. Responding, Mrs. Townshend explained that the Duathlon was a one (1) day event that would be held at the park. She expressed hope that the event will continue to be an end-goal event that will bring people to Dover, noting that when the City has successful events in the parks, it brings people who may not have otherwise come to the park and provides an opportunity for people to see what the City has to offer. Mrs. Townshend stated that the City always hopes to create park enthusiasts through recreation programming.

Mr. Sudler asked how close the City was to implementing the White Oak comprehensive plan. In response, Mrs. Townshend stated that the City had not solicited proposals yet and a consultant would be needed.

Mr. Shelton asked whether the Subcommittee had started advertising for the Duathlon, noting that he is involved with runners and cyclists and had not heard about the event. Responding Mrs. Townshend explained that the details had just started to come together during the last month. She offered to provide copies of a recently created brochure to Mr. Shelton. Mrs. Townshend informed members that the event was being managed by TriSports and would be advertised on their website, which has a captive audience; however, she agreed that the Subcommittee needed to look at other advertising options as well.

In response to Mr. Shelton's question regarding sponsors, Mrs. Townshend confirmed that the Subcommittee was seeking sponsors. Staff had prepared a letter

for the Subcommittee to use, but staff had informed the Subcommittee that City staff would not solicit sponsors. She noted that the material could be provided to any members who may know potential sponsors.

Responding to Mr. Sudler, Mrs. Townshend stated that the event would be held on the morning of Saturday, April 23, 2016.

The Committee recommended acceptance of the Bicycle and Pedestrian Subcommittee Report.

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

Legislative, Finance and Administration Committee

Persimmon Park Place Drainage Project

Mr. Scott Koenig, City Manager, advised members that City staff had been working with representatives from the Permission Park Place community, the Department of Natural Resources (DNREC) and the Kent Conservation District, as well as State legislators regarding drainage issues associated with Persimmon Park Place.

Mr. Koenig informed members that approximately 12 to 15 years go, the City agreed to take the streets, rights-of-way, and utilities under public dedication in Persimmon Park Place. At that time, the City elected not to dedicate the storm water infrastructure in the subdivision because much of it was located behind the houses, in unusual places that were not in standard easements, and it some cases it was failing and continues to fail.

Mr. Koenig explained that staff, as well as State representatives, had been working with several residents on specific drainage issues, predominantly on the east boundary of Persimmon Park Place where it abuts Wild Meadows. He stated that a preliminary drainage study was done approximately a year-and-a-half ago, and the final recommendations were made in March of 2015. Mr. Koenig informed members that the preliminary study indicated the need for a final design for a potential pipe to go in the rear yards of several houses, and the pipe would be in a dedicated public easement. He stated that the new pipe would be constructed and eventually turned over to the City of Dover for maintenance. Mr. Koenig informed members that, since this was not currently a City-funded project, the legislators and the State agreed to cover the cost of the design phase of the project, for a total amount of $27,250. He stated that 90 percent of the funding would come from the 21st Century Fund and the other 10 percent would come from Representatives William Carson and Brian Bushweller as part of their community transportation funds. Mr. Koenig advised that there were agreements attached to this project, explaining that if Staff receives endorsement from the Committee and Council, they intend to execute the agreements and begin the design phase of the project. He stated that once actual construction

estimates are received, the City will have to make a decision as to how the project will be constructed, noting that it is Staff's intention to seek additional community transportation funds and/or 21st Century Funds for the construction.

Mr. Koenig explained that, since this project is not in the current CIP, it was Staff's desire to initiate the design phase, assign a project number, and obtain authorization from City Council to be working on this project.

Mr. Koenig stated that Staff was requesting authorization to execute the two (2) agreements to fully fund the Persimmon Park Place Drainage Project and begin the design phase of the project in order to finalize the design and ultimately move forward with improvements regarding these drainage concerns in Persimmon Park Place. No City of Dover money will be used to pay for the design phase of this project.

Mr. Shevock questioned whether the project would be completed in accordance with City or State specifications and who would do the inspection when it goes to construction. Responding, Mr. Koenig explained that when the project goes to construction, it will most likely be inspected under City of Dover specifications and it will be consistent with both the City's Public Works Construction Manual and DNREC Conservation District Construction Manual. He stated that there would be some joint review and the infrastructure will meet both standards.

Responding to Mr. Hare, Mr. Koenig confirmed that there would be no City money spent on the design for the project.

Mr. Hare asked if this matter would be brought back to the Committee once the design phase is done and the project is started, so that members would know how much money will be spent on the project. In response, Mr. Koenig stated that he was sure that the construction contract would exceed $25,000. He explained that if the project is fully funded by a third party, it would not come back for further consideration; however, if the project is funded by the City, it would have to be part of the budget request. Mr. Koenig stated that, at this time, staff did not intend to include this as a City funded FY 17 project because they would like the funding to come from other sources.

Mr. Hare asked when staff anticipated this project would be complete. Responding, Mr. Koenig expressed his opinion that it would take approximately six (6) months to complete the preliminary and final designs, calculations, etc., and the project would probably be constructed in the spring or summer of 2017, at the earliest. He noted his expectation that this project would require easement acquisition.

The Committee recommended authorizing Staff to execute the two (2) agreements to fully fund the Persimmon Park Place Drainage Project and that no City of Dover money will be used to pay for the design phase of this project.

During the City Council meeting, Mr. Neil advised that Persimmon Park Place and Wild Meadows are directly across the street from the Dover Downs woodlands and wetlands and the problem with this area is that it is wetlands. As he understood it, when Persimmon Park Place was first developed, it was developed as a lease land community and then later developed into a common interest community when the lots were sold. Mr. Neil noted that both communities suffer from fissures, sinkholes, and problems related to the water level and this drainage project is definitely needed. He advised that it is a danger to the people walking through the area.

Mr. Neil stated that, in Wild Meadows, the rents pay the freight and the community owner wants to get the residents to pay more for the problems that have developed with the fissures in the land. He noted that the Planning Department, along with the Code Inspectors, have been to Wild Meadows because of the serious nature of the situation and the dangers it presents to the community. Mr. Neil stated that he strongly supports the drainage project for Persimmon Park Place in order to protect the people and their home values.

Responding to Mr. Hare, Mr. Neil stated that when the Wild Meadows development was approved, the developer installed drainage and sewers in order to develop the property and that infrastructure has failed catastrophically and they want the home owners to pay to fix it. Mr. Neil noted that this issue was currently being addressed in the courts.

Mr. Scott Koenig, City Manager, stated that the common property line on the east side of Persimmon Park Place abuts Wild Meadows. He noted that there are several lots that are currently classified as wetlands that experience flooding during heavy rains. Mr. Koenig advised that there are some existing stormwater pipes in Persimmon Park Place that were constructed under the designation of a private drainage system when Persimmon Park Place was developed. He stated that approximately 10 years ago, the City of Dover dedicated the water, sewer, and existing pavement in Persimmon Park Place; however, they specifically left out the dedication of the storm drain system because there was indication at the time that there were going to be failures, there are not easements in some areas, and, at the time, they recommended that the infrastructure remain private.

Mr. Koenig advised that the Persimmon Park Place Condo Association Board has requested that legislators get involved in the resolution of those drainage issues. This is the first phase of one (1) project that is actually going to design. Mr. Koenig stated that there was a $6,000 drainage study that was done approximately a year ago and this is a correction resulting from the study that will most likely design, to public infrastructure standards, a stormwater pipe that will start at the northeast corner of the Persimmon Park Place property and run along the back side of a number of houses towards Susan Place and connect into a couple of the road drains. Mr. Koenig advised that the pipe is intended to be built in a public easement that will be acquired through these designs and, once the infrastructure is constructed, it will be dedicated to the City of Dover because it will have met all of the design standards for dedication.

Mr. Koenig noted that this is the beginning of what will probably be additional projects coming forth in the future. The major difference between Persimmon Park Place and Wild Meadows is that Persimmon Park Place is a fee simple land transfer setup where there are many landowners and the infrastructure associated with the roads, the water system, and the sewer system is currently

dedicated. In Wild Meadows, the water and sewer systems existing in easements are dedicated to the City of Dover and if there is a break in those mains, the City is required to maintain them and then repair the road. The roads, the storm drain system, and any type of drainage swales or ditches in Wild Meadows are owned by the land owner and are privately maintained.

Responding to Mr. Lewis, Mr. Koenig stated that the cost of the design contract is $27,250, of which $25,000 is being funded through the Department of Natural Resources and Environmental Control (DNREC) and $2,500 is being funded by Senator Bushweller and Representative Carson. He advised that there are two (2) separate State revenue agreements associated with the design and some City staff time associated with managing the design contract; however, there is no cost to the City for this project.

Mr. Neil moved for approval of the Committee's recommendation to authorize Staff to execute the two (2) agreements to fully fund the Persimmon Park Place Drainage Project and that no City of Dover money will be used to pay for the design phase of this project. The motion was seconded by Mr. Hare and carried by a unanimous roll call vote (Hosfelt absent).

Proposed Ordinance #2016-06 Amending Chapter 26 - Businesses, Article II - Licenses, Section 26-40 - License Issuance, Expiration and Form, and Section 26-42 - Penalty for Late Payment of License Fee

Mrs. Ann Marie Townshend, Director of Planning and Community Development, reviewed Proposed Ordinance #2016-06. She reminded members that various members of City staff had attended a Lean Boot Camp with the purpose of evaluating the City's processes in order to eliminate unnecessary steps and unnecessary work, which equate to waste. She advised members that, as a result of the Boot Camp, the Planning and Inspections Department examined the process for business licenses.

Mrs. Townshend explained that business licenses are due on July 1st each year, which is also the first day of the new fiscal year; therefore, license renewals must be mailed out in June. When they are mailed out in June, payments are returned, staff processes the payments, and the Finance Department then has to manually move the money from one fiscal year's ledger to the next fiscal year. Mrs. Townshend expressed her opinion that there are many unnecessary steps in this process, noting the amount of time and effort that it takes for the Information Technology Department to run the reports to be able to move the money, and for the Finance Department review all of this and then move it. She stated that manually moving the money from one fiscal year to another also creates the potential for error.

Mrs. Townshend informed members that she discussed this process with the Finance Department and suggested that the City change the business license year to begin August 1st, which would allow staff to mail the license renewals at the very beginning of July to avoid processing anything during the transition of the fiscal year.

Mrs. Townshend stated that Proposed Ordinance #2016-06 would bring the license renewal process in line with the fiscal year end. She explained that the ordinance

would also remove language which indicates that the city clerk, the fire marshal, and the executive officer for the board of health sign business licenses, since none of them currently do this.

Responding to Mr. Hare, Mrs. Townshend stated that the license year would be from August to August, so people would get a free month.

Mr. Sudler moved to recommend adoption of Proposed Ordinance #2016-06, as recommended by Staff, seconded by Ms. Maucher.

Mr. Anderson expressed his opinion that this was a great idea and one (1) of the things that we need to be doing as a City. He stated that he looked forward to seeing more proposals.

The Committee recommended adoption of Proposed Ordinance #2016-06, as recommended by Staff.

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

Comprehensive Annual Financial Report (CAFR) for the Fiscal Year Ending June 30, 2015

Mrs. Donna Mitchell, Controller/Treasurer, reminded members that the Comprehensive Annual Financial Report (CAFR) for Fiscal Year Ending June 30, 2015 had been completed. She reviewed a presentation summarizing the audited financial statements and the summary statements, noting that these were based on the audit results. Mrs. Mitchell stated that the presentation expanded on the major items in the statements, such as the pension and other post-employment benefits (OPEB) liabilities. She advised members that the presentation did not include the budget to actual reports, which are done on a cash-type basis. Mrs. Mitchell noted that the financial statements are done on an accrual basis, based on Charter and Code requirements.

Mrs. Mitchell, referring to Page 5 of the presentation, informed members that the Statement of Net Position is basically what used to be called the balance sheet. She explained that the Governmental Activities column includes grant funds, the general government fund, and general governmental capital project fund; and the Business-Type Activities included utilities. Mrs. Mitchell stated that the workers' compensation fund is included in Governmental Activities for balance sheet purposes; however, for income statement purposes, it is included as an enterprise fund. She explained that this goes both ways because the assets and liabilities are actually owned by the City, not by a business entity.

Mrs. Mitchell informed members that the Statement of Net Position included new items, including the net pension asset and the OPEB asset, which show that the City is currently over-funded for pensions and OPEB liabilities. She stated that the pension-related deferred outflows were related to pensions in a different period. Mrs. Mitchell noted that the long-term OPEB and pension liability are listed under non-current liabilities. She reminded members that the most significant change in this CAFR was that the pension liabilities had to be recorded on the face of the financial statements in accordance with the Governmental Accounting Standards Board (GASB) 68 accounting standard that was recently implemented. Mrs. Mitchell explained that pension liabilities used to be included only in the notes but are now listed under the Unrestricted Net Position and indicate an amount of -$27,947,000 that is due to the pension liability for governmental activities. She informed members that another GASB standard would be going into effect which would require the OPEB liability to be recorded this way in the future.

Mr. Slavin questioned what potential effect GASB 68 and showing a higher liability may have on the City's ratings. Responding, Mrs. Mitchell explained that the rating agencies will look at how the City is managing that liability. She stated that it could affect the City's interest rates on any debt service that the City may go to market for. Mrs. Mitchell confirmed that bond rating agencies would be looking at this for all governmental entities.

Mrs. Mitchell reviewed the Statement of Activities, Page 6, noting that it was previously called an income statement. She reminded members that several years ago the GASB reformatted this statement. Mrs. Mitchell stated that this statement previously indicated the City's income at the top, expenses at the bottom, and net income. She explained that it is now listed by function or program, with expenses listed first, followed by the adjustment for indirect expenses, which is what the City allocates to the utilities for overhead. All program revenues are listed next, which show the charges for services, operating grants and contributions, and capital grants and contributions. Last, the statement shows the net (expense) revenue and changes in net position for governmental activities, business-type activities, and the total. Mrs. Mitchell noted that this statement lists all of the governmental activities at the top and noted that the City does not have any government program or function that is actually self-supporting, they all net to a negative number. Referring to the bottom of the statement, she explained that property taxes, transfer taxes, and transfers from the utilities are considered general governmental revenues help cover those differences. Mrs. Mitchell stated that the net position, or net income, was $1,948,307 for the governmental activities and $7,355,001 for the utilities. She explained that the statement was re-formated to make it more apparent as to whether programs/revenues are covering costs.

Mrs. Mitchell reviewed the Governmental Fund Balance Sheet, Page 7, noting that it lists strictly current assets, current liabilities, and governmental-type activities and does not include pension or OPEB information. Mrs. Mitchell informed members

that the unassigned fund balance was approximately $3.9M and the total fund balance was approximately $9.2M. She explained that this $9.2M was on a governmental basis, without all of the GASB adjustments which reflected a negative $27M.

Mrs. Mitchell explained that the list of fund balances on Page 8 shows what makes up the $9.2M on the Governmental Fund Balance Sheet. She informed members that it was a GASB standard for the fund balances to include inventory and prepaids, noting that although these items are included on the balance sheet as assets, the City has to offset that with a reservation on the fund balance showing that they are non-spendable, because GASB feels that they are not readily convertible to cash. Mrs. Mitchell stated that the Fund includes commitments for the Contingency Reserve and the Parkland Reserve, explaining that those are considered committed because they are done by Council and not by an outside party. Referring to the assigned funds, she explained that police investigations referred to a fund that the Police Department has from donations received from citizens, specifically for purposes of the Police Department. Mrs. Mitchell noted that the other governmental funds were grant funds which are all considered reservations because they are not the City's money to spend.

Mrs. Mitchell reviewed the Statement of Revenues, Expenditures and Changes in the Fund Balances of Governmental Funds, Page 9, noting that it reflected a net change in fund balance of $1.5M for the General Fund, and a negative net change balance of $55,997 for the non-major funds. She explained that this was usually just a timing difference because the grant funds came in either later or in the prior year, so expenditures might be higher than revenues based on the timing of the revenue versus the expense.

Mrs. Mitchell, referring to the Statement of Net Position - Proprietary Funds, Page 10, noted that the City does have to record the OPEB and pension liabilities for the enterprise funds, unlike the governmental funds. She stated that, even with the inclusion of the liabilities, the total net position remained positive.

Referring to the Statement of Revenues, Expenses and Changes in Fund Net Position - Proprietary Funds, Page 11, Mrs. Mitchell stated that the changes in net position, or net income, for water and wastewater services was approximately $4.7M and approximately $2.6M for electric, for a total of approximately $7.4M. She noted that the City's internal service fund is actually the City workers' compensation self-insurance fund.

Mrs. Mitchell advised members that she included information regarding Other Post Employment Benefits (OPEB) on Page 15 to highlight how the City fared in making the annual required contribution. She stated that the total net OPEB obligation decreased approximately $1.6M because the City contributed more with the lump sum appropriations and the percentage of payroll. Mrs. Mitchell explained that the

City actually contributed more than the requirement and paid down that liability a little quicker by having the extra money there.

Mrs. Mitchell reviewed the OPEB Trust Schedule of Funding Status and Progress, Page 16, noting that the City was able to reduce the percentages that were used for the OPEB contributions which was helping with the current budget. She explained that actuarial accrued liability (AAL) was approximately $70.4M on July 1, 2013 and on July 1, 2014 it decreased to approximately $51.2M. Mrs. Mitchell informed members that there was a 10-year funding plan for this liability; however, the City is able to discontinue that plan because the City is at a better funding level than expected. She explained that with the 10-year funding plan, the City had to bifurcate the interest rate and use the discount rate on the municipal bonds, which is about 5.4% on the part that is unfunded, and the 7% rate, which is the City's actuarial assumption, on the part that is funded. Since the City is fully funding, the interest rate changed to 7% for the whole fund and because that interest rate went up, it reduced that liability.

Mr. Anderson noted that OPEB was no longer a separate budget line item and asked what it was now combined with. Responding, Mrs. Mitchell stated that OPEB and pension were included in the functions/programs on the Statement of Activities on Page 6. She explained that the money for OPEB and pension has to be allocated to each division of each program and staff now has to go through a process to develop an allocation methodology. Mrs. Mitchell noted that it cannot be a separate item because it is considered a cost of service for each of those programs.

Mr. Anderson felt that the requirement was supposed to make it easier to understand and more open; however, it seemed to be hiding how much liability there is.

In response to Mr. Anderson, Mrs. Mitchell clarified that the liability is included in each program on the Statement of Activities; however, it is also on the Governmental Fund Balance Sheet as liability and any asset the City may have.

Mrs. Mitchell reviewed Pension Plans - Defined Benefit and Pension Expense - Financial Reporting Purposes, Pages 17-18, explaining that the approximately $4.8M in total contributions indicated on Page 17 was reflected in the budget reports; however, the approximately $1.8M for the Police Pension Expense and $2.4M for General Employee Pension Expense indicated on Page 18 were reflected in the GASB Statement of Activities that are audited.

Mrs. Mitchell informed members that Page 89 in the CAFR included information regarding the defined contribution plans; however, that information is not on these schedules because those plans are not included in the City's financial statements. She explained that the information is included in the notes to the financial statements, but not within the statements since those are not the City's assets, they are the assets of employees because they are fully vested on day one when they start contributing.

Mrs. Mitchell stated that there were notes regarding the contributions that the City and employees made and the number of employees, and offered to provide that schedule to members who wished to receive a copy.

Mr. Hutchison noted that Mrs. Mitchell had been in accounting for more than 20 years in the City and many changes had occurred. He asked whether Mrs. Mitchell believed that the City has better control and insight on financial matters the way it is designed today. Responding, Mrs. Mitchell felt that she had better control and insight now versus 20 years ago, explaining that she is more involved and enlightened about what is going on. She stated that there have been a lot of accounting changes to incorporate, noting that the GASB changes have not slowed down. When she came to work for the City in 2000, GASB 34 was being implemented and they are now on GASB 78. She stated that although all of the changes do not apply to the City, most of them do.

Mr. Hare moved for acceptance of the Council Committee of the Whole Report, seconded by Mr. Sudler and unanimously carried.

MONTHLY REPORTS - DECEMBER 2015

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

City Assessor's Report
City Manager's Report
City Planner's Report
Controller/Treasurer's Budget Report
Economic Development Office Report
Fire Chief's Reports (November and December)
Police Chief's Report

QUARTERLY REVIEW OF CAPITAL INVESTMENT PLAN (CIP) (OCTOBER, NOVEMBER, AND DECEMBER)

Members were provided the Quarterly Report for the Capital Investment Plan as of December 31, 2015.

By consent agenda, Mr. Lewis moved for acceptance of the Quarterly Report for the Capital Investment Plan (CIP) as of December 31, 2015. The motion was seconded by Mr. Hare and carried by a unanimous roll call vote (Hosfelt absent).

TENTATIVE LABOR AGREEMENT - DOVER ORGANIZATION OF EMPLOYEES (DOE)

Mr. Scott Koenig, City Manager, advised that Staff has been working with the Dover Organization of Employees (DOE) on a labor agreement. He noted that negotiations began in February of 2015 and there were seven (7) face-to-face negotiating sessions that concluded on July 27, 2015. Mr. Koenig advised that, at the request of DOE, two (2) mediation sessions were held at the end of September and early October, at which point they reached an agreement in principle. The terms of

the successor agreement were outlined in executive sessions with City Council, once on January 25, 2016 and again earlier in the evening.

Mr. Koenig stated that the proposed salary changes include the following: $0.50 per hour will be added to all labor grades in the collective bargaining matrix, retroactive to September 27, 2015; $0.25 per hour will be added to each of the components of the matrix on July 1, 2016; and $0.25 per hour will be added to all components to the matrix on July 1, 2017. He advised that this agreement covers 129.5 employees across a variety of City departments and includes positions such as customer service representatives, clerks, and equipment operators.

Mr. Koenig advised that the proposed wage changes equate to an increase in cost of $832,385, over the term of the contract, which would be back dated to July 1, 2015 and would run through June 30, 2018. The total cost of labor for the contract would increase, based on the additional wages and load, from $22.305M to $23.138M, an increase of approximately 3.73% in total wages and load over the three (3) year period.

Mr. Koenig stated that the tentative agreement proposes changes to the 401 money purchase plan. The City of Dover currently recognizes the defined benefit plan, which was closed to new entry in 2009, and the 401 money purchase plan for retirement. He advised that all employees hired since 2009 are required to enter the 401 money purchase plan, which is a defined contribution plan with a current minimum matching contribution of 3% and a maximum matching contribution of 6%. Mr. Koenig stated that the negotiated changes will increase the minimum contribution from 3% to 6% and the maximum contribution from 6% to 9% over a phase-in period to begin with an additional 1% on February 28, 2016, 1% on July 1, 2016, and 1% on July 1, 2017. He noted that the minimum cost of those changes will be $51,136 over three (3) years and the maximum cost will be $134,199, which is a combination of the minimum and some additional adjustments over a three (3) year period. Mr. Koenig advised that the total financial impact of the contract over a three (3) year period, considering the wage increase and the maximum exposure of the 401 money purchase plan, is approximately $966,584.

Mr. Koenig stated that the proposed contract includes an 80%-20% health care cost sharing measure for new employees, with the City of Dover covering 80% of the premium. In retirement, the cost sharing would be 80%-20% on the "employee only" plan and the employee is responsible for 100% of dependent care.

Mr. Koenig advised that the proposed contract removes Article 41 of the current contract, which allows DOE to request adjustments to a grading of current positions. There are additional Article changes/clarifications related to on-call and call-in pay to avoid pyramiding overtime rates.

Staff recommended approval of the successor agreement for July 1, 2015 through June 30, 2018.

Mr. Anderson asked how far above minimum wage the current hourly wage was for the lowest paid employees, noting that the State minimum wage may increase. Responding, Mr. Koenig stated that the current grade six (6), step A, which are the library pages, is at $8.50. That rate would be adjusted by $0.50 immediately, then it would go up by another $0.25 on July 1, 2016 and additional $0.25

by July 1, 2017. Mr. Anderson noted that an increase in the minimum wage could create competition and the loss of City employees.

Mr. Lewis asked how much the contract would cost the taxpayers, if the City had the money, and how it would affect a tax increase. Responding, Mr. Koenig stated that the total estimated increase in cost is approximately $966,584 over a three (3) year period. Under the current contract, the City anticipated spending approximately $22.3M over the next three (3) years and, under the terms of the proposed contract, those labor costs will be approximately $23.138M, including $832,385 in salary plus load. Mr. Koenig stated that the difference between $832,385 and $966,584 is the potential impact based on the changes to the 401 plan. He stated that the contract will be paid for this year through cost savings related to open positions. Mr. Koenig advised that they are currently preparing the personnel spreadsheets for FY17 and FY18 and several members of City Council have made it clear that they do not want a tax rate increase proposed for FY17. He stated that Staff is doing everything they can to keep the budget within the expected tax collection of FY17, as well as other revenue sources associated with FY17. Mr. Koenig advised that it does not appear that the adoption of this contract will prevent the City from maintaining the current tax rate for FY17; however, he will have to confirm that as they build the budget. In response to Mr. Lewis, Mr. Koenig stated that there is no guarantee; however, there has been clear direction from City Council that they do not wish to do a tax increase.

Mr. Koenig stated that Mrs. Donna Mitchell, Controller/Treasurer, is preparing budget revisions that include changes for the Fraternal Order of Police (FOP) contract and project carry forwards. The cost of approximately $250,000 for the current year, because there are only wage increases from September through June 30, 2016, will be absorbed in salary and benefit savings from open positions. He noted that there were increased revenues in FY16 associated with transfer taxes and increases in the licensing fees, and the impact of the proposed agreement will be able to be contained in the revenue projections and expenses associated with the FY16 budget.

Responding to Mr. Lewis, Mr. Koenig stated that, at this point, he could not predict if there would be a future property tax increase based on this contract without knowing what the State revenue projections will be or what the State revenue transfers to the City of Dover will be. Mr. Koenig advised that the labor component of City services is the highest cost component and they have to secure those labor costs for the draft budget.

Mr. Neil asked if a raise in the State's minimum wage would obligate the City to raise its contracts to that level and, if so, would there be the possibility of layoffs to keep the cost down for the taxpayers. Mr. Koenig stated that, from what he has heard, the increase in the minimum wage will not substantially affect any of the City's labor contracts, noting that one (1) or two (2) positions may be affected. He noted that the City would have to honor the State minimum wage because it would supersede the contract.

Mr. Anderson noted that Council requested Staff to try to keep labor costs under a 2% increase per year and he congratulated all sides for agreeing to that.

Mr. Neil moved for approval of the Dover Organization of Employees (DOE) contract, seconded by Mr. Cole and carried by a roll call vote of seven (7) yes (Anderson, Sudler, Neil, Cole, Hare, Hutchison, and Slavin), one (1) no (Lewis), and one (1) absent (Hosfelt).

EVALUATION OF BIDS - DEMOLITION OF PROPERTIES - 105, 111, AND 115 SOUTH NEW STREET

The City of Dover recently acquired 105 and 115 South New Street from the House of Pride. The Downtown Dover Partnership purchased 111 South New Street, which is situated between the two (2) properties purchased by the City of Dover. These properties have been the location of various nuisance activities and have drawn a disproportionate amount of police response. The Department of Planning and Inspections has bid the demolition work for the properties together, requesting that the responsive bidders break out the costs by property. By bidding the properties together as a package, Staff was able to obtain more favorable bids due to the adjacency of the three (3) properties to each other.

Mr. Scott Koenig, City Manager, advised that Staff recommended bundling all three (3) properties under one (1) demolition bid to secure the best price possible. The bid package was prepared by the Department of Planning and Inspections on behalf of both the Downtown Dover Partnership (DDP) and the other City departments involved.

Bids were solicited and advertised according to City Policy by the City's Contract and Procurement Manager under Bid #16-0030PI. Seven (7) companies submitted complete bids and all potential vendors were deemed to be capable and competent; therefore, pricing was the determining factor in the bid award.

Staff recommended awarding the contract for demolition of 105, 111, and 115 South New Street to the low bidder, Dependable Construction of Delaware, in the amount of $46,400.

Responding to Mr. Sudler, Mr. Koenig stated that the cost of asbestos testing is being divided between each property and the City will pay for the testing, removal, and disposal at 105 and 115 South New Street. The cost of asbestos testing, removal, and disposal for 111 South New Street, will be paid for by the DDP. Mr. Koenig noted that the cost of asbestos removal was below the $25,000 amount requiring Council's approval and, therefore, is not included in the $46,400 demolition bid amount.

Mr. Sudler asked for an estimated cost of the asbestos abatement. Responding, Mrs. Ann Marie Townshend, Director of Planning and Community Development, stated that the analysis was complete and the abatement began earlier in the day. Although the City has the contracts for the work, Mrs. Townshend advised that she did not have the numbers with her.

Responding to Mr. Lewis, Mr. Koenig advised that the total amount budgeted is $56,500 for the demolition and environmental costs, of which the City is paying $32,200. He stated that the money was appropriated through some carry-forward balances and Council authorized savings from FY15 for the purchase of the property. The expenses related to demolitions will be paid from the favorable revenue projection for FY16 that is now being realized.

Mr. Lewis asked if the $14,200 being paid by the DDP was being funded through money recently awarded by the Governor. Responding, Mr. Koenig advised that it was being paid from the DDP operating revenues. He noted that once the City transfers money to the DDP, it becomes their money.

Mr. Hare moved for approval of Staff's recommendation to award the contract for demolition of 105, 111, and 115 South New Street to the low bidder, Dependable Construction of Delaware, in the amount of $46,400. The motion was seconded by Mr. Neil and carried by a unanimous roll call vote (Hosfelt absent).

ANNEXATION/REZONING REQUEST/FIRST READING OF PROPOSED ORDINANCE #2016-08 - PROPERTY LOCATED AT 1102 SOUTH STATE STREET, OWNED BY CAPITOL CLEANERS AND LAUNDERERS, INC.

A request was received for annexation and rezoning of property located at 1102 South State Street, consisting of 6,331$^{+/-}$ s.f., owned by Capitol Cleaners and Launderers, Inc. This 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). Staff recommended that the request be referred to the Utility Committee on February 23, 2016 and to the Planning Commission on March 21, 2016; and that a public hearing be set for April 11, 2016 at 7:30 p.m. (Tax Parcel: ED-00-086.05-01-46.02-000; Planning Reference: AX-16-01)

Mr. Hare moved for referral, as recommended, seconded by Mr. Sudler and unanimously carried.

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

ORDINANCE #2016-08 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, OWNED BY CAPITOL CLEANERS AND LAUNDERERS, INC.

FIRST READING - PROPOSED ORDINANCE #2016-05

Council President Slavin reminded the public that copies of the proposed ordinance are available at the entrance of the Council Chambers or can be obtained from the City Clerk's Office. Final action by Council on the proposed ordinance will take place during the Council Meeting of February 22, 2016.

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

- PROPOSED ORDINANCE #2016-05 AMENDING CHAPTER 106 - TRAFFIC AND VEHICLES, ARTICLE III - STOPPING, STANDING AND PARKING, DIVISION 2 - METERED PARKING, SECTION 106-164 - VIOLATIONS; PENALTIES
  (*Safety Advisory and Transportation Committee*)

FIRST READING - PROPOSED ORDINANCE #2016-06

Council President Slavin reminded the public that copies of the proposed ordinance are available at the entrance of the Council Chambers or can be obtained from the City Clerk's Office. Final action by Council on the proposed ordinance will take place during the Council Meeting of February 22, 2016.

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

- PROPOSED ORDINANCE #2016-06 AMENDING CHAPTER 26 - BUSINESSES, ARTICLE II - LICENSES, SECTION 26-40 - LICENSE ISSUANCE, EXPIRATION AND FORM, AND SECTION 26-42 - PENALTY FOR LATE PAYMENT OF LICENSE FEE
  (*Legislative, Finance, and Administration Committee*)

COUNCIL MEMBERS' ANNOUNCEMENTS

Mr. Anderson announced that Mount Zion AME Church will be celebrating the 200th anniversary of the denomination at 3:00 p.m. on Sunday, February 14th, at their location in Dover. He stated that everyone was invited to attend this historic event.

Mr. Hare moved for adjournment, seconded by Mr. Cole and unanimously carried.

Meeting adjourned at 8:34 p.m.

TRACI A. McDOWELL
CITY CLERK

All ordinances, resolutions, motions, and orders adopted by City Council during their Regular Meeting of February 8, 2016, are hereby approved.

ROBIN R. CHRISTIANSEN
MAYOR

/TM
S:\AGENDAS-MINUTES-PACKETS-PRESENTATIONS-ATT&EXH\Council-Minutes\2016\02-08-2016.wpd

CERTIFICATE OF APPRECIATION

***WHEREAS**, the members of Dover Elks Lodge #1903 have historically dedicated themselves to supporting charitable causes in the Dover area. They have undertaken a special initiative to serve the homeless in the greater Dover area by partnering with Code Purple, which provides refuge for the homeless when weather conditions become dangerous. Through the diligent efforts of their membership, led by Mrs. Doris J. Solomon, the "Leading Knight" in Dover Elks Lodge #1903, they secured a $10,000 grant from the Elks' Grand Lodge toward this goal, using these funds to purchase the items most needed by those being served; and*

***WHEREAS,** although Mrs. Doris J. Solomon passed away unexpectedly in January 2016, her legacy of selflessly serving the less fortunate lives on through the dedicated service of Dover Elks Lodge #1903 and the Code Purple Committee.*

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

Dover Elks Lodge #1903 Code Purple Committee

Deborah Biddle
Sharon Cook
Carolyn Courtney
Bette Hammond
Yvonne Biddle Heisler
Kathy King
Debbie Krier
Stephanie McGlumphy
Sheila Niezgoda
Patti Stanley
Joanne Zajac

in acknowledgment of their significant contributions to the community and extend best wishes in all future endeavors.

February 22, 2016

ROBIN R. CHRISTIANSEN
MAYOR

TIMOTHY A. SLAVIN
COUNCIL PRESIDENT

Rezoning Petition Summary Analysis
Lands of Halpern FP (Z-16-01)
1042 S. Bradford St (portion)

	Eligible Petitioners, Del. Code Title 22 c. 3 §305							
Petitioner	OWNER	STREET_NUM	STREET	OWN_AD1	OWN_AD2	OWN_CITY	OWN_STA	OWN_ZIP
	KAY MCWOOD LLC	901	S GOVERNORS AVE	ATTN: DAVIS WOOD	PO BOX 349	FREDERICA	DE	19946
	CAPITAL GRANGE NO 18 CO	911	S GOVERNORS AVE	C/O THOMPSON,BARBARA	2845 HOURGLASS RD	HARTLY	DE	19953
	QUIROGA,GARY T & MARIA E	1027	S BRADFORD ST	34 S FAIRFIELD DR		DOVER	DE	19901
x	MILLER,RUTH ANN	1033	S BRADFORD ST	1033 S BRADFORD ST		DOVER	DE	19904
	PUSEY,HARRY W & DONNA M &	1034	S BRADFORD ST	PUSEY,WILLIAM H	1034 S BRADFORD ST	DOVER	DE	19904
	CRAVEN,LEO E	1035	S BRADFORD ST	1035 S BRADFORD ST		DOVER	DE	19904
x	OSIKA,RAYMOND	1036	S BRADFORD ST	858 SUNSET TER		DOVER	DE	19904
	MCATEE,JOSHUA L &	1041	S BRADFORD ST	LEWIS,FRANCES R	1041 S BRADFORD ST	DOVER	DE	19904
	HALPERN FAMILY PROP INVEST LP	1042	S BRADFORD ST	ATTN: JEFF HALPERN	PO BOX 276	CROWNSVILLE	MD	210320276
	EQUITY TRUST CO	1045	S BRADFORD ST	CUSTODIAN FBO RUFINO V ROSAL	198 RAVEN CIR	CAMDEN WYOMING	DE	19934
x	DELONG,JOSEPH R & LAUREN E	1051	S BRADFORD ST	1051 S BRADFORD ST		DOVER	DE	19904
	CAPITAL GRANGE NO 18 CO		S BRADFORD ST	C/O THOMPSON,BARBARA	2845 HOURGLASS RD	HARTLY	DE	19953
	Other Petitioners							
	Pasco, Conrado S. & Dawn E.	1054	S BRADFORD ST					
	Gary Marshall, Debra Rushlau	1062	S BRADFORD ST					
	Hutchins, Charles & Barbara	1058	S BRADFORD ST					
	Stubbolo, Glen & Regina	1081	S BRADFORD ST					
	McDowell, Robert B & Patrice	1079	S BRADFORD ST					
	Toni Gillis	1086	S BRADFORD ST					
	Bernice Biddle	1067	S BRADFORD ST					

SUMMARY	
Lots Eligible to Petition	12
Eligible Petitioners (num.)	3
Eligible Petitioners (percent)	25.0%

City of Dover

Department of Planning & Inspections

Z-16-01 Petition Exhibit



Title: Lands of Halpern FP
Address: 1042 S. Bradford St
Parcel ID: ED-05-077.17-03-14.00-000 (portion)
Existing Zoning: R-8 (One-Family Residence Zone)
Proposed Zoning: C-1A (Limited Commercial Zone)
Owner: Halpern Family Prop Invest LP
Date: 02/18/2016

Legend

- 100 ft
- Zoning
- Subject Property
- Eligible Petitioners
- Dover Parcels

N W E S

0 87.5 175 350 Feet

Concerned Residents of South Bradford Street against the rezoning of property located at 1042 South Bradford Street from Residential to mixed use Commercial/Residential (Z-16-01 Lands of Halpern Family Property Investment LP at 1042 South Bradford Street) January/February 2016

	Home Owner's Name	Address	Signature
1	CONRADO S. PASCO	1054 S. BRADFORD ST. DOVER DE 19904	Conrado S. Pasco
2	DAWN E. PASCO	" " "	Dawn E. Pasco
X 3	Lauren Delong	1051 S Bradford St Dover, De 19904	
4	Joseph Delong	" " "	
5	GARY MARSHALL	1062 S. Bradford St Dover, De 19904	
6	Debra Rashlau	" "	
7	Charles Hutchins	1058 S. Bradford St Dover, DE 19904	
8	Barbara Hutchins	" " "	
9	Charles F Hutchins		
X 10	RUTH ANN MILLER	1033 S. BRADFORD DOVER, DE 19904	Ruth Ann Miller
11	Glen Stubbolo	1081 So. BRADFORD ST Dover, DE 19904	
12	Regina Stubbolo	1081 S. Bradford St Dover, DE 19904	Regina Stubbolo
13	Robert B. McDowell	1079 S. BRADFORD	
14		DOVER, DE 19904	
15	Patrice McDowell	1079 S. BRADFORD Dover, DE 19904	Patrice M. McDowell
16	TONI GILLIS	1086 S. BRADFORD DOVER, DE 19904	
X 17	Raymond L. Cika (1036)	858 Sunset Terr DOVER, DE 19904	Raymond L. Cika
18	Dennis Biddle	1067 S. Bradford Dover, De 19904	Dennis Biddle

FINAL READING

CITY OF DOVER
PROPOSED ORDINANCE #2015-24

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER BY CHANGING THE ZONING DESIGNATION OF A PORTION OF THE PROPERTY LOCATED AT 1042 SOUTH BRADFORD 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 the property described below from R-8 (One Family Residence Zone) to C-1A (Limited Commercial Zone).

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 R-8 (One Family Residence Zone) to C-1A (Limited Commercial Zone) on a $2,373^{+/-}$ S.F. portion of the property located at 1042 South Bradford Street. The rezoned portion is adjacent to the west property line. The remaining $8,000^{+/-}$ S.F. portion of the parcel, which is $10,373^{+/-}$ S.F. in its entirety, shall retain the R-8 (One Family Residence Zone) designation. The property is owned by Halpern Family Property Investment, LP.
   (Tax Parcel: ED-05-077.17-03-14.00-000; Planning Reference Z-16-01; Council District 2)

ADOPTED: *

S:\ORDINANCES\2015\DRAFT\ORDINANCE #2015-24 REZONING - 1042 SOUTH BRADFORD STREET\Ordinance #2015-24 - Rezoning Property at 1042 South Bradford Street-FINAL READING (02-22-2016).wpd

Actions History
February 22, 2016 - Scheduled for Final Reading by City Council
February 8, 2016 - Public Hearing and Deferral by City Council
January 19, 2016 - Review by Planning Commission
December 14, 2015 - First Reading by City Council

Draft

PETITION TO AMEND AND ZONING DISTRICT
Public Hearing before the
Dover City Council
February 8, 2016

Applicants/Owners:	Halpern Family Property Investment, LP
Address:	1042 South Bradford Street (portion)
Location:	West side of South Bradford Street south of Waples Avenue
Tax Parcel ID #:	ED-05-077.17-03-14.00-000 (portion)
Size:	Area of Rezoning: 2,373 +/- SF Remaining Area: 8,000 SF of lot would remain R-8 Total: 10,373 SF
Present Use:	Residential Lot
Proposed Use:	Parking for Commercial Use Residential Lot
Comprehensive Plan Designation:	Residential Medium Density (Rezoning request would qualify as a Minor Variation)
Present Zoning:	R-8 (One Family Residence Zone)
Proposed Zoning:	C-1A (Limited Commercial Zone) for 2,373 SF of parcel R-8 (One Family Residence Zone) for 8,000 SF of parcel
Recommendation of the Planning Commission:	Following a Public Hearing before the Planning Commission on January 19, 2016, where four members of the public expressed concern about the proposed rezoning, the Planning Commission voted 6-2 to recommend approval of the proposed rezoning. An excerpt of the draft minutes is attached.
File Number:	Z-16-01
Ordinance Number:	#2015-24

Existing Property

The property at 1042 South Bradford Street is currently zoned R-8 (One Family Residence Zone). The rezoning request would rezone 2,373 square feet of a 10,373 square-foot parcel from R-8 to C-1A (Limited Commercial Zone). The parcel is developed with a one family residence. The portion of the property with the dwelling would not be subject to the rezoning. The portion that would be subject to the rezoning is undeveloped and adjacent to the commercial property that fronts South Governors Avenue. Following rezoning, the applicant would process a Minor Lot Line Adjustment Application to combine the subject area of the property with the commercial parcel.

Surrounding Land Uses:

The property immediately west of the subject property is zoned C-1A and is an office building. The property immediately south of the subject property is zoned R-8 and is the location of the parking lot for the Grange. The property immediately north of the subject property is zoned R-8 and is developed with a single family home. The properties across South Bradford Street to the east are zoned R-8 and RGO (General Residence and Office). They include one family residences and a medical office building.

Comprehensive Plan:

The *2008 Comprehensive Plan* depicts the subject area as Residential Medium Density land use classification on Map 12-1: Land Development Plan Map. This rezoning request is considered a Minor Variation and can be processed as a rezoning request. See excerpt from *2008 Comprehensive Plan*, Page 183 provided below.

> **Comprehensive Plan Amendments**
> The City may, from time to time, amend the Comprehensive Plan as circumstances unforeseen at this time arise that require such amendments. Any amendments to the Comprehensive Plan must be approved by City Council, by recommendation of the Planning Commission, and submitted to the Office of State Planning Commission for review before they become effective. Comprehensive Plan Amendments can fall into two categories:
>
> 1. **Minor Variations -** Any application for rezoning or annexation that is inconsistent with the City of Dover's Comprehensive Plan, but where the non-conformity is of a minor, relatively insignificant nature shall be considered a minor variation. A rezoning shall be considered a minor variation from the Comprehensive Plan when the following conditions are met:
>   a. The rezoning is of a unique circumstance and cannot set precedent for other lands in the vicinity of the rezoning,
>   b. The relative size of the rezoning or the variation from the land use recommended by the Comprehensive Plan is so minor that it would have no impact on the goals and objectives of the Comprehensive Plan, and
>   c. The proposed zoning is adjacent to or in the immediate vicinity of other similarly zoned lands and would not alter the pattern of development in the area.

Request for C-1A (Limited Commercial Zone)

The uses permitted in the C-1A zoning district are listed in Article 3 §12 of the *Zoning Ordinance.* Permitted uses and include retail stores; personal service establishments; service establishments; restaurants; business, professional, and governmental offices; one family residences; apartments and multi-family dwellings. Drive-throughs accessory to a permitted use are permitted subject to conditional use approval.

Recommendation of the Planning Staff and Planning Commission :

Staff supports the rezoning request from R-8 to C-1A. The rezoning is considered a Minor Variation from the *2008 Comprehensive Plan*, and it is consistent with the overall land development pattern of the area. It would also allow for improving parking for the adjacent commercial property but would not alter the residential context of South Bradford Street. Staff recommendation was made prior to the benefit of hearing the comments of surrounding landowners and residents. Following a Public Hearing before the Planning Commission on January 19, 2016, where four members of the public expressed concern about the proposed rezoning, the Planning Commission voted 6-2 to recommend approval of the proposed rezoning. An excerpt of the draft minutes is attached.

Excerpt from DRAFT Minutes of the Planning Commission Meeting of January 19, 2016:

Z-16-01 Lands of Halpern Family Property Investment LP at 1042 South Bradford Street: Rezoning from R-8 to C-1A and R-8 - Public Hearing and Review for Recommendation to City Council on a rezoning application for the 2,373 S.F. portion of the 10,373 S.F. ± parcel located adjacent to the west property line. The property is zoned R-8 (One Family Residence Zone). The proposed zoning is C-1A (Limited Commercial Zone) for a 2,373 S.F. portion of the parcel with the remainder of the property as R-8 (One Family Residence Zone). The property is located on the west side of South Bradford Street and south of Waples Avenue. The owner of record is Halpern Family Property Investment LP. Address: 1042 South Bradford St. Tax Parcel: ED-05-077.17-03-14.00-000. Council District 2. Ordinance #2015-24. *A Public Hearing and Final Reading are scheduled for action before the City Council on February 8, 2016.*

Representatives: Mr. Randy Duplechain; Davis, Bowen and Friedel

Mrs. Townshend stated that this is an application is to rezone 2,373 S.F. of a 10,373 S.F. residential lot to C-1A (Limited Commercial Zone). There is currently a residential lot zoned R-8 (One Family Residence Zone) that has a total area of 10,373 S.F. If the rezoning is approved as requested there would be 2,373 S.F. of that parcel that would be C-1A (Limited Commercial Zone) and the remaining 8,000 S.F. of the lot would remain R-8 (One Family Residence Zone). In the *Comprehensive Plan* it is shown as Residential Medium Density. In consultation with the State Planning Office, they concurred that this was a shift of a zoning line so it would be considered a Minor Variation to the *Comprehensive Plan*. The application is being brought forward in conjunction with the neighboring property to the west that is zoned C-1A (Limited Commercial Zone).

There is not a whole lot of parking behind the commercial building and parking has been a challenge for the tenants. The rezoning request would shift the zoning line about thirty (30) feet east and then following that the applicant would bring in a Lot Line Adjustment Plan and an Administrative Site Plan to pave and stripe for parking. The property to the north is a residential property with a house on it. The property to the south is zoned R-8 (One Family Residence Zone) but it is the parking lot for The Grange. If the rezoning goes through and the parking lot is extended in this area, the applicant would be required to screen between the two (2) uses.

The properties along South Bradford Street are principally R-8 (One Family Residence Zone). There are some RGO (General Residence and Office Zone) properties. As you get north on Bradford Street towards the hospital, it is more of a mix of R-8 (One Family Residence Zone) and RGO (General Residence and Office Zone). The properties north and south of the subject property are zoned R-8 (One Family Residence Zone) but the property at the south is developed as a parking lot.

Mr. Holden questioned the screening that would be required? They would have to screen the property to the north since it's residential. Is the property to the south an existing parking lot? Responding to Mr. Holden, Mrs. Townshend stated yes, the property to the south is a parking lot so they would have to screen to the north and the east of the property.

Mr. Duplechain stated that Mrs. Townshend has pretty much covered everything related to the

application. The property owner has a tenant downstairs and they are in negotiations with another tenant for the second floor of the building and the second floor tenant is concerned about there not being enough parking for everyone. They are asking for a rezoning of a portion of the adjacent parcel to allow for an additional seven (7) spaces to be constructed there. They understand conditions of approval would be screening and they agree with all of the other conditions.

Mr. Tolbert opened a public hearing.

Mr. Glen Stubbolo – 1081 South Bradford Street Dover DE 19904

Mr. Stubbolo stated that there seems to be a "creep" or a "crawl" in their residential neighborhood. Businesses are continuing to grow and it's transforming the nature. To borrow some words from Mr. McGinnis "Is it an asset to our community? Does it improve our neighborhood?" He has concerns about businesses continuing to be located on their street. At the corner of Wyoming Avenue and Bradford Street is an empty building that has sat empty for several years. At the other direction, there was a rental property that has a drug and alcohol abuse facility in it and there are children who live on this street. They have some concerns about the transformation of their neighborhood, their property values and their quality of life. He doesn't have issues; he doesn't live next to this property. His concern is traffic on the street, he does have children and there are more children coming onto his street. How are they going to get to the parking lot? Are they coming off of Bradford Street or are they coming off of Governors Avenue? Responding to Mr. Stubbolo, Mrs. Townshend stated that it's specifically stated in the report that if the rezoning is successful and a parking lot is constructed, access would not be permitted off of Bradford Street. The *Zoning Ordinance* is very clear that you cannot park on or have to drive through a property to access a property for which the property you are crossing isn't zoned. It would have to be from the rear. There is not actually an alley; the properties abut each other so there is some parallel parking in that area and then it would be off of that area that they would have to access it.

Mr. Stubbolo stated that he wanted to thank the Commissioners and Staff for all of the hard work that they do for the citizens. He asks that the Commissioners just be mindful that this is their residence, that's where they live and have raised many of their children and still have some at home. That "creep" is just starting to concern them.

Ms. Toni Gillis – 1086 South Bradford Street Dover DE 19904

Ms. Gillis stated that she did not receive a notification but she does live on that section of the street. Mrs. Townshend had stated that The Grange parking lot is actually built on a residential lot. Responding to Ms. Gillis, Mrs. Townshend stated that the property is zoned R-8 (One Family Residence Zone).

Ms. Gillis questioned how that happened? Responding to Ms. Gillis, Mrs. Townshend stated that it's a non-conforming use.

Ms. Gillis stated that's a concern to her. The other concern to her is that this building at one time was approved with the amount of parking that it has. She has seen other approvals happen where there have been variances given by the Planning Commission or whoever makes that decision. If it had enough parking when it was built then it has enough parking now. She is very concerned

on her street; they have numerous families and they also have numerous elderly people. The additional traffic is a big concern and Waples Avenue comes into their street. So if you can enter through Governors Avenue and you can enter through Waples Avenue then they are going to drive down Bradford Street to get there. It's a big concern so she hopes when they look at the non-conforming use that they consider the parking lot of The Grange is supposed to be residential also.

Ms. Dawn Pasco – 1054 South Bradford Street Dover DE 19904

Ms. Pasco stated that she also has concerns that this would bring more traffic even if it is coming in from Waples Avenue. They want to keep it a neighborhood. There are elderly, there are children and there are people with animals and right now it's a nice little neighborhood. They don't want to see this change; they don't want to see the zoning change. Living next to The Grange is enough; her house is directly there so she will be directly impacted.

Mr. Charles Hutchins – 1058 South Bradford Street Dover DE 19904

Mr. Hutchins stated that within the last two to four (2-4) years it was brought up that this area would not be rezoned for any commercial property and only a small piece of the residents were losing. That is something that the Commission was not planning on doing. He just hopes they the Commission doesn't rezone the property.

Mr. Tolbert closed the public hearing.

Mr. Tolbert questioned if the applicant could give them some comments regarding traffic? What type of traffic do they anticipate for this property? Responding to Mr. Tolbert, Mr. Duplechain stated that traffic increase would only be from the new tenants that would be moving in the upper floor and again they are only adding seven (7) spaces or proposing to add seven (7) spaces. They are hoping that the Commission considers rezoning a portion of this property. They understand that this area is kind of a mix of residential, commercial and office and that's why they only requested that a portion of the property be rezoned and that the remainder of it stay as a residential home. The tenant is in negotiations with someone who wants to lease the second floor and they feel they have enough parking but they were asking to see if they could get just a little bit more just to be on the safe side so they wouldn't be in a situation where they may be short on parking. They thought this was a reasonable request especially since they were keeping the majority of the property as R-8 (One Family Residence Zone).

Mr. Tolbert questioned how many tenants they planned on having in the building? Responding to Mr. Tolbert, Mr. Duplechain stated that there is one downstairs right now and there would be another tenant upstairs.

Mr. Tolbert questioned if he knew who the new tenants would be and what type of traffic they would create? Responding to Mr. Tolbert, Mr. Duplechain stated that he doesn't know who the downstairs tenant would be and the upstairs tenant is still in lease negotiations but it's a local company in Dover. He is not at liberty to say who it is but they are a prominent local company.

Dr. Jones questioned if the second floor has ever had a tenant? Responding to Dr. Jones, Mr. Duplechain stated that he is not 100% sure but he does know that a portion of it has been renovated and they just got a Building Permit to continue that renovation. It's been there for a

long time so he is assuming that there was a second floor tenant but he is not sure.

Mr. Cregar stated that The Grange parking lot was non-conforming in that it was there long before zoning The Grange had that area so that was existing. The City is not requesting that any of this be rezoned to add additional parking; that building has the parking that has always been there and they would allow that property to be used upstairs and downstairs with that parking, correct? Responding to Mr. Cregar, Mrs. Townshend stated yes.

Mr. Duplechain stated that he believes there is no parking requirement spacewise for this property. Responding to Mr. Duplechain stated that the C-1A (Limited Commercial Zone) does not have a minimum parking requirement. There are uses that may have a parking requirement and the intent is not that the parking requirement be zero, it's that it be flexible so that Staff and the Planning Commission can work with the applicants to provide the parking that is needed for the actual uses.

Mr. Holden questioned if The Grange parking lot had access off of South Bradford Street? Responding to Mr. Holden, Mrs. Townshend stated that she doesn't believe that it has access off of South Bradford Street.

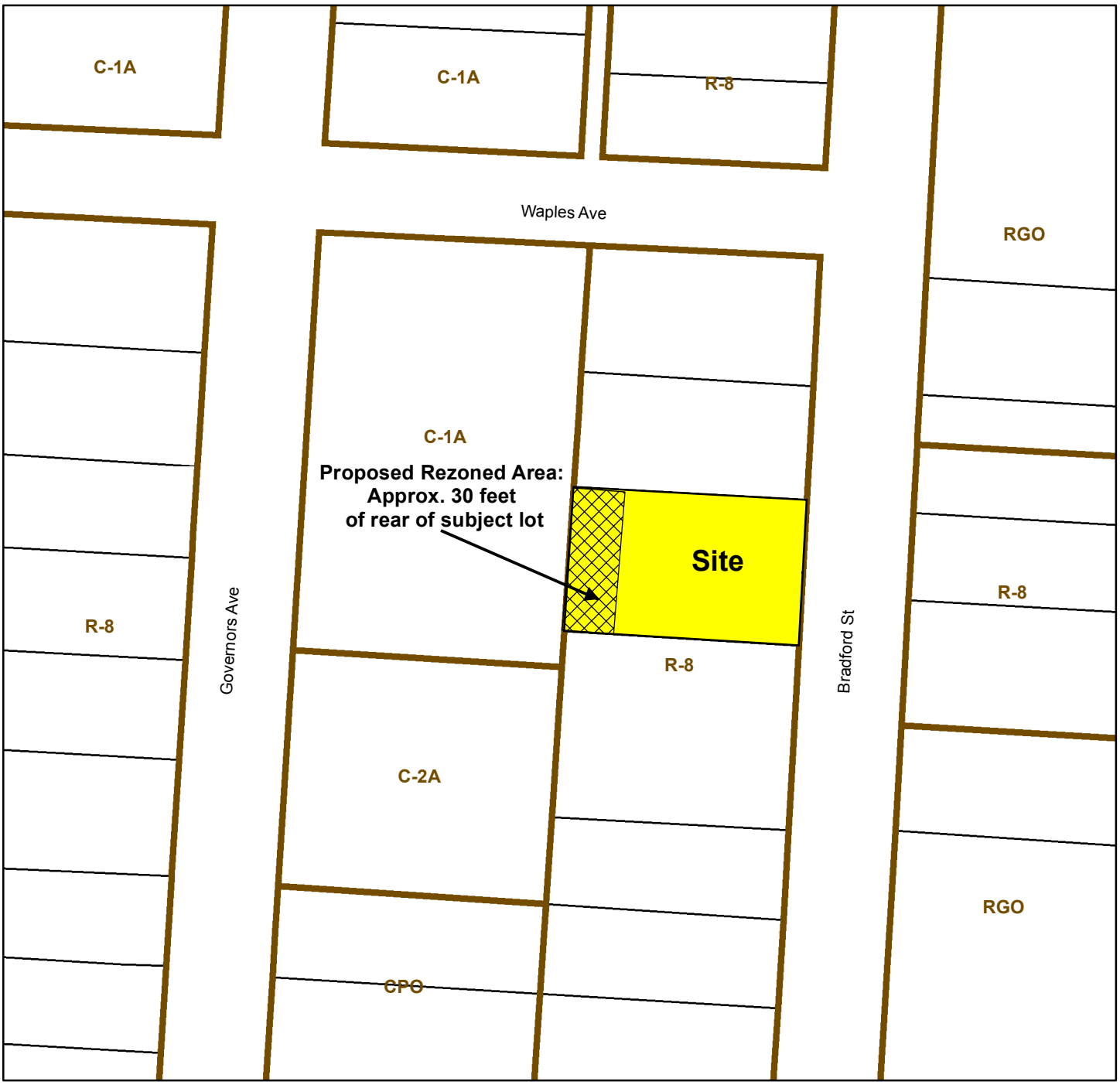
Colonel Welsh moved to recommend approval to City Council for Z-16-01 Lands of Halpern Family Property Investment LP at 1042 South Bradford Street: Rezoning from R-8 to C-1A and R-8, seconded by Mr. Holt and the motion was carried 6-2 by roll call vote with Mr. Ambruso absent. Mr. Holden voting yes, he thinks that supporting business in Downtown Dover is important. Also that the remaining residential lot meets the bulk zoning dimensions and other requirements in the Code. He understands the concerns about the neighborhood and it's a challenge that he thinks they face as the City grows but he thinks it's a good move. Mr. Cregar voting no, he grew up on this street; he has watched over the years how the street has changed and in a lot of ways there has been a change for the better. The mixed use is not always necessarily a bad thing but he does worry about the "creep" and he does worry about the fact that this parking lot was used for this building for years and the fact that they are increasing it by chopping off some pieces shows that they continue to allow "creep". He doesn't see that it's necessary; the building can be used and they are not going to destroy its use. Colonel Welsh voting yes, he is sympathetic to the concerns of the residents but he thinks seven (7) parking spots that have no access through their residential street would have a significant impact on their neighborhood. It's a move inward not outward; it's coming in closer to the building. Mr. Holt voting yes, he feels like the commercial end of this lot is needed for this property. Mr. Baldwin voting yes, it meets Code requirement and it's not an expansion. Dr. Jones voting no, there were some details missing regarding the previous second floor occupants and parking. Also, she believes she heard from the applicant that there really was adequate parking. Ms. Still voting yes, she believes it's an improvement interior to the block as opposed to exterior and she thinks that providing additional parking to the interior of the lot is preferable than having people park on the street if there is a need for more parking. Mr. Tolbert voting yes, it's a Minor Variation from the 2008 Comprehensive Plan and it also allows for improving parking for the adjacent commercial property.

Mrs. Townshend stated that the Planning Commission is making a recommendation to City Council. City Council will hold a public hearing on February 8, 2016 at 7:30PM in Council

Chambers where the residents will also have an opportunity to share their thoughts with City Council.

City of Dover
Department of Planning & Inspections

Application No.: Z-16-01



Title: Lands of Halpern FP
Address: 1042 S. Bradford St
Parcel ID: ED-05-077.17-03-14.00-000 (portion)
Existing Zoning: R-8 (One-Family Residence Zone)
Proposed Zoning: C-1A (Limited Commercial Zone)
Owner: Halpern Family Prop Invest LP
Date: 11/25/2015

Legend
- Zoning
- Dover Parcels
- Subject Property

N W E S

0 50 100 200 Feet

Z-16-01

CITY OF DOVER FIRE OF MARSHAL DOVER

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: December 30th, 2015

APPLICATION: Lands of Halpern Family Property Investment LP at 1042 South Bradford Street Rezoning from R-8 to C-1A and R-8

FILE #: Z-16-01 REVIEWING AGENCY: City of Dover, Office of the Fire Marshal

CONTACT PERSON: Timothy P. Mullaney Jr., Fire Marshal PHONE #: (302) 736-4457

THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY, AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY'S AUTHORITY AND AREA OF EXPERTISE.

THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESS BY THE APPLICANT:

SPECIFIC REQUIREMENTS TO OBTAIN APPROVAL:

1. This office has no objection to the rezoning of the property.

APPLICABLE CODES LISTED BELOW (NOT LIMITED TO):
2012 NFPA Life Safety Code (NFPA; National Fire Protection Association)
2009 IBC (International Building Code)
Latest editions of all other NFPA Codes as defined by the Delaware State Fire Prevention Regulations
2012 Delaware State Fire Prevention Regulations
City of Dover Code of Ordinances

*If you have any questions or need to discuss any of the above comments, please call the above contact person listed.

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: DECEMBER 30, 2015

CITY OF DOVER Electric & Public Works Departments

APPLICATION: **LANDS OF HALPERN FAMILY PROPERTY INVESTMENT LP AT 1042 SOUTH BRADFORD STREET**

FILE #: **Z-16-01**

REVIEWING AGENCY: **City of Dover**

CONTACT PERSON: **Paul Waddell - Electric**
Jason A. Lyon, P.E. – Public Works

CONTACT PHONE #: **ELECTRIC - 302-736-7070 PUBLIC WORKS – 302-736-7025**

THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY'S AUTHORITY AND AREA OF EXPERTISE.

THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESSED BY THE APPLICANT:

CITY AND STATE CODE REQUIREMENTS

ELECTRIC / WATER / WASTEWATER / STORMWATER / STREETS / SANITATION / GROUNDS

Our office has no objection to the rezoning of:

ED-05-077.17-03-14.00-000

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

ELECTRIC / WATER / WASTEWATER / SANITATION / STORMWATER / STREETS / GROUNDS

1. Should this site be redeveloped, which includes modifications to the use, the applicant / developer will be responsible for all costs associated with providing the appropriate meter / service / main to this site based upon the use including any necessary system upgrades or extensions. The appropriateness and adequacy of electric, water and sewer services and meters will be assessed at that time. (Please note that each water meter registered with the City of Dover must have a separate service line.) Should the existing water and sanitary sewer services no longer be required based upon the proposed use, they must be properly abandoned at the mains in accordance with all City of Dover Department of Public Works standards and specifications.
2. Any redevelopment shall adhere to the City of Dover Water/Wastewater Handbook, the Specifications, Standards & Procedures for City of Dover Public Works requirements, and the City of Dover's Electric Service Handbook.
3. Please note that renovations and or change of use projects must ensure that the water and wastewater service is brought up to current requirements. This may include relocating the water meter outside or changing service line sizes. Please ensure you schedule a meeting with the Department of Public Works during the planning phase for this site. Additional impact fees may apply for future development.

ADVISORY COMMENTS TO THE APPLICANT

ELECTRIC / WATER / WASTEWATER / STORMWATER / STREETS / SANITATION / GROUNDS

1. None.

IF YOU HAVE ANY QUESTIONS OR NEED TO DISCUSS ANY OF THE ABOVE COMMENTS, PLEASE CALL THE ABOVE CONTACT PERSON AND THE PLANNING DEPARTMENT AS SOON AS POSSIBLE.

KENT CONSERVATION DISTRICT
800 BAY ROAD SUITE 2 • DOVER, DELAWARE • 19901 (302) 741-2600 EXT. 3 • FAX (302) 741-0347

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
January 2016

APPLICATION: Helpern Family Property

FILE #: Z-16- 01

REVIEWING AGENCY: *Kent Conservation District*

CONTACT PERSON: *David C. Cahill* **PHONE #:** *741-2600 ext.3*

THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY'S AUTHORITY AND AREA OF EXPERTISE. THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESSED BY THE APPLICANT:

Source: 2014 Delaware Sediment and Stormwater Regulations

CITY AND STATE CODE REQUIREMENTS:

1. Kent Conservation District has no objection to the re-zoning plan for the above referenced site.

ADVISORY COMMENTS TO THE APPLICANT:

1. If at any time expansion or earth disturbing activity (clearing, grubbing tree clearing etc.) takes place and exceeds 5000 square feet; a detailed Sediment and Stormwater Management Plan must be submitted and approved to the Kent Conversation District.

DOVER HUMAN RELATIONS COMMISSION

The Dover Human Relations Commission (DHRC) meeting was held on February 2, 2016 at 5:17 p.m. with Vice Chairman McGiffin presiding. Members present were Ms. Bogle (arrived at 5:32), Ms. Griffith, Mr. Henderson, and Mrs. Sadusky. Ms. Mullen and Mr. Roach were absent. Councilman Sudler was also present (arrived at 5:18 p.m.).

AGENDA ADDITIONS/DELETIONS

Mr. McGiffin requested that Item #1, Introduction of New Member, be deleted from the agenda since the new member was unable to attend.

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

Election of Commission Chair

Mr. McGiffin reminded members that former Chairwoman S. Renee Smith had resigned from the Commission, and he opened the floor for nominations to serve as Chair.

Ms. Griffith moved to nominate Mr. Henderson to serve as the Commission Chair, seconded by Mrs. Sadusky.

Responding to Mrs. Sadusky, Mr. Henderson indicated that he was interested in serving as the Commission Chair.

Ms. Griffith moved to close nominations, seconded by Mrs. Sadusky, and unanimously carried.

Ms. Griffith moved to elect Mr. Henderson to serve as the Commission Chair, seconded by Mrs. Sadusky, and unanimously carried.

Mr. McGiffin congratulated Mr. Henderson on his election as Commission Chair and relinquished the Chair to Mr. Henderson.

DHRC Committee Updates

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

Mr. McGiffin reminded members that the Government Policy, Programs, and Practices (GPPP) Committee was previously chaired by former Councilman Eugene Ruane, who started a number of projects before he resigned from the Commission and relocated to California, including a research project to determine where the City stands on questions of diversity and cultural competency from its own perspective. Mr. McGiffin stated that this project was still in progress. He informed members that during December 2015 and January 2016, he and Mr. Henderson interviewed approximately eight (8) City staff members using an interview document that the DHRC had approved. Mr. McGiffin stated that the hope was to use the information learned from the interviews, as well as information that would be learned from an online and paper survey that would be made available to all employees of the City, develop a report and make recommendations on where the

City is assessed to be on issues of diversity and cultural competency. Mr. McGiffin advised members that he and Mr. Henderson spent approximately one-and-one-half days with City staff, whom they found to be very cooperative, accommodating, and willing to talk with them and obtained a huge amount of information. He indicated that the next step for the GPPP Committee would be to meet with Mr. Andy Siegel, Information Technology (IT) Director, to work on the online survey document. Mr. McGiffin stated that Mr. Siegel hoped to get to this project during the first week in March and Mr. McGiffin projected that it would be brought to the Commission for approval during their April meeting. The survey would then be made available online and in a printed format. He stated that he and Mr. Henderson, along with anyone else who would be interested in helping, would review the data and develop the report.

Mr. Henderson stated that he felt that the interviews were very helpful and informative and opened the door to provide information regarding how many people are aware of diversity and how many are not.

Community Engagement Committee *(Roach)*
No report was provided.

Education Committee *(Henderson)*
Mr. Henderson advised members that he received information regarding a independently organized Technology, Entertainment, and Design (TEDx) talk that had been discussed by the DHRC previously and it appeared that it would cost several thousand dollars that the DHRC did not have to put on a TEDx event. He expressed doubt that the City would be willing to fund this and felt that the project may not go forward. Mr. Henderson stated that he would provide the information that he was emailed to members for their review so that this could be discussed at the next meeting and members could decide whether to forward this matter to City Council.

Mr. Henderson stated his desire to continue to work with the Dover Public Library on their film series initiative regarding diversity. He advised members that the last film shown was "Cracking the Code" which was an excellent presentation, and upcoming films would include topics such as lesbian, bi-sexual, gay, and transgender (LGBT); women's; and Hispanic rights. Mr. Henderson advised members that this film series was organized by the State of Delaware Human Relations Commission (SHRC) and he wanted to tie into it, so he planned to stay in touch with library staff to find out when the next showing would be.

Communications Committee *(Griffith)*
Ms. Griffith advised members that the Communications Committee had nothing to report, stating her recollection that the last thing that had been discussed in regard to the Communications Committee was the film series mentioned by Mr. Henderson.

Mrs. Sadusky questioned if the Communications Committee had worked with the SHRC to advertise the film series. Responding, Ms. Griffith stated that the SHRC had done all of the advertising and had only wanted the City to post the event on the City's website and Facebook account, which was completed by City staff.

In response to Mrs. Sadusky regarding attendance at the event, Mr. Henderson stated that just a handful of people were there, most of whom were from the Wilmington area.

New Business

2015 DHRC Annual Report to City Council

Mr. McGiffin noted that the DHRC had an obligation to present an annual report to City Council.

Ms. Denise Devine, Assistant City Clerk, advised members that the letter of resignation submitted by former Chairwoman S. Renee Smith included highlights and accomplishments of the DHRC from June through November 2015 and a list of the Commission's current initiatives. She noted that the DHRC's annual report is typically considered by City Council during their first meeting in February, which was scheduled for February 8, 2016, and she suggested that the information from Ms. Smith's letter be used for the Annual Report. Ms. Devine explained that this item could be included on Council's consent agenda or, if so desired, Mr. Henderson could give a formal presentation of the Report at the Council meeting. Ms. Devine read the portion of the letter that included the highlights, accomplishments, and current initiatives of the DHRC. She suggested that the Clerk's Office could substitute "Commissioner Smith" for "I" in this letter and include the updated information provided earlier in the evening by Mr. McGiffin regarding the diversity survey.

Mr. Henderson felt that the information provided in Ms. Smith's letter was very thorough and that she brought an extraordinary amount of energy, innovation, and drive to the Commission, noting that she was an extraordinarily good chairperson who would be missed. He requested a copy of Ms. Smith's resignation letter.

Ms. Griffith noted that members had discussed taking a group picture and sending out cards, based on what they read in the paper regarding accomplishments in the community, and questioned if this was currently occurring. Responding, Ms. Devine indicated that this had not happened yet. It was her belief that, during the Regular City Council Meeting of January 11, 2016, Council considered all of the outstanding DHRC meeting minutes from 2015 and this recommendation had been approved by Council as part of that consent agenda. Ms. Griffith noted the need to start working on this.

Mr. McGiffin moved for approval of the 2015 DHRC Annual Report *(Attachment #1)*, as discussed, seconded by Mrs. Sadusky and unanimously carried.

Mr. Henderson requested that the annual report be placed on the consent agenda for City Council.

African American Festival

Mr. Henderson noted that Councilman Sudler was in attendance and asked if he could share any information regarding the African American Festival. Responding, Councilman Sudler advised members that former Councilman Reuben Salters would be the point of contact regarding the African American Festival.

Ms. Bogle indicated that the Festival is typically held on the last Saturday in June.

Mr. McGiffin suggested that members consider whether they wished to be a presence at the African-American Festival, noting that the City itself has a big presence. He stated that the DHRC could be present as a separate entity or in conjunction with the City and members could be present onsite during the festival. Mr. McGiffin explained that it would be a long commitment since the Festival begins in the morning and music is performed at night. He stated that the African American Festival traditionally takes place at Legislative Mall and questioned if members would like to set up and staff a table, provide literature or buttons, and answer questions about what the DHRC is all about. He informed members that it is a very high-profile event attended by thousands of people from Dover and outside the area. Mr. McGiffin felt that the DHRC's involvement would raise their profile in the community.

Mr. Henderson stated his belief that this would be something that the Communications Committee could embrace.

Ms. Griffith felt that the Commission should have a table and tell people who the DHRC is and what they do, and she offered to work on this.

Mr. McGiffin suggested that Ms. Griffith contact whomever coordinates the City's presence at the African American Festival. Responding to Mr. McGiffin, Ms. Devine indicated that she did not know who coordinates the City's presence at the Festival but stated that she could find out who this was and forward the information to Ms. Griffith.

In response to Mr. McGiffin, Ms. Devine indicated her belief that Ms. Kay Sass, Public Affairs and Emergency Management Coordinator, had been involved in the past and that the Parks and Recreation Department staff may be involved.

Ms. Bogle suggested that members attend in shifts since it would be a long day. She stated that those members who had not yet received DHRC t-shirts could coordinate with her to obtain them.

Mrs. Sadusky, noting that members would be there to answer questions, inquired about what else members could do, such as passing things out for children, etc.

Responding to Ms. Griffith as to whether the City had items such as Frisbees, etc., Ms. Devine stated that Ms. Sass distributes City-related items at events around the City and could advise them.

Ms. Bogle stated that members may need to decide what to provide based on what they want their focus and message to be, noting that they may want to highlight the DHRC or inform people about its subcommittees. She suggested perhaps providing something for children and having candy.

Ms. Griffith requested that this item be added to a subsequent agenda. Mr. Henderson stated his belief that this would fall under the Communications Committee.

Mr. McGiffin moved to recommend that the Communications Committee work up a plan to recommend the DHRC's presence at the African American Festival this year, seconded by Ms. Bogle and unanimously carried.

Councilman Sudler advised members that he serves on the State of Delaware Human Relations Commission (SHRC) and could convey to the SHRC that the DHRC might possibly want to partner with them. He indicated that the SHRC may have items that they could share with the DHRC, noting that the SHRC was very eager to work with the DHRC. Mr. Sudler suggested that Mr. Henderson reach out to Mr. Calvin Christopher, Chair of the SHRC, and introduce himself as the new Chair of the DHRC. He indicated that the SHRC meets on the second Thursday of each month at 7:00 p.m. at 861 Silver Lake Boulevard, Suite #205.

Ms. Griffith advised members that she serves on the State Commission for Women and could discuss partnership ideas with Ms. Romona Fullman, Director of the Division of Human Relations.

Mr. McGiffin stated his belief that there was a value to Mr. Henderson reaching out, as chair of the DHRC, to introduce himself to chairs of other organizations.

Scheduling of 2016 Meeting Dates

Ms. Denise Devine, Assistant City Clerk, reminded members that they had previously met on the Tuesday following the fourth Monday of each month. She informed members that City Council had changed their committee structure to a Council Committee of the Whole format, with meetings being held on the Tuesdays following the second and fourth Mondays; therefore, City Clerk's Office staff would not be available on these days. In addition, she noted that the Bicycle and Pedestrian Subcommittee typically holds meetings in the City Hall Conference Room on the first Tuesday of each month.

After a brief discussion, members concurred that Wednesdays at 6:00 p.m. would be an agreeable time to schedule meetings. Ms. Devine recommended that she determine which Wednesday of the month Council Chambers and City staff would be available and email a calendar invitation before the meeting.

Mr. McGiffin moved for approval of staff's recommendation, seconded by Ms. Griffith and unanimously carried.

In response to Mr. Henderson, Ms. Devine informed members that there were vacancies in the First and Fourth Districts. She advised members that if they knew anyone who was interested, applications were available on the City's website our could be obtained by calling the City Clerk's Office.

Ms. Griffith stated that she knew someone who was interested. Ms. Devine explained that applications would be submitted to the Council President, who would make a recommendation to City Council. She stated that a bio or resume could be submitted with the application.

Mr. Henderson advised members that he was soliciting members' prayers as Chair, noting his belief that positions of responsibility are positions of service. He expressed his appreciation for members' confidence, stating that he would do his best.

Mr. McGiffin moved for adjournment, seconded by Ms. Griffith and unanimously carried.

Meeting adjourned at 5:55 p.m.

Theodore A. Henderson
Chair

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Attachments
Attachment #1 - 2015 Dover Human Relations Commission Annual Report

2015 Dover Human Relations Commission Annual Report

Highlights and Accomplishments:

June

- Met with Mayor and Chief of Police (together) and City Council President to understand their vision for the City and their perception of the role of the Commission.

- Commissioners promoted, attended and participated in the *All Lives Matter* rally held on June 6.

July

- Met with leaders of the State Human Relations Commission. Joined forces with the State Commission to make available more resources directly to Dover citizens. First partnership event held December 8 - screening and discussion of the movie *Cracking the Codes*.

- Committed to supporting and understanding Dover Police, Commissioner Sadusky reached out to the Dover Police to inquire about the Ride-Along Program and Citizen 's Police Academy. In October, Commissioner Sadusky scheduled a time to ride along with an officer. The November 10 response to Commissioner Smith's October 26 email inquiry about the Academy stated that it would not start until late February or early March. Commissioners are interested.

August

- Commissioner McGiffin and Ms. Smith met with Chief Bernat and Major Mailey to discuss how the Commission could provide greater support to Dover Police Department's goals to improve community relations and to discuss the Commission's employee relations survey.

September

- City Council President Tim Slavin attended the DHRC meeting and shared his hope for the City's and the Commission's possible contribution.

- Commissioners' bios, photos, and contact information were added to City's website.

October

- Commissioner Smith attended 4-day mediation training on behalf of the Commission.

- Commissioner Smith attended the NAACP and Dover Police Outreach Event for the City.

- Commissioner Henderson and Commissioner Smith met with the Capital School District Superintendent. In building the relationship, on November 20 Commissioner Bogle engaged

Dover High School to monogram polo shirts for Commissioners. In October, the Commission voted to submit for Council's approval a DHRC logo-designing contest. The Commission wants to partner with Dover High to engage students. Local businesses will be asked to provide prizes.

November

- Partnered (Commissioner Smith's business provided the funding; Commissioners served at the event) with the NAACP, Inter-denominational Ministerial Alliance, City Police, and Fraternal Order of Police for the *The Community, Family and Fellowship Dinner*.

Current Initiatives:

- Employee Relations Survey - Commissioner McGiffin is the Chair of the Government Policy, Programs and Practices Committee. We have approved the interviewing questions for City leaders and the online survey for employees is being tweaked. Interviews have been completed.

- Community Relations - Commissioner Griffith is the chair of the Communications Committee. The Commission voted and passed the PR promotion to create and send congratulatory cards from the Commission to citizens who appear in the newspaper.

- Education Engagement - Commissioner Henderson is the Chair of the Education Committee and is in communication with organizers for the Commission's possible involvement in a TEDx talk in early 2016.

- Community Engagement - Commissioner Roach is the Chair of the Community Engagement Committee. City Council should receive (if they haven't already) a solicitation for a mentorship program, Reach One, Teach One Challenge.

COUNCIL COMMITTEE OF THE WHOLE

The Council Committee of the Whole Meeting was held on February 9, 2016, at 6:00 p.m., with Council President Slavin presiding. Members of Council present were Mr. Anderson, Mr. Sudler (arrived at 6:12 p.m.), Mr. Neil, Mr. Cole, Mr. Hare, and Mr. Hutchison. Mr. Lewis and Mr. Hosfelt were absent. Mayor Christiansen was also present. Civilian members present for their Committee meetings were Mr. Caldwell and Mrs. Horsey (*Parks, Recreation, and Community Enhancement*), Mr. Blakeman and Mrs. Stewart (*Utility*), and Ms. Maucher (*Legislative, Finance, and Administration*). Mr. Shevock (*Legislative, Finance, and Administration*) was absent.

PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE

AGENDA ADDITIONS/DELETIONS

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

Draft Committee Strategic Plan to Submit for Staff Review

Mr. Anderson reminded members that the Committee had been working on a strategic plan and had taken a good amount of testimony from citizens, staff, and different groups in the community. He indicated that it was planned to summarize this information and submit it to staff for their input, revision, and review of options. Mr. Anderson stated that Mayor Christiansen had information on possible funding from the State legislature in relation to a community center.

During the Parks, Recreation, and Community Enhancement Committee meeting of January 11, 2016, members considered a proposed recreation center at Dover Park. At that time, members recommended referring the proposal back to the Mayor for more information. Mayor Christiansen advised members that he had submitted a request to Attorney General Matt Denn for $1.5M from bank settlement funds that Mr. Denn planned to use for community development. He indicated that Mr. Denn had previously assisted the City in obtaining $579,000 for police uses, including crime prevention. Mayor Christiansen reminded members that the former facility at Dover Park had been torn down and reiterated his previous recommendation that $380,000 that had been earmarked for a splash park be used for a community center, projecting that a splash park would be available to the community for only two (2) to two-and-a-half months per year.

Mayor Christiansen informed members that, during meetings of the Towne Point Civic Association, members expressed interest in restoring the facility that was taken down at Dover Park, and he felt it was incumbent upon the City to begin planning for this. Mayor Christiansen stated that this would provide a place for the PAL program that the Police Department was interested in restarting, due to its previous success, and this should be done as part of community outreach. He noted that other programs that could be housed there would be the Hot Shots Basketball Program. Mayor Christiansen advised that the program was run by former Councilwoman Beverly Williams through Aid in Dover and it serves approximately 500 children. Additionally, the Martin Luther King Jr. Educational Community Center mentoring and tutoring program, which would be available through the efforts of Dr. Gus Walker, could be housed there. Mayor Christiansen noted that the City often

has contract services with Towne Point Elementary School and stated his belief that there is a necessity for a facility on the east side of town.

Mrs. Ann Marie Townshend, Director of Planning and Community Development, shared her concerns about moving too far too fast on this matter. She advised members that the Recreation Needs Assessment summary included a table that listed needs that were stated by over 25% of the respondents, noting that this project was near the bottom of the list with 25.7% responses. She indicated that there were greater demands from the public for walking and biking trails and restrooms at both Silver Lake and Dover Parks. Mrs. Townshend noted that a master plan must be developed that would incorporate the information gathered through the assessment into a land plan that may include a building before planning to construct a building . She stated the need to look at restrictions on the land, stating her belief that Dover Park had received Delaware Land and Water Conservation Trust Fund and federal Land and Water Conservation Fund monies. Mrs. Townshend indicated that there were strings attached to these funds, noting that an indoor recreation facility cannot be placed within certain boundaries and it may not be possible to have a building larger than the footprint of the previous building. Mrs. Townshend stated that other needs were expressed that may be less costly and could also serve the needs of the public. She felt that much more background work in terms of looking at the park as a whole was needed before funding construction of a building. Mrs. Townshend reminded members that concerns had been stated about safety at Dover Park, whether or not there was a building there, and that it was desired to hire someone to do a vegetation management plan due to visibility issues and overgrown vegetation, as well as a lighting plan.

In addition, Mrs. Townshend stated concern with the idea of entirely depleting the Parkland Reserve Fund by taking $380,000 for the Dover Park. She confirmed that there were funds in the capital budget for a splash pad; however, she stated the capital budget would not include a splash pad or skate park but would be a park-based budget, including the development of plans for the City's major parks and small park projects, that would be tied to the Recreation Needs Assessment. Mrs. Townshend advised members that things like the skate park and splash pad were budgeted in the Capital Improvement Plan (CIP) with the idea that the City would pay half and the State would match these funds with Delaware Land and Water Conservation Trust Fund money. She indicated that this money cannot be used for an indoor facility; therefore, therefore half of the money would not be available and it would not be just a matter of reallocating money that was directed to a splash pad for an indoor facility. Mrs. Townshend stated that she was not saying that the facility was not needed and should not be constructed, but she had concerns about moving too fast by allocating funding and putting this ahead of other projects.

Mayor Christiansen stated his belief that the City was at a critical point in time and that the needs of the citizens on the east side of the community superceded the desire for a dog park in the City. He felt the City had an obligation, as part of its community outreach, to at least discuss the issue. Mayor Christiansen felt that if he were successful in obtaining bank settlement funds from the Attorney General, a portion of those dollars could be used to construct the facility. He indicated that, as a taxpayer, he was very upset when the Dover Park fell into disrepair, stating his belief that this was planned obsolescence. Mayor Christiansen felt the City had a responsibility to at least begin the

effort by exploring the opportunity to fulfill the recreational needs of the citizens and taxpayers on the east side of the community, stating that the need was obvious.

Mr. Hare reminded members that the reason the building was demolished and not replaced was that there were programs that did not receive much participation and indicated he was unsure that building a new facility at this location was warranted. Responding, Mrs. Townshend advised members, that toward the end of the time the facility was in use, most of the programs scheduled were canceled due to lack of participation. The popularity of the building was more for rentals for birthday parties and showers rather than recreational programs.

Mr. Anderson stated that, as discussed during the previous Committee meeting, the building would be used through grant programs, such as the Hot Shots Basketball and PAL programs, and the MLK Center which currently has thousands of participants. He stated that using the facility as a community center would be different from previous use.

Responding to Mr. Hutchison regarding the status of a master recreation plan for the City, Mrs. Townshend stated that the Recreation Needs Assessment was completed and approved by Council on August 24, 2015. A master plan for Schutte Park was now being developed, using in-house engineering and planning staff, that would accommodate fields on the western side, including additional parking and other elements seen in the assessment. Staff had planned that their next project would be a master plan for Dover Park that would identify the constraints, incorporate elements of the needs assessment, reserve an area for an indoor facility in the future, and address issues of landscaping, vegetation management, and lighting. It was staff's desire to bring forward in the capital plan a master plan for the next fiscal year. Mrs. Townshend stated that there may be a building, but expressed the necessity to look at constraints. She felt it would be problematic if a building was planned and it was then found that the footprint violated the grant covenant the City agreed to in the past when the City accepted federal or state money for other park improvements. Mrs. Townshend indicated that staff was in the process of getting this information from the Department of Natural Resources and Environmental Controls (DNREC). She indicated if a full master plan was not done, at the very least the City should look at the footprint that would be allowed without having to go through the process of a land swap.

Mr. Hutchison stated the need to obtain information regarding what activities Kent County, the YMCA, churches, and schools were providing.

Mrs. Townshend advised members that staff had not done a complete analysis of what other providers have available, noting that the Pitts Center and YMCA were currently the only recreation centers. However, she reminded members that Kent County would open a new recreation center in a couple of months that would house the Boys and Girls Club and would have additional programming. It was not known what effect this would have on the Pitts Center programming, such as indoor field hockey and open gym time, noting that the County and the City had frequently competed over programs.

Mr. Sudler questioned how many constituents had expressed demand for a skate park, splash pad, and an indoor facility for PAL and community programming. Responding, Mrs. Townshend stated that the top needs stated by more than 25% of the 506 respondents did not include the skate park or splash pad. She stated that those priorities were set by Council a number of years ago, and a determination would be made regarding which parks were the proper locations when staff develops the master plans. This did not mean that these projects were to be the next ones funded. Mrs. Townshend stated that the idea was to develop a master plan and prioritize its implementation. In reviewing the Recreation Needs Assessment, Mrs. Townshend explained that there was a higher response rate for those who favored a paved trail system at Dover Park than an indoor recreation facility, and the highest use of that facility was for walking and jogging. She indicated the need to balance all needs, and she felt that staff was not in a position to do this until they are laid out and costs determined. She noted that the cost of a recreation center would be much more than the $1.5M that the City might receive from the Attorney General.

Noting that he serves as the chair of the Mt. Zion A.M.E. Social Action Commission, Mr. Sudler questioned the priority that was given to the Social Action Commission's assessment and survey of the needs of individuals in the Third and Fourth Districts for the Dover Park and how this was incorporated in the plan. Responding, Mrs. Townshend stated that the Recreation Needs Assessment was based on the data that staff gathered and the information provided by the Social Action Commission was not used. Mr. Anderson stated that he would forward this information to the Committee. He indicated that this survey had approximately 300 respondents and 234, or approximately 75%, favored replacing the recreational facility.

Mr. Slavin stated that he empathized with staff on issues like this, noting that Council asked staff not to make rash decisions and to perform assessments to gather data and to make recommendations so that Council could make decisions based on supportive data. Now staff was having to play defense against the idea of a new building regardless of what the assessment or data had said. Mr. Slavin felt it was unfair to ask staff to do one thing and then shift the goalpost and move them another way. He encouraged everyone to have a much higher standard of analysis than was being exhibited when making decisions about designing, building, and paying for the operation of new buildings. Mr. Slavin expressed his opinion that the $1.5M would not nearly pay the cost of and stated the need to look at the life cycle costs of the entire building, including physical infrastructure and operational costs over a 20-year period. Referring to Mr. Anderson's comment that grants would be used for operational expenses, Mr. Slavin felt that if members began by saying that the operation of a major facility would be supported by external resources, the City would be in trouble, noting that three (3) grants could not be named right now. Mr. Slavin projected that the funding would come from the City and would further inflate the budget. He asked members to exercise caution, perform due diligence, and understand the true costs of putting a building online.

Mr. Anderson pointed out that information regarding the grants, as well as those who would operate them, was included in the minutes of the Parks, Recreation, and Community Enhancement Committee meeting held on January 11, 2016. Mr. Slavin stated that grants are cyclical and year to year.

Mr. Sudler felt that external entities separate from the City of Dover, such as the A.M.E. Social Action Commission, which had taken the initiative to find the needs of individuals in the area, should be counted as a top priority. The Commission had taken its time to field the concerns of those constituents, in addition what the City had done. Mr. Sudler felt this information should not be discarded because those constituents are taxpayers and stakeholders and should be given high priority in regard to the programs and activities to be provided at the Dover Park.

Mr. Koenig stated his understanding that the Mayor and the Police Department had requested $1.5M on behalf of the City for the construction of a facility for which Mr. Koenig had not yet seen an application. He indicated that the project had not been through the staff process to determine, if a building were to be constructed, what the its size and function would be. Mr. Koenig stated that the normal process for a capital project was being overstepped. He questioned if the project would go forward if funding were not available, or if funding was obtained and the City was expected to make something to happen on the project within the next 12 months. Mr. Koenig stated that the City was not prepared at this point, noting that the matter had been discussed verbally, but there were no documents passed out about the PAL. He acknowledged that the PAL is a fantastic organization in concept; however, he questioned what would happen if the program was not fully funded or if funding was not available after a couple of years. Mr. Koenig advised members that he did not have these answers; however, that Council would ask him these questions on the budget floor when they discuss whether the current tax rate can be maintained or if fees must be raised. He expressed anxiety about how the process was going forward when there were even different ideas about the Recreation Needs Assessment. Mr. Koenig indicated that discussions need to start with Council members talking to staff so that staff can facilitate, develop ideas, and figure out how to prioritize.

Mr. Koenig informed members that the capital plan currently does not mention a building at Dover Park but has earmarks for $80,000 and $100,000. He indicated that $180,000 was identified for potential improvements, which would not cover the operating costs of a heated and air conditioned building. The analysis of this building had not been done by the staff most qualified to say how much it would cost to build and operate. Mr. Koenig expressed his belief that Council would not have agreed to making a grant application for $1.5M without getting the complete approval of Council. He reiterated that there may be an expectation that the money be spent in a timely manner, stating his hope that it would allow at least three (3) years because just the planning process takes over one (1) year if the City follows its own rules.

Responding to Mr. Sudler regarding the number of respondents to the Recreation Needs Assessment survey, Mr. Anderson stated his recollection that there were 506 respondents, 40% of whom were not City residents. *[City Clerk's Office Note: The City of Dover Recreation Needs Assessment report reflected that 28% of responses were from non-residents.]*

In response to Mr. Sudler regarding how many of the respondents were from White Oak Park, Mrs. Townshend indicated that she had the assessment with her but not all the data, stating that this could be discussed at another time. She reminded members that staff was using the process that they developed working with the Committee, and this had been presented to the Committee and adopted

by City Council. If there were concerns about the data process or input, that had not been communicated.

Mr. Sudler questioned how many constituents from the White Oak Park/Dover Park area had expressed a need for activities and programs in that area and whether or not the programs and activities planned for the park were the result of input from the constituents in that area. Mr. Anderson requested that this information be provided, noting that the information he reviewed contained a summary.

Mrs. Townshend advised members that respondents were allowed to select the development where they live in the survey, noting that this information could be pulled; however, she questioned what would be considered the area and if this would include all areas east of Route 13. Mr. Sudler questioned if programs and activities would be provided for all districts or specifically the Third District, where the park is located. Mr. Anderson noted that all facilities are open to everyone City-wide. Mrs. Townshend stated that the City does not budget by district, noting that there was a finite amount of money to spend City-wide. She expressed caution in saying that one (1) Council district or development was more important than another, and this was why staff looked at the City as a whole.

Mr. Neil stated his belief that the City was not ready for $1.5M for a recreational center.

Mr. Sudler moved to recommend postponing this matter for further data and information. The motion was seconded by Mr. Neil.

Mr. Hutchison expressed the need to pay close attention to the City Manager's comments. He felt that the City Manager and staff must be brought into the loop to guide members on a recommendation.

Mr. Sudler felt that the constituents' concerns and the A.M.E. Social Action Commission's initiative, which received over 300 responses and amounted to more than half of the 506 responses received from the survey, should be highly considered and not disregarded. He indicated that he was appalled that this survey was disregarded and not taken into consideration, since their time and effort should not be null and void, noting that these were stakeholders and taxpayers.

Mr. Anderson stated that Mr. Lewis had also done a survey that had close to 100 respondents in that area and that these responses would be submitted to Staff with the referral. Mr. Anderson indicated that, at the Committee meeting held on January 11, 2016, members asked Staff and the Mayor to work out some details; however, this had not happened.

On a call for the question, the motion to recommend postponing this matter for further data and information was unanimously carried.

Community Development Block Grant (CDBG) Program Quarterly Update (October, November, and December)

Mrs. Ann Marie Townshend, Director of Planning and Community Development, reviewed the CDBG Quarterly Report 2015 for October, November, and December including the Status of FY-15 Program Funds Spent - Fiscal year 7/1/15 - 6/30/16.

Mr. Anderson stated his understanding that Mrs. Donna Mitchell, Controller/Treasurer, had some questions regarding some of the monies not yet spent. Mrs. Mitchell explained that Mrs. Tracy Harvey, Planner I, was working on this matter and Mrs. Townshend was aware of it.

Mr. Hare moved to recommend acceptance of the report, seconded by Mrs. Horsey and unanimously carried.

Citizen Suggestion - Economic Empowerment (Clay Hammond)

Mr. Clay Hammond II, 505 Troon Road, President, Delmarva Black Chamber of Commerce, stated that Mr. Anderson had asked him to comment on economic development specifically as it relates to the African American community in the City. Mr. Hammond read a prepared statement as follows:

> A widely held definition of economic development from a policy perspective are efforts to seek to improve the economic well-being and quality of life in the community by creating or retaining jobs, supporting and growing incomes of residents, and expanding the tax base. Some important factors with regard to economic development pursuits include having a trained and educated workforce and having communities in locales that are attractive to development and business attraction. One of the things that's important to note is that the African American population of the City is around 40%, with the white community comprising about 43%. However, in looking at economic development activities undertaken by City government and quasi-governmental entities, such as the Downtown Dover Partnership (DDP), very little has been directed at or addresses the economic development needs of the black community.
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> This is why we initially came, I think last year, and asked for the economic inclusion study to be done. With regard to the economic development needs of the black community, they are reducing high levels of unemployment nationally and also locally. We think that the unemployment levels are basically twice that of the general or the broader community.
>
> Revitalizing distressed parts of the community, reducing poverty, and reducing crime. We say this because economic development is critically important because we think that is the new empowerment in equality and movement in the 21st century, akin to what the civil rights movement was in the '60s and '50s. If you look at economic disparities that exist in our community, whether its is income disparities, the unemployment level, net worth, the net worth of the community, it's really important that we really begin to focus on economic development.

One of the things that we think the City can do through its activities is development of appropriate public policy. Around the country, there are a lot of different initiatives that have been focused on alleviating the economic disparities in minority communities. Allocation of funds to support initiatives to address those disparities in the City's procurement activities can be very beneficial in this area.

Based upon our analysis, and I say this from the standpoint of the Delmarva Black Chamber of Commerce, some recommendations that we think can be very beneficial. Create and fund the work of an economic inclusion advisory board. The economic inclusion study had a list of recommendations that we thought were very valuable. Creating a board would be helpful. Bill Neaton has been given a list of appropriate persons and organizations that can comprise that.

Make workforce development a priority and partnership with entities such as the Martin Luther King Center, Whatcoat Church Community Development Corporation, and DelTech akin to that of the Kent County Entrepreneurship Consortium. The City can apply for grants in partnership with external partners to support broad-based and specifically community economic development. There is a plethora of funds out there, whether it is through foundations, or the government, through criminal justice funds that the City, I think, would be helpful in pursuing, would take some of the financial burden off of the City. If you want to do initiatives, it shouldn't have to fall onto the taxpayers all the time. So I think that would be helpful.

Fund initiatives to support the growth of City's black business community. I would venture to say, and Ann Marie and some other folks can correct me, but a significant number, if not the majority of new businesses that have been coming downtown, are black-owned businesses. If you look nationally, black businesses are growing three (3) times faster than general businesses. So in economic development it is always important to support the work of a significant growth sector in that area and that is comprised of the black community.

Expand the City's Community Development Block Grant initiative. I know the entitlement is very small, but again, I think with some outside funding and some other resources, it can expand things to talk about community development outside of home ownership and some other things.

And have the City's crime prevention strategies include community economic development. One of the things I constantly say all the time when I speak to people is that you're never going to police your way out of this situation because police show up after the fact. If you look at the young men, I talk to a lot of young men that I know are selling dope on the corner. They're not doing this as a career track. They're doing it because they feel they have few other economic options, whether it's a lack of appropriate job skills or education, or a criminal record. But again, I think a lot of them possess keen entrepreneurial skills that if we could focus on something positive,

could transform their lives and also the community. These are just some suggestions and comments I have on this.

Mr. Hammond explained that he first lived in Dover when he was about 12 or 13 in the early '70s and came back in the '90s to work at Delaware State University, and again roughly in 2013. He indicated that a lot of the conditions that he sees in the City's African-American community have existed for decades. Noting the tremendous number of African-Americans, Mr. Hammond felt that the community been ignored in a lot of areas. He specifically mentioned Downtown Dover Partnership (DDP) partnerships because part of their service area had always been the Queen Street, Kirkwood Street, New Street corridor. Mr. Hammond expressed his belief that they had never focused on or put any resources into economically revitalizing those communities. He felt it would be helpful to have a comprehensive approach to addressing the economic development needs of the entire community and residents of the City.

During their Regular Meeting of November 25, 2013, City Council considered a request from Mr. Hammond for funding for the Delaware State University Center for Economic Development and Trade to conduct an economic inclusion study for the City of Dover. City Council approved the request to fund the Economic Inclusion Study in the amount of $6,000, as recommended by the Legislative, Finance, and Administration Committee. During the Legislative, Finance, and Administration Committee meeting of August 10, 2015, Dr. Michael Casson, Director, University Center for Economic Development and Trade (UCEDIT) reviewed a presentation of the African American Business and Workforce Inclusion Report for the City of Dover, Delaware, which was accepted by Council at the recommendation of the Committee. During the presentation, Dr. Casson stated that the economic inclusion study was a very important first step in this process, and the next important step would be an inclusion plan. This plan would take some of the points from the inclusion study, bring together the stakeholders, and begin to create strategies around engaging the African-American community.

Mr. Anderson questioned Mr. Hammond on the status of the creation of an economic inclusion advisory board and what request he had made of the City regarding economic development. Responding, Mr. Hammond there had been a request through a conversation with Mr. Bill Neaton, Economic Development Director, to begin put together a body, but he had not heard anything back. Mr. Hammond explained that this body would talk about implementing the recommendations that came from the study. He indicated that he had provided a list of approximately 20 individuals representing the business community, Delaware Technical and Community College, Martin Luther King, and the banking community and recommended reaching out to these parties; however, he had heard anything more.

Mr. Sudler asked if Mr. Hammond was discussing economic development for African-Americans or all races. Responding, Mr. Hammond stated that he was specifically talking about African-Americans. He noted, however, that economic development would benefit everyone in terms of job creation, additional services, and resources. Mr. Hammond indicated that he was looking at this from the African-American perspective because the economic inclusion study focused on this.

Responding to Mr. Sudler regarding statistics relating to African American economic development in downtown Dover, Mr. Hammond stated that he did not know the specific numbers but that a significant number of the new businesses downtown were black-owned.

In response to Mr. Sudler as to whether he felt this reflected progress, Mr. Hammond indicated that it was progress and was revitalizing downtown Dover. He stated the need to invest in the commercial corridor, noting that it did not make sense to have empty storefronts, no matter who owns the businesses. He felt it was helpful for the African-American community because the community contiguous to downtown, especially the lower end, is the African-American community and he felt this was a positive effect.

Mr. Caldwell expressed his belief that the term economic development is very broad and questioned what Mr. Hammond envisioned for the City in going against crime and providing jobs for the community. Responding, Mr. Hammond stated that workforce development was key and, when looking at what was taking place nationally with the growth of the healthcare industry and noting that Bayhealth Medical Center would be building a new hospital in Milford, he stated the need to train people to have a long-term attachment to the workforce.

In response to Mr. Caldwell as to how he would plan to go about this, Mr. Hammond advised members that there was a need to help people understand that their lives would change through work.

Noting that there were young people walking the streets, Mr. Caldwell asked how Mr. Hammond would implement his plan. Responding, Mr. Hammond expressed the need to get the church involved, expressing his belief that the black church was the only enduring institution in their community. He stated that kids who had grown up in the Kirkwood and New Street area had seen a great deal of dysfunction. Mr. Caldwell felt that the problem was not just on Kirkwood Street and was the whole community.

Mr. Hammond stated the need to help people understand that in order to have the life that everyone wants to have, you must have a skill or trade and be educated. He felt that economic development is a 20 to 30 year process, noting that the problems did not crop up overnight and would not be resolved overnight but would take a sustained effort by all parts of the community. Mr. Hammond stated that Dover has a very educated community and is one (1) of the few communities in the country that has a Historically Black College or University (HBCU), which could be a tremendous resource. Mr. Hammond stated the need to bring everyone together and prepare a strategic plan. He stated that what the kids on Kirkwood and New Streets see is not representative of real life, noting that he had observed alcohol consumption in this area similar that would make one think it was Saturday afternoon at the Superbowl.

Responding to Mr. Caldwell, Mr. Hammond stated his belief that change must begin in the home and in the church and all segments of community must sent a unified message of what is really needed to have the type of life that people want to have. He felt that social institutions such as schools and churches play a part.

In response to Mr. Caldwell as to whether this was part of his plan, Mr. Hammond indicated that he did not have a plan; however, there was a coalition of organizations that was coming together now and meets once per month. Mr. Hammond stated that part of the approach would be to propose gathering together churches, fraternities, and sororities to talk and develop a strategic plan. Mr. Hammond stated that a meeting was scheduled for February 29, 2016 and 50 people representing most of the major churches in the City were involved.

Mr. Neil stated that he was impressed by the information that Mr. Hammond had provided and stated his belief that the issues presented by Mr. Hammond applied not only to Dover but to every major city with very few exceptions, and to every state. He concurred that turning this around must start with children. Mr. Neil expressed concern about dealing with the grant money that Mr. Hammond indicated was out there. He stated the need to identify grant sources while bringing together the impressive group of people that he had identified. Mr. Neil indicated that he would love to see this effort started and applauded Mr. Hammond for what he had done.

Mr. Hammond informed members that they had begun to compile a list of federal grant resources and would be happy to share this document with the City. He noted that a lot of grant money requires public/private partnership.

In response to Mr. Anderson's request for a summary of the Ice House Program, Mr. Hammond indicated that the Delmarva Black Chamber of Commerce had been pushing a unique, entrepreneurial development program. He indicated that most small business development programs require development of a business plan, but running a business does not necessitate being a business expert. Mr. Hammond stated that this program helps people create an entrepreneurial mindset, develop a resource network, and evaluate the possibility or probability of a venture succeeding. His organization's goal was to facilitate the first class of this program in Dover in late April or the beginning of May. He stated that the Delmarva Black Chamber of Commerce was the only organization in the State that had been trained through the Kauffman Foundation and had certified facilitators for this program. Mr. Hammond advised members that the program would be offered at Whatcoat Church on a Saturday afternoon from 10:00 a.m. to 2:00 p.m. for seven (7) weeks and invited all to come by. He explained that this was a unique program being rolled out around the country and the Delmarva Black Chamber of Commerce was the only entity in Delaware that would be providing it. Mr. Hammond provided a fact sheet on the Ice House Entrepreneurship Program ***(Attachment #1)***.

Mr. Sudler stated that he respected what Mr. Hammond and his colleague, Mr. Bobby Wilson, were doing for the community. He suggested that they come up with a five (5) year plan with detailed objectives and accomplishments and a time track. He felt that this would help the City to support their initiatives.

Mr. Hammond agreed with Mr. Sudler, stating that without a strategic plan to clarify goals and objectives, it would just be conversation. He stated the desire to have a living, breathing document and look at benchmarks and it would be proposed that the coalition work on a five (5) or 10-year strategic plan.

Mr. Sudler suggested that this plan be provided to the City in the near future if the coalition wanted to see results.

Mr. Hammond indicated that it may not be in the near future since a lot of diverse groups would be brought together; however, they would be engaging in a strategic plan.

Mr. Sudler moved to recommend referring the minutes of this meeting to the City's Economic Development Office, seconded by Mr. Neil and unanimously carried.

Mr. Sudler moved for adjournment of the Parks, Recreation, and Community Enhancement Committee meeting. The motion was seconded by Mr. Hutchison and unanimously carried.

Meeting adjourned at 7:00 p.m.

UTILITY COMMITTEE

The Utility Committee met with Chairman Hutchison presiding. Members present were Councilmen Cole and Neil, Mr. Blakeman and Mrs. Stewart.

AGENDA ADDITIONS/DELETIONS
Mr. Neil moved for approval of the agenda, seconded by Mr. Cole and unanimously carried.

Additional Power Supply Alternatives
Mr. Scott Koenig, City Manager, reviewed a Memorandum regarding Additional Power Supply Alternatives, dated February 1, 2016, noting that it was prepared with input from The Energy Authority (TEA), which provides the City assistance with energy management functions. Mr. Koenig advised members that the Executive Risk Management Committee (ERMC) was requesting approval to explore two (2) exceptions to the Governing Energy Commodity Risk Policy, explaining that this Policy guides the City's power purchases through the hedge program. He stated that, over the past few months, the ERMC had been made aware that there are products in the market that may be of interest to the City; however, the current Risk Policy does not allow the ERMC to pursue those products or bring them forward for consideration.

Mr. Koenig reviewed the descriptions of the two (2) possible products. He stated that one (1) possible product would be the Load Following Product for Fiscal Year 2017 and 2018, explaining that a third party would purchase 100% of existing hedges that the City has purchased to date at the same price the City originally paid for them. Then the third party would give the City a "load following product" that would follow the City's load for a fixed price through Power Years 2017 and 2018. Mr. Koenig stated that this may be attractive to the City because it will fix the City's price for power based on the per megawatt (MW) cost and the only difference would be based on the volume of power that the City would or would not purchase. He explained that this is a product that is out there for a short term, and one (1) counterparty has shown an interest in it and discussed it with the

ERMC. Mr. Koenig stated that this is a product that the City may want to consider and the ERMC was requesting authorization to pursue negotiations on the product.

Mr. Koenig informed members that the second product is the potential purchase of up to 50 MW of energy at a fixed price for up to a 10-year period. He reminded members that currently the City's hedge program only goes out five (5) years, noting that this product would be outside of that window. Mr. Koenig stated that this is a product that is currently in the market and that the ERMC had discussed power on this type of strip for upwards of three (3) to five (5) cents, which Mr. Koenig noted is considerably cheaper than some of the products that the ERMC has looked at over the last few years. He informed members that the ERMC is not sure how long this product may be available with the changing market; however, the ERMC was requesting authorization to pursue this product.

Mr. Koenig explained that the Risk Policy limits the ERMC's ability to consider these two (2) products and the ERMC is requesting authorization from the Utility Committee and City Council to begin pursuing them with the understanding that the ERMC would have to come back to the Utility Committee and City Council for final authorization of any contracts. He noted that these products may help the City reduce its cost of energy moving forward and the ERMC believes that it is financially responsible to consider them.

Mr. Neil noted that Mr. Koenig referred to a change from going out five (5) years to 10 years and questioned how that would affect the City's budget and whether that money would be committed now for the future. Responding, Mr. Koenig stated that the City would pay at the time that the product is actually used. He explained that this would give the City price certainty on that 25 or 50 MW over a 10-year period, noting that currently the City only has price certainty in the first five (5) years of the hedge program because the City is only focused on a five (5) year window. Mr. Koenig stated that this would commit funds in future budgets; however, it would commit them at a known fixed price.

Mr. Blakeman asked if the load following cost was based on an hourly, daily, weekly, or monthly rate. In response, Mr. Koenig stated that the load following cost was based on the whole load for the year and indicated that it is probably done on an hourly basis. He explained that the price would be fixed for the whole year, and if the City entered into a contract that said secured its load for $45 per MW for every hour of the year, the City would pay $45 per MW regardless of how much is used.

Responding to Mr. Blakeman, Mr. Koenig confirmed that the City would pay the same amount in the off peak hours, noting that there was risk in that.

Mr. Blakeman stated that the Committee would expect to see some details and questioned whether the energy manager had experience with these two (2) products, noting that they are new. In response, Mr. Koenig stated his belief that the energy manager had experience negotiating these products; however, he was uncertain how many counterparties had executed them at this point. He reminded members that this is a new product that had come to the ERMC in the last couple of months. Mr. Koenig stated that he did not know how long the product had been in the market or if anyone had executed these types of deals.

Mr. Blakeman asked if the City could find out whether someone had actually executed these types of deals. Responding, Mr. Koenig stated that Staff would probably bring that information when they come back to the Committee.

Mr. Anderson reminded members that the City was stuck for a couple of years with higher electric rates than anyone around because the City bought in at higher costs and asked what the risk would be if the City begins going 10 years out. He noted that the gas and oil prices cannot be predicted two (2) years out, let alone 10 years. Mr. Anderson stated that he wanted to understand the risk.

Responding to Mr. Anderson, Mr. Koenig stated that it would be a risk if the City locks into a contract and the market falls below the locked-in price. He reminded members that the City had experienced this situation in the past when, in a very high cost market, the City locked in a certain amount of its load and prices dropped, so the City was overpaying. Mr. Koenig stated that the 10-year product seems attractive at the moment because the back end of the gas curves are very low, which are driving very low prices in that 10-year strip. Using the example of four (4) cents per MW hour, he explained that if the City can take advantage of a product like this, the chances of the market being substantially lower than four (4) cents over a 10-year horizon are relatively low. He stated that there is a risk that prices will go below that; however, looking at history, if the City can achieve that product, the City would be well within its standard of risk to execute it.

Mr. Koenig stated that the load following product is a little bit different, noting that with the load following there is always the question of off-peak versus on-peak and what is happening in the market and the world. He informed members that there are so many things that affect these prices that the City will never have 100% certainty. Mr. Koenig stated that he did not believe there is a deal available for two (2) cents; however, if the City cut a deal for two (2) cents and the market was tracking at 1.8 cents, he did not think the City should complain. He noted that while it would seem impractical that prices could go that low, it seemed impractical based on the market a number of years ago that the City would currently be talking about three (3) to four (4) cent power. Mr. Koenig stated that the ERMC would not be bringing these products forward unless they thought that the City could lower its projected costs.

Mr. Anderson noted his understanding that the ERMC was looking at the fact that prices were low right now and the odds were against prices being this low in future years.

Mr. Koenig informed members that the risk in not bringing the request to explore these products forward for consideration is that a member of Council could find out about these products from a member of the Delaware Municipal Electric Corporation (DEMEC) or another utility and ask why Council was not informed, and it would place the ERMC in a bad position because they limited the alternatives.

Mr. Anderson asked what percentage of the power the ERMC was considering. Responding, Mr. Koenig stated that on the load following, it is 100% of the two (2) year window, the 2017 and 2018 Power Years. He advised that on the 10-year strip, the product discussed has been 25 MW, although the memorandum allows up to 50 MW because if that product is out there and the ERMC

can get a really good deal, the ERMC would be willing to bring as much as 50 MW for a 10-year deal back to Council. Mr. Anderson stated that he liked the idea of exploring it.

Responding to Mr. Hare, Mr. Koenig advised members that the City's composite for the current year is between five (5) and six (6) cents for energy purchase. He recalled that over the last four (4) to five (5) years, the City's composite was approximately seven (7) or eight (8) cents and it had come down fairly steadily over the last few years.

Mr. Hare asked how many MW the City committed in five (5) years. In response, Mr. Koenig stated that in the current year the City was hedging approximately 80% of its estimated load and each year out this declines by 20%, noting that the hedge targets are 80% for the current year and decreases to 60%, 40%, etc.

Responding to Mr. Hare, Mr. Koenig confirmed that if the City went out for 10 years, the price would be guaranteed for those 50 MW for that 10-year window.

Mr. Hare asked how many MW the City would use in 10 years. In response, Mr. Koenig stated that the City's average load was 700,000 MW per year. Mr. Harry Maloney, Electric Director, stated that he would have to do the calculation; however, he estimated that 50 MW would be a little more than half, explaining that was why Staff left it between 25% and 50% looking forward. He noted that gas prices are the lowest they have been in years.

Responding to Mr. Hare, Mr. Maloney stated that the City would use more than the 50 MW. He advised members that the City's evening loads are above 50 MW. Mr. Maloney indicated that the City's load is relatively flat right now - in the 80s.

Mr. Hare asked what the projected savings would be for the City with these products. Responding, Mr. Maloney stated that Staff did not have a firm number yet, noting that they would compare it to the five (5) year budget, what they have been speculating and what the City's hedges are, and come back with those numbers.

Mr. Hare stated that he would have to see what the projected savings would be before he could commit to it. In response to Mr. Hare, Mr. Maloney reminded members that this was part of the deal. He stated that the City is buying risk to save energy, but then there is the risk of being stuck with a product. Mr. Maloney noted that if gas prices continue to hold steady after this winter, the ERMC will probably get some good prices to be able to see where the numbers fall.

Responding to Mr. Hare, Mr. Koenig stated that the ERMC was only requesting authorization to pursue negotiations on these products. He reiterated that if the ERMC is successful in negotiations, they would come back with recommendations as to whether to sign those products. Mr. Koenig explained that the ERMC would have to execute contracts which are beyond the value of what the ERMC can execute according to policy. He stated that the ERMC would come back to the Committee and Council with a recommendation based on financial impact, reduction of risk, potential risk, projected savings, etc.

Mr. Blakeman moved to recommend authorizing the Energy Manager to explore two (2) exceptions to the Governing Energy Commodity Risk Policy to pursue negotiations for two (2) separate commodity transactions intended to meet the City's electric load requirements and reduce the City's risk, as recommended by Staff. The motion was seconded by Mr. Cole and unanimously carried.

Quarterly Review of Utility Related Capital Investment Plan (CIP) (Electric and Water/Wastewater)(October, November, and December)

Mr. Scott Koenig, City Manager, reviewed the Quarterly Report for the Capital Investment Plan (CIP) as of December 31, 2015.

Referring to the Water/Wastewater Improvement & Extension Fund - Major CIP Projects, Mr. Koenig advised members that staff was still working on the siting of a 1 MG storage tank on the north end of the City, noting that an alternate site had been identified and staff was working through a memorandum of understanding with the property owner that they intend to bring forward once all of the language is confirmed. He informed members that the Garrison Oak Water Tower had been filled and placed in operation, and that project is getting very near completion. Mr. Koenig stated that the Garrison Oak Water/Wastewater Improvements are all in service and staff is closing out the contract documents associated with that project.

Mr. Koenig informed members that the Brandywine Pump Station has been a problem. He explained that the City has been in a dispute with the general contractor regarding warranties and things of that nature; however, it appeared that the contractor had remobilized. Mr. Koenig stated that staff hoped to get the pump station in operation and the project closed out soon.

Mr. Koenig stated that the contractor had mobilized on the Westover Pump Station and force main project and work would begin shortly. He advised members that the West Dover Connector projects were coming to an end.

Mr. Koenig, referring to projects in the current year budget, stated that the fencing around the Bayard Avenue Water Tower was in. He noted that the City is working on the water treatment plant process improvements, the large meter replacement project, as well as the potential construction of a new deep well in the system.

Mr. Koenig stated that a number of wastewater projects would be moving forward, noting that some of them would be going to Council for authorization of the bids.

Referring to the Electric Improvement & Extension Fund - Major CIP Projects, Mr. Koenig stated that there were a number of projects underway related to the Power Plant, noting that the VanSant Capacity Increase Project is very near completion. He stated that all the testing was done and it was his understanding that the City had confirmed that the expected capacity expansion had been realized, explaining that the project has put the City in a better position to deliver power to the system.

Mr. Koenig advised members that the General Scott Switchgear project was probably the largest electric project for this year. He stated that the switchgear has been placed in service and is online. Mr. Koenig indicated that Mr. Harry Maloney, Electric Director, and his staff are working on the completion and closeout documents associated with the project as well as a number of subdivision and site additions that are identified in the Capital Plan. He stated that the Electric Department is also working on the potential replacement of a group of large electric meters that will eventually lead to some of the City's smart grid improvements.

Mr. Koenig stated that the VanSant Component Replacement project has begun and will get underway with the taking apart of the various components in the spring. He advised that there are a number of other small projects that are underway that Staff or the Plant are working on.

Mr. Koenig informed members that capital project construction and design is moving forward. He noted that the Electric and Public Works Departments have been able to hire all of their engineering staff and the design, project management, and budget delivery pipelines now are staffed on the City side completely. Mr. Koenig stated that Staff expects to realize an acceleration of the project backlog that had developed because of staff vacancies. He expressed his hope that over the next few months the City will catch up and get into the current year on almost every project.

Mr. Hare asked how much the VanSant project would cost. Responding, Mr. Koenig stated that the VanSant Capacity Upgrade was approximately $1.4M., the VanSant Component Replacement was approximately $21,000, and the VanSant Exhaust Plenum Replacement was approximately $469,000, noting that the City was spending just under $500,000 on improvement to VanSant this year and almost $2M total.

Mr. Blakeman, referring to project EE1616 - New Developments, noted that the project budget balance was approximately $1.8M and questioned whether the City had done any new developments this year. Responding, Mrs. Donna Mitchell, Controller/Treasurer, stated that this is the way the report is written. She explained that the original budget shows $2.5M and the revised budget shows $1,850,000. She informed members that the budget was moved to the individual projects, which are indicated by a "T" in the Type column because that reflects that the money was transferred into those individual projects from the master budget. Mrs. Mitchell stated that the actual expenditures show up with the individual project, not under the master budget.

Mr. Anderson, referring to the General Fund - Major CIP Projects - FY 2016 Vehicles and Equipment, noted that only 23% of the budget had been spent as of December 31, 2015. In response, Mr. Koenig stated that a number of pieces of equipment had been ordered and, as far as he knew, the City had ordered everything. He indicated that he would have to check on this, explaining that it just may not be showing up on the financial data yet.

TEA/NAES Report (October, November, and December)

The TEA/NAES Monthly Reports for October, November, and December 2015 were provided to members to enable them to monitor electric sales and revenues received, which will provide a better

understanding of any fluctuations that occur and allow the opportunity to make improvements if deemed necessary.

Mr. Scott Koenig reviewed Page 13 of the TEA Report for December 2015, noting that the Gross Load Budget YTD was 388,000 and the Actual Load YTD was 385,291, indicating that the City is slightly under the expected load. Referring to the Total - Utilities Cost, he stated that the City was expecting to spend $25.97M and has spent approximately $21.58M. Mr. Koenig advised members that, in general, the City is tracking below the anticipated budget this year, which is always good, noting that in most months the City has been just below the budget, and the cumulative effect has put the City $4.38M in favor for this component of the electric budget.

Mr. Blakeman, referring to the Supply Variance - Purchased Power Variance Report on Page 2 of the TEA Reports for October, November, and December 2015, noted that there had been pretty substantial differences between the Budget and Actual Unhedged Energy Cost ($/MWh) over the last six (6) months. He stated that in December, the budgeted amount was $49.84 and the actual cost was $24.06; in November the budgeted amount was $42.75 and the actual cost was $16.36; and in October the budgeted amount was $43.26 and the actual cost was $7.47, which is a variance of $35.79. Mr. Blakeman expressed his concern with this disparity. He stated that he did not understand why the City is missing the budget number at such a large pace and asked if there is a mechanism the City can capture that would allow the City to get more of the lower priced unhedged energy as opposed to paying for the hedge energy cost. Mr. Blakeman thought that there seemed to be a huge savings potential if the City could capture more megawatts in that bracket.

Responding to Mr. Blakeman, Mr. Koenig explained that there is a huge savings; however, there is also a huge risk in the unhedged portion because it is at risk for price adjustments. He stated that the City has been following the hedge policy and, for the past four (4) years, laddering in hedges in the current year up to 80%. Mr. Koenig advised members that four (4) years ago when the City began laddering those hedges in, the City was not sure what the cost of unhedged energy would be. He stated that it is very hard to predict the future and the hedge policy is in place to mitigate the City's risk, noted that if the City was currently unhedged, power could be bought very cheaply but the City would be substantially at risk. Mr. Koenig stated that the City struggles with this issue every month and reminded members that the budget is set on an annualized basis and this report provides a snapshot of what happened in a particular month. He explained that the City gets the benefit of looking back to see what actually happened. Mr. Koenig expressed his opinion that these numbers would always be off, noting that it would be great if the numbers were exact but at least the actual cost has been below what was anticipated.

Mr. Sudler moved to recommend acceptance of the reports, seconded by Mr. Blakeman and unanimously carried.

Updates

Green Energy Funding and Programming
Members reviewed details regarding Green Energy Funding and Programming.

National Pollution Discharge Elimination System (NPDES) Municipal Separate Storm Sewer Systems (MS4) Permit

Mr. Scott Koenig, City Manager, reminded members that the City was not in compliance with the National Pollution Discharge Elimination System (NPDES) Municipal Separate Storm Sewer Systems (MS4) Permit. He advised that the City was still awaiting the final decisions from the Delaware Department of Natural Resources and Environmental Control (DNREC) regarding what the City has to do to be brought into compliance. Mr. Koenig stated that Mr. Randy Cole, Environmental Scientist, is working on all of the submissions that the City needs to undertake to comply with the permit and the City has also been working on a series of Capital Plan projects that will help support the City's compliance related to the MS4 permitting.

Garrison Oak Technical Park Project Updates

Mr. Scott Koenig, City Manager, provided the following updates:

City Infrastructure

Mr. Koenig stated that the City was currently in the process of closing out the contracts for the Garrison Oak Technical Park (GOTP). He reminded members that the water tower was completed, had been filled, and should be in operation. Mr. Koenig noted his belief that the City had very few problems in the system as the tower was being filled. He advised that the pump station contractor, George & Lynch, Inc., completed all of the upgrades at White Oak Pump Station #5, and White Oak Pump Station #5 and the Garrison Oak Pump Station are now in operation. Mr. Koenig noted that the project also included the removal of a very small existing pump station on White Oak Road and it is now gravitating into the new Garrison Oak Station. He informed members that the road is completely paved and all of the sidewalks and landscaping are complete. Mr. Koenig stated that the Electric Department had finished the relocation of the 69 kV line and the paperwork for that project is now being completed. He noted that A-Del Construction had also finished all of their work and is completing the closeout documentation so that the City can get releases from the Conservation District and the Delaware Department of Transportation (DelDOT).

Mr. Koenig stated that the GOTP now looks like an industrial park ready for new occupancy. He noted that it was his understanding from conversations with Mr. William Neaton, Economic Development Director, that the sale of Lot 13 to Advantech should be completed on Friday, February 12, 2016. Mr. Koenig advised members that the City expected Advantech to begin submission processes, noting that they had been working with DelDOT on traffic and trip generation. He stated that there has been additional interest in the lots at the GOTP and Staff is hopeful that they will bring forth additional tenants in 2016.

Mr. Koenig advised that, in 2016, all of the infrastructure related to the GOTP will be in service and staff will be able to calculate all of the final costs of the infrastructure. He stated that Mrs. Donna Mitchell, Controller/Treasurer, will be able to complete the estimated paybacks and, as the City sells additional lots, the payback schedule will accelerate.

Calpine Energy Center

Mr. Koenig reminded members that the Garrison Energy Center, as well as the infrastructure going back to the Center, was operating. He advised that the past six (6) months of reporting show that the Energy Center is by far the City's largest customer, except for one (1) month when it was shut down. Mr. Koenig stated that the City is seeing a return on the Energy Center as a customer; however, he reminded members that the Center is not quite meeting the revenue targets and Staff is reviewing this to determine if it is a long-term problem or just related to the shake out of the plant. Mr. Koenig noted that the plant was producing power earlier in the day, as indicated by stacks that were blowing a lot of steam.

Dover Sun Park

Members reviewed details regarding the White Oak Solar Park incremental cost for Fiscal Year 2016.

Mr. Koenig stated that, to meet the Renewable Portfolio Standards (RPS), the City would likely be considering additional solar resources for its portfolio in the near future. He advised that the City would be considering an additional solar deal at some point since the technology has changed and the performance of these units has increased. Mr. Koenig expressed his belief that the costs for new contracts had decreased and he expected that more information regarding this matter would be brought forward for consideration in the next one (1) to three (3) years.

Responding to Mr. Hare, Mr. Koenig reminded members that the City had a 20-year deal with the Dover Sun Park and it was his belief that the City had approximately 15 years remaining on that deal. He stated that the Sun Park started production to the grid in 2011.

In response to Mr. Hare, Mr. Koenig stated that the City had made money from the Dover Sun Park during one (1) month, at the time of the polar vortex.

Mr. Sudler moved for adjournment of the Utility Committee meeting. The motion was seconded by Mr. Blakeman and unanimously carried.

Meeting adjourned at 7:39 p.m.

LEGISLATIVE, FINANCE AND ADMINISTRATION COMMITTEE

The Legislative, Finance and Administration Committee met with Chairman Hare presiding. Members present were Councilmen Cole and Sudler, and Ms. Maucher. Mr. Shevock was absent.

AGENDA ADDITIONS/DELETIONS

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

Discussion - Electric Cutoff Process Review

Mr. Hare advised members that quite a few calls had been received from constituents about cutting off electric services, stating his understanding that they were past due to the City.

Mr. Koenig stated that the City had been talking for quite some time about past due balances, money due to the City, and trying to get customers to meet the City half way on the issue of the utility contract. He explained that the Electric Service Handbook indicates that the City should collect payment within 21 days of the bill date, and Mr. Kirby Hudson, Assistant City Manager, and the Customer Service Department began pursuing that goal. Mr. Koenig stated that the ultimate goal was to collect 100% of the revenues due to the City in this 21-day period. He advised members that realizing this goal would create a much more efficient business environment as it would prevent the City from having to dedicate resources to creating and reviewing a cut list and cutting customer service.

Mr. Scott Koenig, City Manager, provided members with information regarding utility service billing, including an updated flyer, trial balances, and sample bills ***(Attachment #2)***. He informed members that small changes were made to the utility bill and the words "Due Upon Receipt" were added to the top section to get people to focus on when the bill is actually due. He explained that the meter information near the top of the bill indicates that the service dates are for the previous month. Mr. Koenig reviewed a sample bill that reflected that power was used from December 30, 2015 through January 28, 2016, the meter was read on January 28, 2016, and the bill was sent out on February 3, 2016. The due date was February 24, 2016, 21 days from the bill date. Mr. Koenig stated that, in an ideal situation, the City would receive all payments for this billing period by 5:00 p.m. on February 24, 2016, staff resources would not have to be dedicated to creating a cut list, and staff could move on to the next billing group. Mr. Koenig advised members that changes were made to the bill to indicate it was due upon receipt and to add a notice at the bottom that the City can cut service without further notice if the total balance due has not been paid. He proposed changing the language to read, "Disconnection of service without further notice may occur if the total amount due is not received by 5:00 p.m." on the due date, in this case February 24, 2016.

Mr. Koenig explained that some customers had mailed bills or made automatic payments and in their minds had paid the bill; however, banks may take one (1) to eight (8) days to process payments. He acknowledged that the change in bills would have created a lot less friction if it had been promoted more effectively by the City, stating that he would be promoting this change as much as Council would allow going forward. Mr. Koenig stated that the City was asking its customers to gravitate toward transactions with the least cost. He advised members that staff had been spending hours upon hours on the cut list, noting that this list is not to the advantage of the City or the customers, since while service is cut the customer is not using power and the City is involved in sales and collections. Mr. Koenig stated the need to keep cash moving and prevent large account balances. He noted that the City had gravitated toward allowing customers to carry a $99 balance on their account before being considered for the cut list, which was reduced to $50 over a period of time. Mr. Koenig indicated that staff was trying to push this further to get everyone to pay within the 21-day window outlined in the Handbook, noting that there would be some painful discussions. The entire intent was to dedicate resources to other things to help improve the utility, such as a quicker response to

phone calls and customer assistance. Mr. Koenig explained that the City's bills are different from others that begin when the bill is received and require payment in 30 days. Technically, when the City's bill is issued, the customer is in arrears and already owes for service that has been rendered, and Mr. Koenig felt that customers do not understand this. He stated that staff would prefer to have people on the budget plan so that they receive an equal bill every month that is automatically drafted or paid through electronic transfer because those are the cheapest transactions for the City.

Mr. Koenig assured members that staff had always encouraged those who have difficulty paying their bill to call the City ahead of time and it is staff's desire to work with the customer. He stated that after the bill is due and the customer is on the cut list, this becomes more difficult. Mr. Koenig explained that the Handbook states the City is supposed to collect everything owed for a customer's utilities before reconnecting a residence that has been cut, including the reconnection fee, stating his belief that $50 was now the minimum fee. He indicated that when $50 or $100 is added to a bill that someone is struggling to pay, it is difficult for them to get the power back on, and additional problems are created for the City when the power is not on. Mr. Koenig stated that there were difficult issues with some customers related to delinquent balances, and staff works with a number of customers whose bills are paid by others, some of whom receive fuel assistance. These transactions require time and attention.

Mr. Koenig expressed the need to get the message out better through Facebook. He noted that after staff started experiencing problems, flyers were put in this month's billing. Mr. Koenig advised members that the cut list that was based on a 21-day window had more than 300 locations in a run of approximately 1,000 bills, and 20% - 30% of customers were not paying in that window. He reiterated the goal to gravitate to the most efficient, straightforward transaction for the customer and get them current on their balances so that the City is not carrying hundreds or thousands of dollars in delinquent balances.

Mr. Koenig explained that the City must also deal with the issue of delinquent taxes. He noted that these fees had been billed and this revenue was expected. He stated the importance of receiving this revenue before customers get behind, cannot catch up, and start walking away on bills.

Mr. Koenig reiterated the need to better promote this change; however, he asked Council to understand the objective of obtaining the lowest cost transaction, reducing cost over time, and reducing friction and the number of activities that must be done at Customer Service. He noted that this would improve customer service so that more time, effort, and resources can be devoted to customers with major concerns or who need additional help.

Mr. Sudler stated that it sometimes has taken 20 to 40 minutes before a representative from Customer Service physically gets on the phone to address concerns, which he felt was a major problem. In addition, as a landlord and a construction representative, he noted that constituents were concerned about deposits. Mr. Sudler indicated that there was inconsistency in regard to whether the deposit was three (3) times the monthly cost versus the cost for three (3) months. He indicated that he has one (1) bedroom apartments that are 425-485 square feet. Mr. Sudler indicated that he had done a survey, and the cost was $45 per month for those who are working and away for part of

the day and $110 per month for those who are there all day. He indicated that his targeted population is seniors, handicapped, and veterans. Mr. Sudler stated his understanding that if the highest cost was $110 per month, the cost for three (3) months would be $330, and the deposit should be obtained by dividing this in half. He reiterated that Customer Service representatives were saying that the cost of the deposit was three (3) times the amount rather than half of three (3) times the average cost per month, and this had occurred more than three (3) or four (4) times within the last four (4) months. Mr. Sudler recognized Mr. Ryan Carroll, Customer Service Clerk II, for providing great customer service, having a great attitude, being consistent, and representing the City well. Mr. Sudler stated that some of his residents were very upset, noting that one (1) resident, who had never had utility service with the City, stated that Customer Service wanted to charge her a deposit of over $300 for a one (1) bedroom apartment. He stated that this was also affecting the homeless who are trying to get adequate housing after obtaining a job and are faced with high deposit costs and an inconsistent process.

Mr. Kirby Hudson, Assistant City Manager, advised members that there are inconsistencies because deposits are based on credit reports that are received for new customers, noting that deposits are higher if the credit report is poor.

Mr. Sudler stated that the City of Dover bases their credit on whether the customer had a prior history with the City in utilities. He expressed his opinion that everyone has had issues with credit and did not think it fair that someone who had been homeless and was trying to get off the streets should have a high deposit based on their credit report. Noting that he had been a landlord for over 13 years, Mr. Sudler indicated that he knew the process and this was not the process.

Mr. Hare advised members that the utility deposit could be a discussion for another time, noting that the matter being considered was bills being received. He stated, having paid electric bills in the City for 40 years and never having been late, he received his bill on January 18, 2016 with a bill date of January 11, 2016. He noted that if he waited five (5) or six (6) days and mailed his payment to Wilmington, if it got there on February 1st, his power could be shut off after having only 12 days to pay it.

Mr. Koenig thanked Mr. Sudler for the kind words regarding Mr. Carroll, noting that he works in an environment that is not always kind. Mr. Koenig stated that he had not brought information regarding deposits but would be happy to talk about this in the future since he felt it was a legitimate concern, from the standpoint of both the City and its customers.

In regard to Mr. Hare's concerns, Mr. Koenig explained that the City mails the bills based on the bill date. Staff does everything they can, based on the billing address, to get the bill to people as soon as possible, which may take two (2) days or five (5) days. He stated that the Electric Service Handbook, which had been adopted, stated that the bill was due no later than 21 days from the billing date, and this had been the process all along. Mr. Koenig indicated that the reason the bill states "due upon receipt" is because of the desire for people to put it at the top of the list and understand there urgency to get the bill to the City quickly to meet the customer side of the contract. He stated his understanding that people think their bill is paid once it is in the mail, but the bill goes to a lock

box in Wilmington, which is the only place in Delaware that has a lock box processing facility. Mr. Koenig informed members that a conscious decision was made years ago to go to a lock box to save money by cutting an employee who used to open the mail. It takes time for the information to come from the lock box and into the City's system. Mr. Koenig stated that the City was not close to having a cut list ready to go at 7:00 a.m. following a due date on the previous day at 5:00 p.m., and he did not want to get to that point but instead have people pay in the 21-day window. He stated that the City would like to put people on a budget plan and get them to do direct draft rather than mailing payment, since the mail cannot be predicted and can put their service at risk. He noted that customers who use online banking may receive an indication when the payment will be received.

Mr. Hare noted that every case is different. He suggested that the wording be changed and that customers get one (1) grace period. He felt there should be a way to give a little benefit, noting that there could be people who had never missed a bill and, due to circumstances such as being away, could return to find their power had been cut off. Mr. Hare felt that there must be some way that citizens who pay well would not be penalized for being a few days beyond the date one (1) time and to be a little more citizen friendly. He stated that perhaps the requirement should be a little tougher for those who had not paid the previous bill and that power could shut be off for those who were three (3) months behind. Mr. Hare advised members that he had not been receiving calls from those who were two (2) months behind but from those who had indicated that they had mailed their checks. He commented that one (1) lady went in and paid her bill and, when it was entered, she was advised that she had a credit because Customer Service had received her initial check. He suggested giving 30 days to pay, or having a list of people who are not a problem and allowing them a few more days to pay. Mr. Hare felt that a little discretion should be used.

Mr. Slavin stated that he had filled up his car with gas at Wawa today and did not have the ability to tell the cashier that he planned to pay for it about 60 days from now. He did not ask to be billed 30 days out and to be given 30 days on top of that to pay for the gas. Mr. Slavin stated that during the last two (2) budget cycles there had been talk about running City government more like a business. He felt that this was one (1) of those moments when the City chooses to run the government like a business by collecting bills in a timely fashion so that it is not carrying huge balances. He noted that this would require fortitude and there would be some rocky waters and people who have real needs. Mr. Slavin stated that he had heard that those who were in dire straits could be worked with and accommodated. He cautioned members about being selective and creating lists of people who are good payers and those who are not because that would swing the City back to the extra work that the City was trying to get rid of by trying to make this a leaner, stronger, and less expensive form of government to operate. Mr. Slavin felt that the City would get beyond the initial, burn-in period with this issue and attain a better place. He supported turning a few little levers to open it up a few more days or improving communication; however, he suggested holding the course and continuing to do what was being done since this is what staff was asked to do.

Mr. Sudler commended Mr. Koenig for his work in running the City as a business, noting the need to collect money for bills so that the taxpayers would not feel this problem during the next fiscal year. He stated the need to provide a better understanding by specifying landmarks for submitting

bills by mail or electronically using the worst case scenario and suggested adhering to the deadlines for those who do not comply.

Mr. Neil suggested including something on the bill, perhaps on the blank back page, which would advise customers that paying the bill immediately will help keep taxes down, and stating that bills paid by mail should be mailed seven (7) days ahead of time. Mr. Neil felt that the bill should have something to educate customers and get their attention. He suggested using graphics, noting that this document could be used as a billboard within the envelope. Mr. Neil offered his assistance with this. He stated that the City could not afford to have $0.5M in delinquent dollars, noting that this was costing the City money and he felt this should be conveyed to the taxpayers.

Responding to Mayor Christiansen, Mr. Hudson stated that the first Trial Balance report reflected that amounts that were more than 30 days past the due date for trash, water, sewer, and electric. The portion of this amount that was due for electric service was $424,897.84.

Mayor Christiansen requested an overview of provisions in place for special situations, such as those customers with a medical condition. Responding, Mr. Hudson stated that medical forms were developed years ago and needed to be slightly tweaked; however, they list the medical equipment that is deemed to be necessary for an account to be active and not be cut.

Mayor Christiansen questioned if there were many delinquencies in this category. Responding, Mr. Hudson stated his belief that 13 of the customers in this category collectively owe the City approximately $25,000 - $30,000. He indicated that these customers feel that because they have a medical condition they can pay the City whatever they want, and some of them pay nothing. Others pay $50, $100, or whatever they want, and this had been going on for years.

Responding to Mayor Christiansen, Mr. Hudson confirmed that the City was owed over $900,000 for accounts over 90 days past due. Mayor Christiansen questioned how such a high total was approved. Responding, Mr. Hudson stated that when he first came on board with the City, he was asked to help oversee the operations of the Customer Service Department and the City had consistently, over many years, allowed customers to pay their previous balance and carry the current forward to the next month. Mr. Hudson stated that when customers get behind and have a problem, they do not pay on the bill and it gets larger and larger.

Mayor Christiansen stated that calls had been made to the Mayor and City Manager's Offices stating that some of these cutoffs were punitive and questioned if this was true. Mr. Hudson stated that when staff first started cutting, the cut list averaged close to 300 per day and there was no way to keep up with this. Staff discussed this and stepped back to allow the word to get out and for customers to get used to paying within the 21-day period. Staff then started with those who had balances, which included those who were already over 30 days late.

Mr. Cole agreed with staying the course and being pragmatic; however, he felt that it helped when he and Councilman Hosfelt provided a clear answer to a neighborhood watch group, noting that he and Mr. Hosfelt stopped receiving phone calls at that point. Mr. Cole advised members that they had

some meetings coming up and access to neighborhood leaders. He stated that he would like to see some type of handout that could be distributed to clear up this matter.

Mr. Koenig felt that this was a great idea. He reiterated that staff did not get enough information out on handouts or social media. Following up on Mayor Christiansen's question regarding the outstanding amounts, Mr. Koenig explained that some of the more than $900,000 was the result of businesses that were now defunct and people who had left the area. He informed members that staff had been dealing with a collection agency that was not aggressive at collecting the City's past due balances and that Mr. Hudson was looking at acquiring different collection agency services. He stated that the City hired a part-time person to do collections a couple of years ago because this function had been removed over time to try and save dollars. Although dollars were saved in the City's budget, there were growing revenues still due to the City and staff was not able to follow up as quickly as previously. Mr. Koenig reiterated the need to be stern on the 21 days for payment so that people stay current and do not develop large balances. Mr. Koenig stated that the City had gravitated to being less diligent than needed at collecting, and this resulted in larger past due balances. Mr. Koenig stated that staff did not anticipate the cut list escalating the way it did and they were staggered by the query when it was run. At first it was believed that this was a one (1) day situation, but it continued and staff had to bring resources in from other departments to help with the cut list, which could not be sustained.

Ms. Maucher questioned if the City had a payment plan that would allow customers to pay the current bill and spread past due balances over a 12-month period. Responding, Mr. Koenig stated that the City has customized plans that must be authorized by the City Manager's Office. Staff prefers not to do this, but had worked with those types of agreements if required to get a customer current. Customers are required to sign agreements and if they do not stick to the agreement, the City reserves the right to disconnect them.

Responding to Ms. Maucher, Mr. Koenig confirmed that the City follows State law regarding medical certification, which requires 120-day renewal and a good faith effort. However, he stated that several people with medical notes believe a good faith effort is to indicate that they might pay the City at some point in the future, noting that some are not even sending a dollar. He indicated that the City is put in a terrible position when there is a customer with a medical note who must be cut. Mr. Koenig stated that staff is looking at other municipalities in the State who are much more aggressive on medical notes and will look at those things that require a medical note. He stated, for example, that nebulizers have battery packs now or cigarette lighter attachments, so it is not necessary to have full power to the house. In addition, Mr. Koenig indicated that it becomes complicated sometimes when staff receives a medical note for a certain address and that does not match up with the customer.

In response to Ms. Maucher, Mr. Koenig confirmed that a medical professional is supposed to sign the note and put their license on it for it to be official. He indicated that he had recently seen notes without all the information and staff was unsure if these notes were real.

Mr. Anderson felt that advertising a budget plan, putting it on the website, and recruiting people would be helpful, perhaps this spring. He indicated that a lot of people in his area have older homes and some of their electric bills jump up to $500 per month from $100 at other times of the year. Mr. Anderson noted that he makes payment on the web so that they go immediately to the site. He suggested allowing for customers to apply to enroll in a budget plan through the website to balance payments out.

Mr. Anderson questioned how customers receiving fuel assistance and being helped by organizations such as Catholic Charities are handled. Responding, Mr. Koenig stated, to his knowledge, that those accounts are flagged and staff consistently works with those customers and does not turn their backs on this. Responding, Mr. Anderson noted that this was guaranteed money.

Mr. Anderson questioned how the City compares to Chesapeake Utilities and the gas company with extensions. Responding, Mr. Koenig stated that he did not know the answer and staff could try to send this information out after the meeting.

Mr. Anderson stated the City used to be less tolerant of carryover balances but more tolerant when it came to 10-day extensions for those who actually have an issue, such as someone who may lose 7-10 days of work due to the flu. He indicated that he would like to see the City review the 10-day extensions with a limit, such as three (3) per year, for those who are hospitalized and or have those type of issues, noting three (3) days would not even get someone to another pay period.

Mr. Sudler stated for the record that he was all for accommodating the disabled but questioned when enough accommodation had been made in regards to the cutoff date. He did not believe the accommodations should supercede the rules and regulations of the City or State or that these customers should be allowed to pay when they decide to do so.

Mr. Hare concurred with Mr. Sudler and felt that those who submit doctor's slips should also submit financial information as to why there are not able to pay.

Mr. Sudler suggested that a date be included.

Mr. Hare stated that when people pay their electric bill, they should allow an extra five (5) or six (6) days for it to get there when they mail it; however, he noted that they may not receive the bill until five (5), six (6), or seven (7) days after it is mailed.

Mr. Koenig reminded members that the Electric Service Handbook states payment is due 21 days from bill date and does not specify anything about mailing. He noted that customers can receive their bill electronically by providing their email address. Mr. Koenig stated that he receives his bill electronically on the day that it goes out.

Mr. Hare stated that not everyone is on Facebook or has computers and noted that the bill indicated that it was due upon receipt. He suggested that if the bill date was January 11, 2016, that the customer be cut off on February 11th, which would give them the benefit of five (5) or six (6) days

to get the bill. Mr. Koenig stated, with all due respect, that he would not put this out as a policy. He indicated that he wanted people to feel that paying their utility bill to the City of Dover is an urgent thing that needs priority in their life. Mr. Koenig reiterated that he cannot control the mail but nearly every customer can get their bill electronically if they want, which would allow them to receive it quicker. He noted that the reading dates are almost identical or identical on every bill, so the average person knows when it is going to come. Mr. Koenig did not feel that a delay with mailing was the City's fault, noting that the tax bill is due on a specific date and people know that it is coming. If they do not pay the tax bill, they are subject to penalties and should be subject to the electric disconnection on August 1st because they are past due, and the Clean Hands Ordinance would allow the City to cut their electric, with due notice that they are delinquent. Mr. Koenig stated the need for customers to recognize that when they signed up for electric service, this created a contract. According to the Handbook, this contract indicates payment within 21 days, and this is what staff was trying to get to.

Mayor Christiansen stated his hope that the collection agency being used would be gone tomorrow. Responding, Mr. Koenig stated that this would not happen because a Request for Proposals (RFP) must be issued.

Mayor Christiansen asked how close staff was to finding out this information. He felt that if this agency did not have the tenacity to do what they were contracted for, they needed to be gone. Responding, Mr. Hudson indicated that he had put together a draft RFP, stating his belief that a notice would be in the newspaper on February 12, 2016 and the RFP would go out shortly. Mr. Hudson stated that good collection agencies are hard to find and that the City of Newark uses SIMM Associates, Inc. He advised members that he would like this organization to give a full presentation if they win the award. Mr. Hudson stated that this is the only collection agency that he had found that is licensed in all 50 states. He noted that there would be no cost to the City. A penalty for the cost to pursue the customer goes to the agency and the City would receive 100% of its money. Mr. Hudson indicated that SIMM Associates, Inc. was also willing to train some of the City's Customer Service Representatives and train them for free.

Mr. Slavin thanked Mr. Hudson for the information on this company but stated that Council would not be predisposed to any one (1) company and would listen to all of them in the hopes that the City would have a competitive partner.

Mr. Sudler stated his hope that there would be two (2) other applicants to do a comparison and suggested that they come to give a presentation to City Council to provide input prior to awarding the contract.

Proposed Ordinance #2016-01 with Staff Amendment #1 (SA#1) Amending Chapter 18 - Animals, Section 18-1 - Definitions, and 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:, paragraph (d) - Keeping domestic animals and Article 12 - Definitions

During the Legislative, Finance, and Administration Committee meeting of January 11, 2016, members considered proposed Ordinance #2016-01. At that time, members recommended amending the ordinance to include chickens, turkeys, ducks, and anything else staff feels would qualify and that residents be required to remove fowl within three (3) months from passage of the ordinance. During the Regular City Council Meeting of January 25, 2016, Council referred the proposed ordinance back to the Legislative, Finance, and Administration Committee.

During the Council Committee of the Whole meeting of February 9, 2016, Mr. Hare advised members that he had discussed this ordinance with others and stated that there was a willingness to concede that if there was a property that was one-third of an acre in size or larger within City limits, the resident could have five (5) chickens that must be in a portable, mobile chicken house with at least four (4) square feet per bird.

Mrs. Ann Marie Townshend, Director of Planning and Community Development, indicated that this structure would also need to be at least 20 feet from the property line.

Mr. Hare noted that the yard would also need to be fenced.

Mrs. Townshend stated that no roosters would be allowed.

Responding to Mr. Cole, Ms. Townshend confirmed that Kent County was also working on this issue.

Mr. Hare noted that a resident with fowl must be registered with the State and the County and must have a permit. He suggested a $25 fee for a City of Dover permit and members concurred.

Mr. Anderson moved to refer proposed Ordinance #2016-01 to staff to make the changes discussed and bring it to Council for First Reading during their Regular Meeting scheduled for February 22, 2016, seconded by Mr. Sudler and unanimously carried.

Ms. Maucher questioned if there was a big chicken problem in the City, and Mr. Hare confirmed that there had been some issues.

Proposed Ordinance #2016-07 - Second Budget Amendment for Fiscal Year 2015/2016

Mrs. Donna Mitchell, Controller/Treasurer, advised members that Proposed Ordinance #2016-07, Second Budget Amendment for Fiscal Year 2015/2016, would go to Council for the First Reading during their next meeting. Members were advised that the proposed budget amendment included adjustments to the Beginning Budget Balance for all funds since the City's FY15 audit had been completed. It also included any adjustments related to Council actions to date on changes in project

budgets or operating items that were not included in the original budget. Mrs. Mitchell reviewed the Financial Policy transfers of favorable carry forward balances and additional adjustments.

Mrs. Mitchell advised members that in working on the electric side of next year's budget, which was nearly complete, she noticed that staff missed reducing expenses for pension in the ordinance by $136,400. This reduction in electric expenses would be included in Proposed Ordinance #2016-07 when it is presented to Council.

Mr. Anderson noted that members had been looking to pay money back into one (1) of the funds and questioned if this was being done and was on schedule. Responding, Mrs. Mitchell stated that the favorability in the power supply was included. She noted that increasing the Rate Stabilization Reserve had been discussed because of new penalties, and that would play into the forecast that staff would bring forward during the FY 17 budget process.

Mr. Hutchison moved to recommend adoption of Ordinance #2016-07, seconded by Mr. Anderson and unanimously carried.

Report of Independent Public Accountants for the Fiscal Year Ending June 30, 2015

Mr. William Seymour, Audit Partner, SB & Company, LLC, reviewed the Presentation to City Council dated February 9, 2016, stating that this presentation represented the required communications under generally accepted auditing standards as well as his firm's standards. In reviewing the Scope of Services - Page 3, he noted that historically SB & Company had performed a federal grants single audit; however, the City did not meet the requirements to have that performed this year, so this was not done. Mr. Seymour advised members that SB & Company had issued an unmodified opinion on the City's financial statements, which was the best opinion that he was allowed to issue under generally accepted auditing standards that effectively said that the financial statements as presented by management were reasonably free of material misstatement, noting that his firm discovered no instances of fraud or material weakness in internal controls and received full cooperation from management.

Mr. Seymour indicated highlighted two (2) items, as follows:

1) The City was required to and did adopt Government Accounting Standards Board (GASB) 68, which required the recordation of the difference between the actuary calculated liability for pensions and the market value of investments, which required a restatement of just over $36M to the net position, lowering that net position.

2) The year after next, the City will be required to follow a similar new standard for Other Post-Employment Benefits (OPEB), and this number would be approximately $32.5M in today's dollars.

In regard to Required Communications - Page 18, Item #11, Mr. Seymour stated that a management representation letter is required as part of the audit and offered to provide it to members upon

request, noting that this has all the items that the American Institute of Certified Public Accounts (AICPA) requires.

Responding to Mr. Sudler as to whether the City received an A+, Mr. Seymour stated that the City and the Finance Department work to put the best information forward and Mrs. Mitchell and her staff are always looking for improvements. Through this audit process, she noted areas that could be improved and Mr. Seymour advised her that staff was doing a great job and to continue to so. He felt that this was a testament to her staff and the work that they do.

In response to Mr. Anderson, Mr. Seymour stated that the information applied to the entire City.

Mr. Sudler moved for adjournment of the Legislative, Finance, and Administration Committee meeting. The motion was seconded by Mr. Cole and unanimously carried.

Meeting adjourned at 8:51 p.m.

By unanimous consent, the meeting adjourned at 8:51 p.m.

Timothy A. Slavin
Council President

TAS/TM/dd
S:\AGENDAS-MINUTES-PACKETS-PRESENTATIONS-ATT&EXH\Committee-Minutes\2016\02-09-2016 CCW.wpd

Attachments
Attachment #1 - Fact Sheet - Delmarva Black Chamber of Commerce - Ice House Entrepreneurship Program
Attachment #2 - Information Regarding Utility Service Billing, Including an Updated Flyer, Trial Balances, and Sample Bills

DELMARVA
Black Chamber of Commerce

P.O. Box 40, Clayton, DE 19938 Phone: 302-450-4501 www.DelmarvaBCC.org

"Faith is taking the first step even when you don't see the whole staircase."

ICE HOUSE ENTREPRENEURSHIP PROGRAM

Small Business Edition

"An individual has not started living until he can rise above the narrow confines of his individualistic concerns to the broader concerns of all "humanity." MLK Jr.

"Who Owns the Ice House (Ice House)!" is an exciting entrepreneurship program as it focuses upon the ***"Mindset"*** one needs to be successful and then uses that mindset as the connection with the more day to day aspects of business as well as life-long learning and development!

Specific aspects of the program include and the participants will leave with the skills and abilities to:

Develop critical thinking skills that will enable participants to identify and evaluate entrepreneurial opportunities,

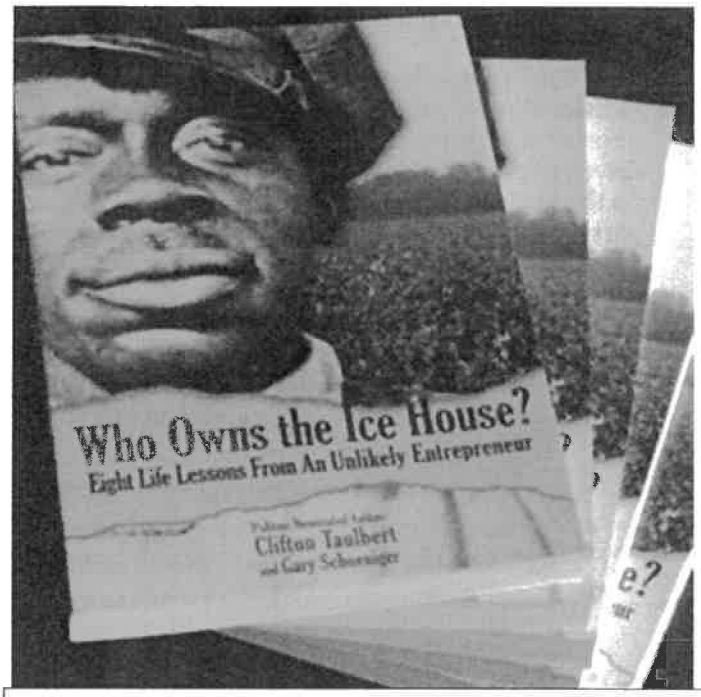
Allow participants to understand managing risks and learn from the results,

Allow participants to understand the process that enables any entrepreneurs with limited resources to transform a simple idea into a sustainable success,

Allow participants to understand and apply fundamental aspects of entrepreneurial thinking across disciplines and as a means of personal and family empowerment,

Have participants establish goals, identify resources and determine the steps required to accomplish their goals,

Have participants identify and interact with local entrepreneurs to create a support and mentor network in their community and the greater community at large.



For additional **"ICE HOUSE"** video information go to the following YouTube.com sites:

- **Clifton Taulbert-Author:** https://www.youtube.com/watch?v=MCbjgXTda2Y
- **Gary Schoeniger-Founder:** https://www.youtube.com/watch?v=El2GMuEAMTI
- **The Ewing Marion Kauffman Foundation:** http://www.kauffman.org/multimedia/sketchbook/kauffman-sketchbook-entrepreneurial-mindset

See biography on the other side of this page!

CONTACT INFORMATION:
Professor Paul S. Davis BA, MS.ED., JD.
Tel.: (908) 267-8504
Email: paulsdavis@comcast.net

DELMARVA
Black Chamber of Commerce

P.O. Box 40, Clayton, DE 19938 Phone: 302-450-4501 www.DelmarvaBCC.org

Biography:

Professor Paul S. Davis BA, MS. Ed., JD has been a multi-dimensional Teacher/Professor/Educator and Training consultant on special education, staff development, continuous improvement skills and organizational development to agencies and corporations nationally.

Prof. Paul has conducted workshops for more than 15,000 people during his career that bring forth one's individual personal creativity both at work and at home. He shows participants how the 6-step continuous improvement process (IAGSIE) will focus their individual creativity and directly impact on their personal data-driven problem solving abilities. They have also learned the connection between problem solving, its' impacts on the workplace and how this effects one's ability to clearly communicate information. Prof. Paul displays to participants the big picture, that is, how these skills directly affect all aspects of the company from line staff to the executive offices to their day to day lives.

Professor Paul S. Davis has the skills to:

- Identify, preserve, synthesize, and manage effectively your organizational as well as your individual knowledge from all levels and then link your companies business goals with the Individuals' Life-Long Learning Personal Development Plans
- Conduct detailed and comprehensive Training of Trainers Programs
- Write, customize to level and deliver more than 40 technical and workplace skills training curriculums for workshops and seminars as well as convert graduate level paper based training curriculum into web based multimedia programs for online synchronistic distance learning training programs
- Utilize professional voice-over talent for multimedia production
- Outline $1,000,000.00 plus HR department operating budgets
- Manage all aspects of vendor relations
- Conduct information technology (IT) seminars and presentations
- Leverage 35 plus years' experience and a network of Grant Writers, HR, OD, Law, Education, Government, Sales, Software, Technical Writers and Cable Television professionals

Paul S. Davis has a Bachelors' and Master's Degree from Wagner College, a Juris Doctoris from the Seton Hall University School of Law and is currently in pursuit of a Doctorate in Educational Leadership (Ed.D.). As a recognized leader on training and development in the workplace, he has taught post-graduate courses at the New York University School of Continuing and Professional Studies and New York City Technical College as an adjunct assistant professor of management and group development trainer.

Prof. Paul has been a licensed and tenured teacher in New York City's' Department of Education. He has taught legal and management focused seminars in approximately 30 states as a training consultant, and adult educator. He has over 35 years' experience nationally. Prof. Paul is the owner of P. Scott Davis & Associates which focuses upon organizational development, training and education. For 21years, Prof. Paul has sub-contracted with Antone Aboud Associates, Inc. and Labor Relations Alternatives, Inc. to deliver management development programs in the corporate, government and non-profit sectors across the USA.

CONTACT INFORMATION:
Professor Paul S. Davis BA, MS.ED., JD.
Tel.: (908) 267-8504
Email: paulsdavis@comcast.net

CITY OF DOVER

ATTENTION! ALL BILLS MUST BE PAID IN FULL BY 5PM ON THE DATE LISTED IN THE "TO AVOID DISCONNECTION" BOX ON YOUR UTILITY BILL OR YOU WILL BE DISCONNECTED!

We are actively pursuing late accounts to try to reduce the amount of past due money due to the City of Dover. Utility service is billed after you have used the utility, making it a bill which is currently due. Please be sure to pay your bill no later than 5pm on the date listed in the "TO AVOID DISCONNECTION " box. If you are disconnected you may have to pay a reconnect fee as well as a new deposit. We appreciate all those who have been great paying customers, and our goal is to have 100% of our account holders paying in full by the date listed!

FEE CHANGES

Please note that effective January 1, 2016 the following fees will be enforced as approved on December 14, 2015 by City Council.

Service	Fee
Returned Check Fee	$40.00
Utility Bill Reprints	$1.00 per page
Utility Afterhours Service Fee	$100.00
Credit Report Fee	$20.00

ALL BILLS MUST BE PAID IN FULL BY 5pm on date in "TO AVOID DISCONNECTION" area on your bill or YOU WILL BE DISCONNECTED!

PREPARED 2/09/16, 11:41:46 TRIAL BALANCE PAGE 1
PROGRAM UT425L
CITY OF DOVER

	RCV CODE	DESCRIPTION	CURRENT	OVER 30	OVER 60	OVER 90	TOTAL
* FINAL TOTALS *	IP	CTY WATER IMPACT FEE	.00	36.50	.00	.00	36.50
	01	WATER SERVICE	.00	26,192.88	.00	.00	26,192.88
	02	WASTEWATER SERVICE	.00	21,775.13	.00	.00	21,775.13
	03	KENT CTY SEWER ADJ	.00	16,690.19	.00	.00	16,690.19
	04	GROUNDWATER ADJ	.00	11,031.40	.00	.00	11,031.40
	14	SEWER PENALTY	.00	483.90	.00	.00	483.90
	15	KCSA PENALTY	.00	375.08	.00	.00	375.08
	18	RESIDENTIAL TRASH	.00	18,275.12	.00	.00	18,275.12
	19	COMMERCIAL TRASH	.00	1,468.83	.00	.00	1,468.83
	21	RESIDENTIAL ENERGY	.00	271,890.55	.00	.00	271,890.55
	24	COMM UTIL TAX 4.25%	.00	1,879.13	.00	.00	1,879.13
	26	COMM OUTDOOR LGHTNG	.00	575.20	.00	.00	575.20
	28	RES OUTDOOR LGHTNG	.00	573.69	.00	.00	573.69
	31	COMMERCIAL ENERGY	.00	60,191.25	.00	.00	60,191.25
	32	PRIMARY ENERGY	.00	13,178.51	.00	.00	13,178.51
	40	DOVER AFB	.00	56,206.91	.00	.00	56,206.91
	50	ELECTRIC PENALTY	.00	4,349.03	.00	.00	4,349.03
	51	WATER PENALTY	.00	580.51	.00	.00	580.51
	52	ELECT RET CHECK FEE	.00	575.00	.00	.00	575.00
	53	ELECTRIC SERVICE CHG	.00	9,485.31	.00	.00	9,485.31
	60	BILLED DEPOSIT	.00	4,664.09	.00	.00	4,664.09
	96	GREEN ENERGY ADJ	.00	1,329.17	.00	.00	1,329.17
		* TOTAL	.00	521,807.38	.00	.00	521,807.38
					LESS CREDIT BALANCES		.00
					NET TOTAL		521,807.38

OVER 30 DAYS
TOTAL BALANCE FOR
TRASH, WATER, SEWER AND
ELECTRIC = $521,807.38

* OVER 30 DAYS - JUST ELECTRIC (ONLY) = $424,897.84

PREPARED 2/09/16, 11:42:04 TRIAL BALANCE PAGE 1
PROGRAM UT425L
CITY OF DOVER

	RCV CODE	DESCRIPTION	CURRENT	OVER 30	OVER 60	OVER 90	TOTAL
* FINAL TOTALS *	01	WATER SERVICE	.00	.00	4,147.46	.00	4,147.46
	02	WASTEWATER SERVICE	.00	.00	3,768.23	.00	3,768.23
	03	KENT CTY SEWER ADJ	.00	.00	3,079.37	.00	3,079.37
	04	GROUNDWATER ADJ	.00	.00	2,095.76	.00	2,095.76
	14	SEWER PENALTY	.00	.00	123.27	.00	123.27
	15	KCSA PENALTY	.00	.00	104.65	.00	104.65
	18	RESIDENTIAL TRASH	.00	.00	1,793.33	.00	1,793.33
	19	COMMERCIAL TRASH	.00	.00	343.12	.00	343.12
	21	RESIDENTIAL ENERGY	.00	.00	28,898.16	.00	28,898.16
	24	COMM UTIL TAX 4.25%	.00	.00	167.90	.00	167.90
	26	COMM OUTDOOR LGHTNG	.00	.00	177.44	.00	177.44
	28	RES OUTDOOR LGHTNG	.00	.00	53.89	.00	53.89
	31	COMMERCIAL ENERGY	.00	.00	6,273.92	.00	6,273.92
	39	MISC ELECTRIC REV	.00	.00	247.65	.00	247.65
	50	ELECTRIC PENALTY	.00	.00	724.42	.00	724.42
	51	WATER PENALTY	.00	.00	166.46	.00	166.46
	52	ELECT RET CHECK FEE	.00	.00	222.12	.00	222.12
	53	ELECTRIC SERVICE CHG	.00	.00	2,477.01	.00	2,477.01
	60	BILLED DEPOSIT	.00	.00	1,040.01	.00	1,040.01
	96	GREEN ENERGY ADJ	.00	.00	70.14	.00	70.14
		* TOTAL	.00	.00	55,974.31	.00	55,974.31
					LESS CREDIT BALANCES		.00
					NET TOTAL		55,974.31

OVER 60 DAYS
TOTAL BALANCE FOR
TRASH, WATER, SEWER AND
ELECTRIC = $ 55,974.31

* OVER 60 DAYS - JUST ELECTRIC (ONLY) = $ 40,352.66

City of Dover

Account Information

Customer: [redacted]
Service Address: [redacted]
Account #: [redacted]
Bill Date: 01/12/2016
Due Upon Receipt.

Contact Information

8:30 a.m. - 5:00 p.m. Monday—Friday
Customer Service: 302-736-7035
Emergency after 5 p.m.: 302-736-7086
Website: www.cityofdover.com

Other Payment Options

Automatic Bank Draft from checking or savings account—sign up needed.
Equalized Payment Plan - a fixed budget amount each month for residential customers—sign up needed.
Online Payment with a credit card by visiting www.cityofdover.com or call (302) 736 7035 opt 1.

Balance From Last Bill:	$	218.53
Thank you! Last payment received: 200.30 on 12/28/2015		
Payments and adjustments made after this Bill Date 01/12will appear on next bill.		
Current Charges:	$	240.63
Total Amount Due: A late payment charge of 1.5% will be added to any balance remaining 30 days after billing.	$	459.16

Meter Information - Residential

Meter #	Days	Service	Period	Previous	Present	Mult	Usage	Svc Units
26069148E	30	12/ 9/15	1/ 8/16	80013.00	81035.00	1.00	1022.00	EL KWH
48399077W	30	12/ 9/15	1/ 8/16	1816.00	1825.00	1.00	9.00	WA TGAL

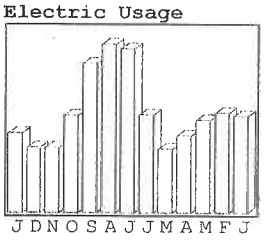
Customer News & Information

FEE CHANGES EFFECTIVE 1/1/16

*RETURNED CHECK FEE	$ 40.00
*UTILITY BILL REPRINTS	$ 1.00
*AFTERHOURS SERVICE FEE	$100.00
*CREDIT REPORT FEE	$ 20.00

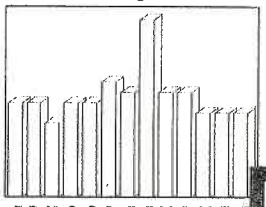
Consumption History

Electric Usage



avg daily kwh: 34.0

Water Usage



Charges for current cycle

Service		Consumption	Rate	Charge
EL	RES CUSTOMER CHG			7.50
EL	ENERGY CHG	1022.00	.120300	122.95
EL	GREEN ENERGY CHARGE	1022.00	.000178	.18
TOTAL	ELECTRIC			130.63
WA	WATER TGAL FLOW CHG	9.00	3.000000	27.00
WA	WATER CUSTOMER CHG			2.50
TOTAL	WATER SERVICE			29.50
SE	SEWER FLOW CHARGE	9.00	2.650000	23.85
SE	SEWER CUSTOMER CHG			2.50
SE	GROUNDWATER INFLOW	9.00	1.500000	13.50
SE	KENT COUNTY SWR ADJ	9.00	2.340000	21.06
TOTAL	SEWER SERVICE			60.91
TR	TRASH SERVICE FEE			17.00
TOTAL	TRASH			17.00
TOTAL	MISC CHARGES			2.59
TOTAL	CHARGES FOR PERIOD			240.63

To Avoid Disconnection

Disconnection of service without further notice may occur *if balance due has not been paid by* 02/02/2016 . Receiving a new bill will not nullify this notice. If the account is scheduled for disconnection, a service fee must be paid along with the entire amount owed. An additional deposit may be required.

Notify customer service to update mailing address, phone number, or email.

Please detach this portion and remit with payment made by mail or in person.

Mail all correspondence to utility billing office.

City of Dover

[redacted]

Due Upon Receipt: 459.16

Total Amount Due

459.16

Payment Enclosed:

Make Payments to:

City of Dover Utility
Po Box 15040
Wilmington, DE 19886-5040

[redacted]

00001815300000593600000459165

City of Dover

Account Information

Customer: [redacted]
Service Address: [redacted]
Account #: [redacted]
Bill Date: 01/14/2016
Due Upon Receipt.

Contact Information

8:30 a.m. - 5:00 p.m. Monday—Friday
Customer Service: 302-736-7035
Emergency after 5 p.m.: 302-736-7086
Website: www.cityofdover.com

Other Payment Options

Automatic Bank Draft from checking or savings account—sign up needed.
Equalized Payment Plan - a fixed budget amount each month for residential customers—sign up needed.
Online Payment with a credit card by visiting www.cityofdover.com or call (302) 736-7025 opt 1.

Balance From Last Bill:	$	.00
Thank you! Last payment received: 71.47 on 01/07/2016		
Payments and adjustments made after this Bill Date 01/14will appear on next bill.		
Current Charges:	$	175.93
A late payment charge of 1.5% will be added to any balance remaining 30 days after billing.		
Total Amount Due:	**$**	175.93

Meter Information - Residential

Meter #	Days	Service Period		Previous	Present	Mult	Usage	Svc Units
29486940E	32	12/10/15	1/11/16	19376.00	20774.00	1.00	1398.00	EL KWH

Customer News & Information

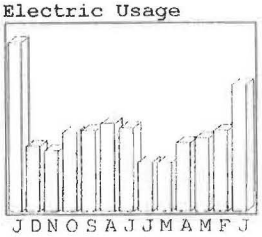
FEE CHANGES EFFECTIVE 1/1/16
*RETURNED CHECK FEE $ 40.00
*UTILITY BILL REPRINTS $ 1.00
*AFTERHOURS SERVICE FEE $100.00
*CREDIT REPORT FEE $ 20.00

Charges for current cycle

Service		Consumption	Rate	Charge
EL	RES CUSTOMER CHG			7.50
EL	ENERGY CHG	1398.00	.120300	168.18
EL	GREEN ENERGY CHARGE	1398.00	.000178	.25
TOTAL	ELECTRIC			175.93
TOTAL	CHARGES FOR PERIOD			175.93

Consumption History

Electric Usage



Avg daily kwh: 43.6

To Avoid Disconnection

Disconnection of service without further notice may occur *if balance due has not been paid by 02/04/2016*. Receiving a new bill will not nullify this notice. If the account is scheduled for disconnection, a service fee must be paid along with the entire amount owed. An additional deposit may be required.

Please detach this portion and remit with payment made by mail or in person.

Mail all correspondence to utility billing office.

Notify customer service to update mailing address, phone number, or email.

City of Dover

[redacted]

[redacted]

Total Amount Due: 175.93

Payment Enclosed:

Due Upon Receipt: 175.93

Make Payments to:

[redacted]

City of Dover Utility
Po Box 15040
Wilmington, DE 19886-5040

00004234100003035400000175932

ACTION FORM

PROCEEDING: City Council	**AGENDA ITEM NO.:**
DEPARTMENT OF ORIGIN: Public Works	**DATE SUBMITTED**: 2/12/16
PREPARED BY: Sharon Duca, P.E., Public Works Director/City Engineer	
SUBJECT: Evaluation of Bids – Hazlettville Road Interceptor Replacement Project	
REFERENCE: CIP- Hazlettville Road Interceptor Replacement	
RELATED PROJECT: CIP – Westover Pump Station and Force Main Replacement	
APPROVALS: City Manager, Controller	
EXHIBITS: Attachment A – Aerial Map	
EXPENDITURE REQUIRED: $774,035.00	**BUDGET REMAINING**: $462,100
FUNDING SOURCE (Dept./Page in CIP & Budget): Department of Public Works- Wastewater Management, CIP Project #WW1503, CIP Project Name: Hazlettville Road Interceptor Replacement Account No.: 417-6900-569.40-31. The financial shortfall ($311,935.00) will be covered by a budget transfer from project WW1601 – Inflow / Infiltration Removal, Account No.: 417-6900-569.40-31.	
TIME TABLE: Notice to proceed to be issued within thirty (30) days of Council approval. Project anticipated to be completed in 150 calendar days.	
RECOMMENDED ACTION: Award the contract to Eastern States Construction Service, Inc. for the City of Dover Hazlettville Road Interceptor Replacement Project, Bid #16-0027PW, for the amount of $774,035.	

BACKGROUND AND ANALYSIS

This capital investments project identified sections of the existing 15" gravity wastewater main as being overloaded in peak conditions, due to negative slope in the pipe. This project calls for the upgrade of approximately 2,000 linear feet of wastewater main. The proposed upgrade includes installation of 18" main at proper slope to provide adequate capacity and allow for future growth in this wastewater basin. This replacement will improve the City's wastewater system by increasing wastewater flow capacity through this section of main and increase the structural integrity of the pipe being replaced.

The bid was initially advertised to the public as an Invitation to Bid in accordance with the City's purchasing policy by the City's Purchasing Agent under ITB #15-0027PW. Bids were opened on February 26, 2015. The City of Dover received four (4) bids that were all over the project budget of $755,000, the lowest bid was $822,086. City staff decided to re-bid the project. Following the bids for this project, the City decided to utilize funds from Hazlettville Road Interceptor replacement project to supplement the shortfall of the Westover Pump Station and Force Main Upgrade project, leaving the budget for this project at $462,100. The bid was then advertised to the public as an Invitation to Bid in accordance with the City's purchasing policy by the City's Purchasing Agent under ITB #16-0027PW. Bids were opened on December 29, 2015. The City of Dover received four (4) bids, shown in the table below:

CONTRACTOR	LOCATION	BASE BID
A-DEL CONSTRUCTION COMPANY, INC.	NEWARK, DE	$985,761.00
EASTERN STATES CONSTRUCTION SERVICES, INC.	**WILMINGTON, DE**	**$774,035.00**
REYBOLD CONSTRUCTION GROUP, LLC	BEAR, DE	$1,098,297.00
TEAL CONSTRUCTION, INC.	DOVER, DE	$928,928.00

City staff reviewed the submissions and found that Eastern States Construction Services, Inc. bid met all requirements for the qualifications of the project. As stated above, the City has bid this project out on two (2) separate occasions. Although the bids have come in over budget (2.5% higher than original estimate), staff believes that the price will only increase if the project were to be bid in the spring season, which coincides with the busy season of construction activity. The staff recommends awarding the contract to Eastern States Construction Services, Inc. in the amount of $774,035 for the Hazlettville Road Interceptor Replacement Project. The shortfall for this project will be supplemented by a budget amendment from the Inflow / Infiltration Removal project. A breakdown of the funding sources is provided below:

Current Funding & History

FUNDING SOURCE	PROJECT # &DESCRIPTION	ORIGINAL BUDGET	BUDGET REVISIONS TO DATE	EXPENSES TO DATE	BUDGET BALANCE	REQUIRED FOR PROJECT	REVISED PROJECT BUDGET
Wastewater	WW1503 Hazlettville Road Interceptor	$755,000	*($292,900)	---	$462,100	$312,000	$774,100
Wastewater	WW1601 Inflow / Infiltration Removal	$875,000	*($339,200)	---	$535,800	($312,000)	$223,800

* Project WW1503 Hazlettville Road was adjusted in FY15 by a reduction of $581,600 to cover the remaining cost of the Westover Pump Station. Subsequent adjustments increased the project budget from unspent funds of $28,300 in the WW1303 Hazlettvile Road design project and the WW1010 Tar Ditch project balance of $260,400.

* As a footnote, this fiscal year we have needed to use the Inflow/Infiltration budget to cover the following unforeseen items –

U. S. 13 Pump Station Repairs $97,000

St. Jones River Sewer Repair $50,000

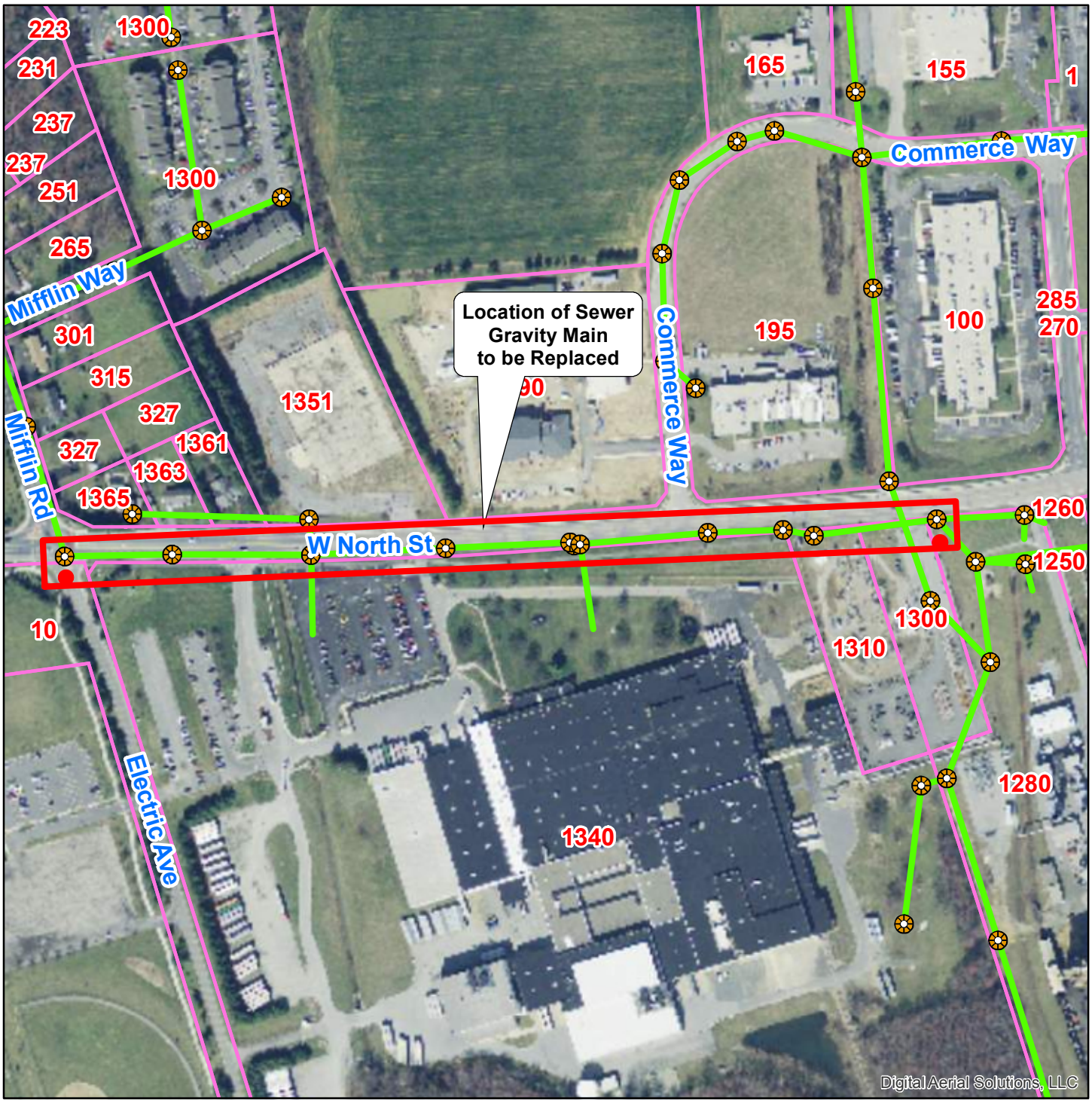
McKee Tax Ditch Sewer Repair $30,000

Retreat Pump Station Repairs additional budget $87,200

Miscellaneous Emergency Repairs $75,000 (to cover any future year failures)

CAF Map

Hazlettville Road Interceptor



0 150 300 600 Feet

N

Legend

- Sanitary Sewer Manhole
- PS Pump Station
- Sanitary Sewer Line
- Dover Parcels

Date Printed: February 10, 2016
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\jason_lyon_maps\caf_maps
\caf_hazlettville_rd_interceptor
Department: Public Works GIS
City of Dover, Delaware

ACTION FORM

PROCEEDING: City Council	**AGENDA ITEM NO.:**
DEPARTMENT OF ORIGIN: Public Works	**DATE SUBMITTED**: 2/12/16
PREPARED BY: Sharon Duca, P.E., Public Works Director/City Engineer	
SUBJECT: Evaluation of Bids – Silver Lake Dam Sluice Gate Replacement	
REFERENCE: CIP- Replacement of Valve at Silver Lake Dam	
RELATED PROJECT: CIP – FY 2016 Street, Concrete & Alley Program	
APPROVALS: City Manager, Controller	
EXHIBITS: Attachment A – Aerial Map	
EXPENDITURE REQUIRED: $84,600.00	**BUDGET REMAINING**: $56,300
FUNDING SOURCE (Dept./Page in CIP & Budget): Department of Public Works - CIP General Fund, Project #ST1603, CIP Project Name: Replacement of Valve at Silver Lake Dam, Account No.: 147-1800-554.40-31. The financial shortfall ($28,300) will be covered by a budget transfer from project ST1601 – Street, Concrete and Alley Program, Account No.: 147-1800-554.40-31	
TIME TABLE: Notice to proceed to be issued within thirty (30) days of Council approval. Project anticipated to be completed in 30 calendar days.	
RECOMMENDED ACTION: Award the contract to NuPump Construction Co. for the City of Dover Silver Lake Dam Sluice Gate Replacement, RFQ #2016-006DPW, for the amount of $80,900.00.	

BACKGROUND AND ANALYSIS

This capital investments project identified by staff will replace the existing valve that assists in controlling the elevation of Silver Lake. The current valve is starting to leak. This valve is essential to control the elevation of the lake during emergency situations. If the valve cannot function properly, downstream and upstream flooding issues could occur.

The bid was initially advertised to the public as an Request for Quotes in accordance with the City's purchasing policy under RFQ# 2016-006DPW. Bids were opened on January 15, 2016. The City of Dover received two (2) bids that were both over the project budget of $56,238.04 shown in the table below:

CONTRACTOR	LOCATION	BASE BID
MARINE TECHNOLOGIES INC	BALTIMORE, MD	$122,000.00
NUPUMP CONSTRUCTION CO	**MALAGA, NJ**	**$80,900.00**

City staff reviewed the submissions and found that NuPump Construction Co. bid met all requirements for the qualifications of the project. Although the bids have come in over budget (consulting engineer estimate was $40,260), staff believes that the replacement of the sluice gate valve at Silver Lake is essential to prevent upstream and downstream flooding. Staff recommends awarding the contract to NuPump Construction Co. in the amount of $80,900.00 for the Silver Lake Dam Sluice Gate Replacement Project. The shortfall for this project will be supplemented by a budget amendment from the Street, Concrete, and Alley Program. A breakdown of the funding sources is provided below:

Current Funding & History

FUNDING SOURCE	DESCRIPTION	ORIGINAL BUDGET	BUDGET REVISIONS TO DATE	EXPENSES TO DATE	BUDGET BALANCE	REQUIRED FOR PROJECT	REVISED PROJECT BUDGET
Street Division	ST1603 Replacement of Valve – Silver Lake Dam	$60,000	---	$3,700	$56,300	$28,300	$84,600
Street Division	ST1601 Street, Concrete & Alley Program	$1,000,000	*($75,000)	*($538,800)	$386,200	($28,300)	$357,900

* ST1601 was reduced $75,000 to set aside funds for new projects ST1605 Emergency Street/Storm Water repairs.

* A purchase order has been issued to Sam's Construction in the amount of $538,800. Invoices are being processed for payment.

CAF Map

Valve Replacement @ Silver Lake Dam



0 50 100 200 Feet

N

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File: m:\gis_data\projects\tech_mxds
\jason_lyon_maps\caf_maps
\caf_hazlettville_rd_interceptor
Department: Public Works GIS
City of Dover, Delaware

Legend

PS Pump Station

Dover Parcels

FIRST READING

CITY OF DOVER
STAFF SUBSTITUTE #1 FOR
PROPOSED ORDINANCE #2016-01

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 by deleting the text indicated in red strikeout and inserting the bold, blue text, 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 ~~**(except pigs) for individual domestic purposes or**~~ as pets, provided not more than three **(3)** dogs over six months old~~**, and not more than 25 fowl**~~ shall be permitted~~**, and no animals (except dogs) or fowl shall be penned or housed within 20 feet of any lot line**~~.

(e) ~~**(Reserved.)**~~ **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.

Draft

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. 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: *

SYNOPSIS

The proposed amendment would regulate the keeping of chickens in one-family residence zones.

(SPONSORS: HARE, HUTCHISON, AND COLE)

Actions History

02/22/2016 - Scheduled for Introduction/First Reading - City Council

Draft

CITY OF DOVER PROPOSED ORDINANCE #2016-01
WITH STAFF AMENDMENT #1 (SA#1)
(Staff Amendment #1 indicated in green text)

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

That Chapter 18 - Animals, Section 18-1. - Definitions of the Dover Code be amended by inserting the following definition in its correct alphabetical order:

***Fowl* means any various domestic birds intended for keeping outdoors, by way of example but not limited to: Chickens, roosters, ducks, geese, turkeys, guinea fowl, emus, rheas, ostriches and pigeons.**

BE IT FURTHER ORDAINED:

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:, paragraph (d) - Keeping domestic animals, of the Dover Code be amended by deleting the text indicated in red strikeout and inserting the bold, blue text, 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 (except pigs **and fowl**) for individual domestic purposes or as pets.~~,~~ ~~**provided not**~~ **No** more than three dogs over six months old **are permitted. Any fowl being kept as of March 15, 2016 must be relocated by** ~~**March 15, 2017**~~ **June 15, 2016.** ~~**and not more than 25 fowl shall be permitted, and no animals (except dogs) or fowl shall be penned or housed within 20 feet of any lot line**~~.

Draft

(e) (Reserved.)

(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.

BE IT FURTHER ORDAINED:

That Appendix B - Zoning, Article 12 - Definitions of the Dover Code be amended by inserting the following definition in its correct alphabetical order:

***Fowl* means any various domestic birds intended for keeping outdoors, by way of example but not limited to: Chickens, roosters, ducks, geese, turkeys, guinea fowl, emus, rheas, ostriches and pigeons.**

ADOPTED: *

S:\ORDINANCES\2016\DRAFT\ORDINANCE #2016-01 APDX B-ZONING, ART 3, SEC 1, SUBSEC 1.15 ACCESSORY USES (FOWL)\Proposed Ordinance #2016-01 with SA#1-Fowl-Reconsideration-LF&A 02-09-2016.wpd

SYNOPSIS

The proposed amendment would disallow the keeping of foul in one-family residence zones.

(SPONSORS: HARE, HUTCHISON, AND COLE)

Actions History

02/09/2016 - Scheduled for Reconsideration - Legislative, Finance, and Administration Committee
01/25/2016 - City Council Referred Back to Legislative, Finance, and Administration Committee
01/11/2016 - Introduced - Legislative, Finance, and Administration Committee

Draft

CITY OF DOVER ORDINANCE # 2016-07
2015-2016 BUDGET ORDINANCES - SECOND AMENDMENT

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:
The amount hereinafter named aggregating Forty Seven Million Sixty Two Thousand Eight Hundred dollars ($47,062,800) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2015 and ending June 30, 2016:

GENERAL FUND
CASH RECEIPT SUMMARY FOR 2015-2016

	2015/16 BUDGET	2015/16 REVISED
BEGINNING BALANCE	**$ 3,977,500**	**$ 4,820,400**
RECEIPTS		
FINES AND POLICE REVENUE	702,300	724,300
INVESTMENT INCOME	35,000	105,200
LIBRARY REVENUES	72,000	72,000
KENT COUNTY BOOK REIMBURSEMENT	450,000	450,000
BUSINESS LICENSES	1,425,000	1,459,000
PERMITS AND OTHER FEES	1,436,300	1,436,300
MISCELLANEOUS CHARGES	22,700	22,700
POLICE EXTRA DUTY	533,000	533,000
PROPERTY TAXES	12,844,500	12,844,500
BID REVENUE	49,700	49,700
RECREATION REVENUE	149,000	149,000
FRANCHISE FEE	672,300	672,300
SANITATION FEES	2,580,000	2,580,000
RENT REVENUE - GARRISON FARM	93,700	93,700
COURT OF CHANCERY FEES	1,065,100	1,065,100
RECEIPTS SUBTOTAL	**22,130,600**	**22,256,800**
INTERFUND SERVICE RECEIPTS		
INTRAFUND SERVICE RECEIPTS W/WW	1,492,700	1,501,800
INTRAFUND SERVICE RECEIPTS ELECTRIC	3,738,500	3,763,500
INTERFUND SERVICE RECEIPTS SUBTOTAL	**5,231,200**	**5,265,300**
GRANTS:		
POLICE RELATED/EXTRA DUTY	74,400	74,400
POLICE PENSION GRANT	500,000	500,000
GREEN ENERGY GRANT	98,500	98,500
MISC GRANT REVENUE	25,000	25,000
VERIZON RESERVE	50,000	50,000
GRANTS SUBTOTAL	**747,900**	**747,900**
TRANSFERS FROM:		
TRANSFER TAX	1,340,000	1,986,100
MUNICIPAL STREET AID	564,200	673,100
CIVIL TRAFFIC PENALTIES	450,000	450,000
WATER/WASTEWATER	850,000	850,000
ELECTRIC	10,000,000	10,000,000
OTHER RESERVES	13,200	13,200
TRANSFERS FROM SUBTOTAL	**13,217,400**	**13,972,400**
TOTAL REVENUES	**41,327,100**	**42,242,400**
TOTAL BEGINNING BALANCE & REVENUE	**$ 45,304,600**	**$ 47,062,800**

2015-2016 BUDGET ORDINANCES - SECOND AMENDMENT (CONTINUED)

GENERAL FUND - EXPENDITURES AND BUDGET BALANCE FOR 2015-2016

DEPARTMENT EXPENSES	2015/16 BUDGET	2015/16 REVISED
CITY CLERK	$ 383,400	$ 387,200
COUNCIL	118,100	118,100
TAX ASSESSOR	234,800	238,200
FIRE	745,400	745,400
GROUNDS MAINTENANCE	1,210,300	1,212,000
LIBRARY	1,510,000	1,516,000
RECREATION	729,500	735,700
LIFE SAFETY	482,200	483,000
CODE ENFORCEMENT	419,400	421,800
PLANNING	534,000	539,800
INSPECTIONS	664,700	724,400
ECONOMIC DEVELOPMENT	238,000	238,000
POLICE	15,159,000	15,882,400
POLICE EXTRA DUTY	602,400	602,400
STREETS	674,500	675,400
SANITATION	2,157,900	2,176,600
CITY MANAGER	750,300	756,800
INFORMATION TECHNOLOGY	704,800	711,900
FINANCE	978,500	989,100
PUBLIC WORKS - ADMINISTRATION	626,800	630,000
FACILITIES MANAGEMENT	707,500	719,700
PUBLIC WORKS - ENGINEERING	181,400	181,400
PROCUREMENT & INVENTORY	560,200	565,000
FLEET MAINTENANCE	768,500	768,500
CUSTOMER SERVICE	1,120,100	1,136,800
HUMAN RESOURCES	383,900	390,700
MAYOR	76,100	76,100
DEPARTMENT SUBTOTALS	**32,721,700**	**33,622,400**
OTHER EXPENSES		
DEBT SERVICE	660,800	669,400
CONTRIBUTION TO DDP	70,000	70,000
MISCELLANEOUS GRANT RELATED EXP	25,000	25,000
INSURANCE	690,000	690,000
RETIREES HEALTH CARE	1,895,600	1,567,700
OTHER EMPLOYMENT EXPENSES	520,100	197,200
BANK & CREDIT CARD FEES	15,000	**10,600**
UNCOLLECTIBLES - TRASH AND OTHER	50,000	50,000
STREET LIGHTS	797,700	797,700
NEW STREET PROPERTIES ACQUISITIONS	-	240,400
OTHER EXPENSE SUBTOTAL	**4,724,200**	**4,318,000**
TRANSFERS		
TRANSFER TO CAPITAL FUND - PROJECTS	2,625,400	2,625,400
TRANSFER TO CAPITAL ASSET RESERVE	-	229,600
APPROP. TO THE GENERAL EMPLOYEE PENSION FUND	-	594,300
APPROP. TO THE POLICE PENSION FUND	570,000	676,500
APPROP. POLICE PENSION - STATE GRANT	500,000	500,000
TRANSFER TO VERIZON RESERVE	50,000	50,000
TRANSFER TO INVENTORY WRITE-OFFS	10,000	10,000
TRANSFERS SUBTOTAL	**3,755,400**	**4,685,800**
TOTAL EXPENDITURES	**41,201,300**	**42,626,200**
CURRENT YEAR BALANCE	**4,103,300**	**4,436,600**
TOTALS	**$ 45,304,600**	**$ 47,062,800**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

2015-2016 BUDGET ORDINANCES - SECOND AMENDMENT

GOVERNMENTAL CAPITAL PROJECTS FUND
REVENUES AND BUDGET FOR 2015-2016

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

The amount hereinafter named aggregating Five Million Six Hundred Eighty Nine Thousand Five Hundred dollars ($5,689,500)or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2015 and ending June 30, 2016:

REVENUES

	2015/16 BUDGET	2015/16 REVISED
BEGINNING BALANCE - PROJECTS	**$ 154,800**	**$ 2,926,700**
REVENUES		
INCOME FROM SALE OF ASSETS	20,300	51,900
GRANT RECEIPTS	-	80,500
INTEREST EARNINGS	5,000	5,000
TRANSFER FROM GENERAL FUND	2,625,400	2,625,400
SUBTOTAL PROJECT RECEIPTS	**2,650,700**	**2,762,800**
TOTAL FUNDING SOURCES	**2,650,700**	**2,762,800**
TOTAL BEGINNING BALANCE AND REVENUES	**$ 2,805,500**	**$ 5,689,500**

EXPENSE SUMMARY

EXPENDITURES	2015/16 BUDGET	2015/16 REVISED
FIRE	$ 145,600	$ 445,800
GROUNDS MAINTENANCE	201,100	188,800
LIFE SAFETY	55,700	55,700
POLICE	262,100	302,700
RECREATION	-	73,900
STREETS	1,428,500	3,656,700
SANITATION	449,000	449,000
CITY MANAGER	24,700	24,700
FLEET MAINTENANCE	84,000	84,500
BANK FEES	-	-
DEPARTMENT SUBTOTAL	**2,650,700**	**5,281,800**
TOTAL EXPENDITURES	**2,650,700**	**5,281,800**
BUDGET BALANCE	154,800	**407,700**
TOTAL BUDGET BALANCE & EXPENDITURES	**$ 2,805,500**	**$ 5,689,500**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

2015-2016 BUDGET ORDINANCES - SECOND AMENDMENT

GENERAL FUND CONTINGENCY
CASH RECEIPTS/REVENUES AND BUDGET FOR 2015-2016

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

The amount hereinafter named aggregating Seven Hundred Twenty One Thousand Four Hundred dollars ($721,400) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2015 and ending June 30, 2016:

CASH RECEIPTS

	2015/16 BUDGET	2015/16 REVISED
BEGINNING BALANCE	**$ 719,200**	**$ 720,300**
INTEREST EARNED	1,100	1,100
TOTALS	**$ 720,300**	**$ 721,400**

EXPENSE SUMMARY

	2015/16 BUDGET	2015/16 REVISED
CARRY FORWARD TO NEXT YEAR	720,300	721,400
TOTALS	**$ 720,300**	**$ 721,400**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

2015-2016 BUDGET ORDINANCES - SECOND AMENDMENT

GENERAL CAPITAL ASSET RESERVE
CASH RECEIPTS/REVENUES AND BUDGET FOR 2015-2016

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

The amount hereinafter named aggregating One Million One Hundred Forty Seven Thousand Two Hundred dollars ($1,147,200) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2015 and ending June 30, 2016:

CASH RECEIPTS

	2015/16 BUDGET	2015/16 REVISED
BEGINNING BALANCE	**$ 914,000**	**$ 915,100**
RECEIPTS		
INTEREST EARNINGS	2,500	2,500
TRANSFER FROM GENERAL FUND	-	229,600
TOTAL RECEIPTS	**2,500**	**232,100**
TOTALS	**$ 916,500**	**$ 1,147,200**

EXPENSE SUMMARY

	2015/16 BUDGET	2015/16 REVISED
CARRY FORWARD TO NEXT YEAR	$ 916,500	$ 1,147,200
TOTALS	**$ 916,500**	**$ 1,147,200**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

2015-2016 BUDGET ORDINANCES - SECOND AMENDMENT

PARKLAND/RECREATION RESERVE
CASH RECEIPTS/REVENUES AND BUDGET FOR 2015-2016

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

The amount hereinafter named aggregating Three Hundred Twenty One Thousand Eight Hundred Dollars ($321,800) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2015 and ending June 30, 2016:

OPERATING REVENUES

	2015/16 BUDGET	2015/16 REVISED
PRIOR YEAR BALANCE	$ 295,700	$ 320,800
INTEREST INCOME	1,000	1,000
TOTALS	**$ 296,700**	**$ 321,800**

OPERATING EXPENSES

	2015/16 BUDGET	2015/16 REVISED
CURRENT YEAR BALANCE	296,700	321,800
TOTALS	**$ 296,700**	**$ 321,800**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

2015-2016 BUDGET ORDINANCES - SECOND AMENDMENT

WATER/WASTEWATER FUND
REVENUES AND BUDGET FOR 2015-2016

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

The amount hereinafter named aggregating Seventeen Million Eighty Eight Thousand One Hundred dollars ($17,088,100) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2015 and ending June 30, 2016:

	2015/16 BUDGET	2015/16 REVISED
BEGINNING BALANCE - WATER	$ 861,600	$ 1,072,915
BEGINNING BALANCE - WASTEWATER	293,400	206,894
TOTAL BEGINNING BALANCES	**1,155,000**	**1,279,809**
BASE REVENUE		
WATER SERVICES	6,200,000	5,676,000
WASTEWATER SERVICES	3,728,000	3,944,000
WASTEWATER TREATMENT SERVICES	3,026,500	3,108,000
GROUNDWATER INFLOW ADJUSTMENT	1,864,300	1,988,600
WATER TANK SPACE LEASING	341,900	341,900
SEWER IMPACT FEES	250,000	250,000
WATER IMPACT FEES	250,000	250,000
INTEREST - WATER	1,000	1,000
INTEREST - WASTEWATER	2,000	2,000
MISCELLANEOUS SERVICE FEE	64,000	64,000
TOTAL REVENUES	**15,727,700**	**15,625,500**
TOTAL BEGINNING BALANCES AND REVENUES	**$ 16,882,700**	**$ 16,905,309**

2015-2016 BUDGET ORDINANCES - SECOND AMENDMENT
WATER/WASTEWATER FUND - EXPENSES AND BUDGET BALANCE FOR 2015-2016

	2015/16 BUDGET	2015/16 REVISED
DIRECT EXPENSES		
ENGINEERING & INSPECTION	$ 517,500	$ 521,500
WATER DEPARTMENT	673,300	678,100
WATER TREATMENT PLANT	1,910,000	1,918,100
WASTEWATER DEPARTMENT	968,600	968,600
DIRECT EXPENDITURE SUBTOTAL	**4,069,400**	**4,086,300**
OTHER EXPENSES		
DEBT SERVICE - WATER	545,200	521,100
DEBT SERVICE - WASTEWATER	586,900	611,300
RETIREES HEALTH CARE	178,600	60,200
OTHER EMPLOYMENT EXPENSES	20,000	3,100
KENT COUNTY TREATMENT CHARGE	4,130,000	4,130,000
INTRAFUND SERVICE FEES	1,492,700	1,501,800
BANK & CREDIT CARD FEES	46,200	46,200
OTHER EXPENSES SUBTOTAL	**6,999,600**	**6,873,700**
TRANSFER TO:		
GENERAL FUND FROM WATER	550,000	550,000
GENERAL FUND FROM WASTEWATER	300,000	300,000
WATER IMP AND EXT	1,800,000	1,800,000
WASTEWATER IMP AND EXT	1,500,000	1,500,000
CONTINGENCY RESERVE WATER	32,000	32,000
TRANSFER TO THE GENERAL EMPLOYEES PENSION FUND	-	248,400
TRANSFER TO SUBTOTAL	**4,182,000**	**4,430,400**
TOTAL EXPENSES	**15,251,000**	**15,390,400**
BUDGET BALANCES		
BUDGET BALANCE WATER	1,048,600	**684,015**
BUDGET BALANCE WASTEWATER	583,100	**830,894**
BUDGET BALANCE SUBTOTALS	**1,631,700**	**1,514,909**
TOTAL CURRENT YEAR BALANCES AND EXPENSES	**$ 16,882,700**	**$ 16,905,309**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

2015-2016 BUDGET ORDINANCES - SECOND AMENDMENT

WATER/WASTEWATER IMPROVEMENT & EXTENSION FUND
CASH RECEIPTS/REVENUES AND BUDGET FOR 2015-2016

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

The amount hereinafter named aggregating Thirteen Million One Hundred Fifty Eight Thousand Six Hundred dollars ($13,158,600) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year begining July 1, 2015 and ending June 30, 2016:

CASH RECEIPTS

	2015/16 BUDGET	2015/16 REVISED
BEGINNING BALANCE - WATER	$ 833,500	$ 4,990,300
BEGINNING BALANCE - WASTEWATER	1,027,600	4,551,700
TOTAL BEGINNING BALANCES	**1,861,100**	**9,542,000**
REVENUES		
TRANS FR OPERATING FUND - WATER	1,800,000	1,800,000
TRANS FR OPERATING FUND - WASTEWATER	1,500,000	1,500,000
TRANSFER FR WASTEWATER IMPACT FEE	165,000	165,000
INTEREST INCOME	25,000	69,900
GRANT RECEIPTS	-	20,300
MISCELLANEOUS RECEIPTS	-	61,400
TOTAL REVENUES	3,490,000	3,616,600
TOTAL BEGINNING BALANCES & REVENUES	**$ 5,351,100**	**$ 13,158,600**

EXPENSE SUMMARY

EXPENSES	2015/16 BUDGET	2015/16 REVISED
WATER	$ 2,028,600	$ 5,442,600
WASTEWATER	1,822,100	5,299,100
WATER TREATMENT PLANT	-	284,400
BANK FEES	**-**	**-**
TOTAL EXPENSES	3,850,700	**11,026,100**
BUDGET BALANCE - WATER	617,400	**1,179,950**
BUDGET BALANCE - WASTEWATER	883,000	**952,550**
CURRENT YEAR BALANCE SUBTOTALS	1,500,400	**2,132,500**
TOTAL BUDGET BALANCES & EXPENSES	**$ 5,351,100**	**$ 13,158,600**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

2015-2016 BUDGET ORDINANCES - SECOND AMENDMENT

WATER/WASTEWATER CAPITAL ASSET RESERVE
CASH RECEIPTS/REVENUES AND BUDGET FOR 2015-2016

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

The amount hereinafter named aggregating One Million Twenty Eight Thousand dollars ($1,028,000) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2015 and ending June 30, 2016:

CASH RECEIPTS

	2015/16 BUDGET	2015/16 REVISED
BEGINNING BALANCE - WATER	$ 514,600	$ 510,700
BEGINNING BALANCE - WASTEWATER	511,300	509,500
TOTAL BEGINNING BALANCES	**1,025,900**	**1,020,200**
RECEIPTS		
INTEREST EARNINGS - WATER	3,900	3,900
INTEREST EARNINGS - WASTEWATER	3,900	3,900
TOTAL RECEIPTS	7,800	7,800
TOTALS	**$ 1,033,700**	**$ 1,028,000**

EXPENSE SUMMARY

	2015/16 BUDGET	2015/16 REVISED
CURRENT YEAR BALANCE - WATER	$ 518,500	$ 514,600
CURRENT YEAR BALANCE - WASTEWATER	515,200	513,400
CURRENT YEAR BALANCE SUBTOTALS	**1,033,700**	**1,028,000**
TOTALS	**$ 1,033,700**	**$ 1,028,000**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

2015-2016 BUDGET ORDINANCES - SECOND AMENDMENT

WATER/WASTEWATER IMPACT FEE RESERVE
CASH RECEIPTS/REVENUES AND BUDGET FOR 2015-2016

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

The amount hereinafter named aggregating Two Million One Hundred Eighty Two Thousand Eight Hundred dollars ($2,182,800) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2015 and ending June 30, 2016:

CASH RECEIPTS

	2015/16 BUDGET	2015/16 REVISED
BEGINNING BALANCE - WATER	$ 200,500	$ 427,500
BEGINNING BALANCE - WASTEWATER	1,463,400	1,742,700
TOTAL BEGINNING BALANCES	**1,663,900**	**2,170,200**
RECEIPTS		
INTEREST EARNINGS - WATER	1,500	1,500
INTEREST EARNINGS - WASTEWATER	11,100	11,100
TOTAL RECEIPTS	**12,600**	**12,600**
TOTALS	**$ 1,676,500**	**$ 2,182,800**

EXPENSE SUMMARY

	2015/16 BUDGET	2015/16 REVISED
TRANSFER TO I & E FUND FROM WASTEWATER IMPACT FEES	$ 165,000	$ 165,000
CURRENT YEAR BALANCE - WATER	202,000	429,000
CURRENT YEAR BALANCE - WASTEWATER	1,309,500	1,588,800
CURRENT YEAR BALANCE SUBTOTALS	**1,511,500**	**2,017,800**
TOTALS	**$ 1,676,500**	**$ 2,182,800**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

2015-2016 BUDGET ORDINANCES - SECOND AMENDMENT

WATER/WASTEWATER CONTINGENCY RESERVE
CASH RECEIPTS/REVENUES AND BUDGET FOR 2015-2016

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

The amount hereinafter named aggregating Three Hundred Twenty Nine Thousand Six Hundred dollars ($329,600) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2015 and ending June 30, 2016:

CASH RECEIPTS

	2015/16 BUDGET	2015/16 REVISED
BEGINNING BALANCE - WATER	$ 104,900	$ 105,200
BEGINNING BALANCE - WASTEWATER	189,700	190,200
TOTAL BEGINNING BALANCES	**294,600**	**295,400**
RECEIPTS		
INTEREST EARNINGS	2,200	2,200
TRANSFER FROM OPERATING ACCOUNT TO WATER	32,000	32,000
TOTAL RECEIPTS	**34,200**	**34,200**
TOTALS	**$ 328,800**	**$ 329,600**

BUDGET SUMMARY

	2015/16 BUDGET	2015/16 REVISED
CURRENT YEAR BALANCE - WATER	137,700	138,300
CURRENT YEAR BALANCE - WASTEWATER	191,100	191,300
CURRENT YEAR BALANCE SUBTOTALS	**328,800**	**329,600**
TOTAL EXPENSES AND CURRENT YEAR BALANCES	**$ 328,800**	**$ 329,600**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

2015-2016 BUDGET ORDINANCES - SECOND AMENDMENT

ELECTRIC REVENUE FUND
REVENUES AND BUDGET FOR 2015-2016

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

The amount hereinafter named aggregating Ninety One Million Six Hundred Fifty Three Thousand Two hundred dollars ($91,653,200) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2015 and ending June 30, 2016:

	2015/16 BUDGET	2015/16 REVISED
BEGINNING BALANCE	**$ 6,177,600**	**$ 8,337,500**
BASE REVENUE		
DIRECT SALES TO CUSTOMER	78,279,200	78,279,200
UTILITY TAX	1,281,100	1,281,100
MISCELLANEOUS REVENUE	597,200	597,200
RENT REVENUE	202,600	202,600
GREEN ENERGY	128,000	128,000
INTEREST EARNINGS	47,900	47,900
TRANSFER FROM RATE STABILIZATION	3,000,000	3,000,000
TOTAL REVENUES	**83,536,000**	**83,536,000**
TOTAL BEGINNING BALANCE & REVENUES	**89,713,600**	**91,873,500**

2015-2016 BUDGET ORDINANCES - SECOND AMENDMENT
ELECTRIC REVENUE FUND EXPENSES AND BUDGET BALANCE FOR 2015-2016

EXPENSES	2015/16 BUDGET	2015/16 REVISED
POWER SUPPLY	$ 23,402,600	$ 23,402,600
SOLAR ENERGY	2,313,900	2,313,900
SOLAR RENEWAL ENERGY CREDITS	363,400	363,400
POWER SUPPLY MANAGEMENT	996,000	996,000
REC'S (Renewable Energy Credits)	673,400	673,400
RGGI (Regional Greenhouse Gas Init.)	175,000	175,000
PJM CHARGES - ENERGY	7,966,100	7,966,100
PJM CHARGES - TRANSMISSION & FEES	7,932,500	7,932,500
CAPACITY CHARGES	10,225,100	10,225,100
SUB-TOTAL POWER SUPPLY	**54,048,000**	**54,048,000**
PLANT OPERATIONS	6,434,600	6,382,900
GENERATIONS FUELS	1,167,300	1,167,300
PJM SPOT MARKET ENERGY	(1,708,300)	(1,708,300)
PJM CREDITS	(360,000)	(360,000)
CAPACITY CREDITS	(10,472,100)	(10,472,100)
GENERATION SUBTOTAL	**(4,938,500)**	**(4,990,200)**
POWER SUPPLY & GENERATION SUBTOTAL	**49,109,500**	**49,057,800**
DIRECT EXPENDITURES		
TRANSMISSION/DISTRIBUTION	4,068,600	**3,630,300**
ELECTRICAL ENGINEERING	1,335,800	**1,249,300**
ADMINISTRATION	839,300	**866,800**
METER READING	360,500	**327,200**
SYSTEMS OPERATIONS	679,800	**612,700**
DIRECT EXPENDITURE SUBTOTALS	**7,284,000**	**6,686,300**
OTHER EXPENSES:		
UTILITY TAX	1,281,100	1,281,100
ALLOW FOR UNCOLLECTIBLES	200,000	200,000
RETIREES HEALTH CARE	537,800	57,700
OTHER EMPLOYMENT EXPENSES	72,000	40,300
OPEB UNFUNDED LIABILITY	1,030,000	-
GREEN ENERGY PAYMENT TO DEMEC	128,000	128,000
INTRAFUND SERVICE FEES	3,738,500	3,763,500
INTEREST ON DEPOSITS	20,500	20,500
BANK & CREDIT CARD FEES	242,300	**259,300**
DEBT SERVICE	3,402,000	**1,617,700**
OTHER EXPENSES SUBTOTAL	**10,652,200**	**7,368,100**
TRANSFER TO:		
IMPROVEMENT & EXTENSION	3,500,000	3,500,000
GENERAL FUND	10,000,000	10,000,000
TRANSFER INSURANCE RESERVE	10,000	10,000
TRANSFER CONTINGENCY RESERVE	13,000	13,000
TRANSFER RATE STABILIZATION RESERVE	-	394,800
TRANSFER TO SUBTOTAL	**13,523,000**	**13,917,800**
TOTAL EXPENSES	**80,568,700**	**77,030,000**
BUDGET BALANCE - WORKING CAPITAL	**9,144,900**	**14,843,500**
TOTALS	**$ 89,713,600**	**$ 91,873,500**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

2015-2016 BUDGET ORDINANCES - SECOND AMENDMENT

ELECTRIC UTILITY IMPROVEMENT AND EXTENSION FUND
CASH RECEIPTS/REVENUES AND BUDGET FOR 2015-2016

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

The amount hereinafter named aggregating Fourteen Million Six Hundred Sixty One Thousand Two Hundred dollars ($14,661,200) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2015 and ending June 30, 2016:

REVENUES

	2015/16 BUDGET	2015/16 REVISED
BEGINNING BALANCE	**$ 3,623,600**	**$ 7,095,300**
REVENUES		
TRANSFER FROM ELECTRIC	3,500,000	3,500,000
TRANSFER FROM 2010 BOND RESERVE	-	2,108,000
GENERAL SERVICE BILLING	1,900,000	1,900,000
INTEREST EARNINGS	26,700	57,900
TOTAL REVENUES	**5,426,700**	**7,565,900**
TOTALS	**$ 9,050,300**	**$ 14,661,200**

EXPENSE SUMMARY

EXPENSES	2015/16 BUDGET	2015/16 REVISED
ELECTRIC GENERATION	$ 1,655,000	$ 2,299,800
TRANSMISSION AND DISTRIBUTION	2,887,600	3,602,900
ELECTRICAL ENGINEERING	1,724,300	3,401,700
METER READING	-	23,000
BANK FEES	**-**	**-**
TOTAL EXPENSES	**6,266,900**	**9,327,400**
BUDGET BALANCE	**2,783,400**	**5,333,800**
TOTAL BUDGET BALANCE & EXPENSES	**$ 9,050,300**	**$ 14,661,200**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

2015-2016 BUDGET ORDINANCES - SECOND AMENDMENT

ELECTRIC UTILITY CONTINGENCY RESERVE
CASH RECEIPTS/REVENUES AND BUDGET FOR 2015-2016

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

The amount hereinafter named aggregating Eight Hundred Fourty Two Thousand dollars ($842,000) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2015 and ending June 30, 2016:

CASH RECEIPTS

	2015/16 BUDGET	2015/16 REVISED
BEGINNING BALANCE	**$ 825,300**	**$ 822,700**
RECEIPTS		
INTEREST EARNINGS	6,300	6,300
TRANSFER FROM ELECTRIC FUND	13,000	13,000
TOTAL RECEIPTS	**19,300**	**19,300**
TOTALS	**$ 844,600**	**$ 842,000**

EXPENSE SUMMARY

	2015/16 BUDGET	2015/16 REVISED
CURRENT YEAR BALANCE	844,600	842,000
TOTALS	**$ 844,600**	**$ 842,000**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

2015-2016 BUDGET ORDINANCES - SECOND AMENDMENT

ELECTRIC UTILITY DEPRECIATION RESERVE
SOURCES AND USE OF FUNDS FOR 2015-2016

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

The amount hereinafter named aggregating Ten Million Thirty Three Thousand Eight Hundred dollars dollars ($10,033,800) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2015 and ending June 30, 2016:

CASH RECEIPTS

	2015/16 BUDGET	2015/16 REVISED
BEGINNING BALANCE	**$ 9,990,500**	**$ 9,957,900**
INTEREST EARNINGS	75,900	75,900
TOTALS	**$ 10,066,400**	**$ 10,033,800**

BUDGET SUMMARY

	2015/16 BUDGET	2015/16 REVISED
CURRENT YEAR BALANCE	10,066,400	10,033,800
TOTALS	**$ 10,066,400**	**$ 10,033,800**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

2015-2016 BUDGET ORDINANCES - SECOND AMENDMENT

ELECTRIC UTILITY FUTURE CAPACITY RESERVE
SOURCES AND USE OF FUNDS FOR 2015-2016

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

The amount hereinafter named aggregating Ten Million One Hundred Eighty Five Thousand dollars ($10,185,000) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2015 and ending June 30, 2016:

CASH RECEIPTS

	2015/16 BUDGET	2015/16 REVISED
BEGINNING BALANCE	**$ 10,140,900**	**$ 10,107,900**
INTEREST EARNINGS	77,100	77,100
TOTALS	**$ 10,218,000**	**$ 10,185,000**

BUDGET SUMMARY

	2015/16 BUDGET	2015/16 REVISED
CURRENT YEAR BALANCE	10,218,000	10,185,000
TOTALS	**$ 10,218,000**	**$ 10,185,000**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

2015-2016 BUDGET ORDINANCES - SECOND AMENDMENT

ELECTRIC UTILITY INSURANCE STABLIZATION RESERVE
SOURCES AND USE OF FUNDS FOR 2015-2016

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

The amount hereinafter named aggregating Seven Hundred Fifty Six Thousand Two Hundred dollars ($756,200) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2015 and ending June 30, 2016:

CASH RECEIPTS

	2015/16 BUDGET	2015/16 REVISED
BEGINNING BALANCE	**$ 743,100**	**$ 740,600**
INTEREST EARNINGS	5,600	5,600
TRANSFER FROM ELECTRIC FUND	10,000	10,000
TOTALS	**$ 758,700**	**$ 756,200**

BUDGET SUMMARY

	2015/16 BUDGET	2015/16 REVISED
CURRENT YEAR BALANCE	758,700	756,200
TOTALS	**$ 758,700**	**$ 756,200**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

2015-2016 BUDGET ORDINANCES - SECOND AMENDMENT

ELECTRIC UTILITY RATE STABLIZATION RESERVE
SOURCES AND USE OF FUNDS FOR 2015-2016

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

The amount hereinafter named aggregating Seven Million Nine Hundred Fifty Seven Thousand Five Hundred dollars ($7,957,500) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2015 and ending June 30, 2016:

CASH RECEIPTS

	2015/16 BUDGET	2015/16 REVISED
BEGINNING BALANCE	**$ 7,545,300**	**$ 7,505,400**
INTEREST EARNINGS	57,300	57,300
TRANSFER FROM ELECTRIC OPERATING FUND	-	394,800
TOTALS	**$ 7,602,600**	**$ 7,957,500**

BUDGET SUMMARY

	2015/16 BUDGET	2015/16 REVISED
TRANSFER TO ELECTRIC FUND	$ 3,000,000	$ 3,000,000
CURRENT YEAR BALANCE	4,602,600	4,957,500
TOTALS	**$ 7,602,600**	**$ 7,957,500**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

2015-2016 BUDGET ORDINANCES - SECOND AMENDMENT

MUNICIPAL STREET AID FUND
CASH RECEIPTS/REVENUES AND BUDGET FOR 2015-2016

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

The amount hereinafter named aggregating Six Hundred Seventy Three Thousand Two Hundred dollars ($673,200) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2015 and ending June 30, 2016:

CASH RECEIPTS

	2015/16 BUDGET	2015/16 REVISED
BEGINNING BALANCE	**$ 100**	**$ 100**
STATE GRANT	564,200	673,100
TOTALS	**564,300**	**673,200**

BUDGET SUMMARY

	2015/16 BUDGET	2015/16 REVISED
TRANSFER TO GENERAL FUND	564,200	673,100
CURRENT YEAR BALANCE	100	100
TOTALS	**$ 564,300**	**$ 673,200**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

2015-2016 BUDGET ORDINANCES - SECOND AMENDMENT

WORKERS COMPENSATION FUND
CASH RECEIPTS/REVENUES AND BUDGET FOR 2015-2016

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

The amount hereinafter named aggregating One Million Nine Hundred One Thousand Three Hundred dollars ($1,901,300) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2015 and ending June 30, 2016:

OPERATING REVENUES

	2015/16 BUDGET	2015/16 REVISED
BEGINNING BALANCE	**$ 1,052,600**	**$ 1,248,200**
INTEREST INCOME	10,600	10,600
PREMIUM FROM CITY	642,500	642,500
TOTALS	**$ 1,705,700**	**$ 1,901,300**

OPERATING EXPENSES

	2015/16 BUDGET	2015/16 REVISED
PROGRAM EXPENSES/SUPPLIES - CLAIMS	$ 475,000	$ 475,000
INSURANCE	103,900	103,900
BANK FEES	1,300	1,300
STATE OF DEL - SELF INSURANCE TAX	37,000	37,000
CONTRACTUAL SERVICES	25,000	25,000
TOTAL EXPENSES	**642,200**	**642,200**
CURRENT YEAR BALANCE	1,063,500	1,259,100
TOTALS	**$ 1,705,700**	**$ 1,901,300**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

2015-2016 BUDGET ORDINANCES - SECOND AMENDMENT

COMMUNITY TRANSPORTATION IMPROVEMENT FUND
CASH RECEIPTS/REVENUES AND BUDGET FOR 2015-2016

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

The amount hereinafter named aggregating Seven Hundred Forty Seven Thousand Two Hundred dollars ($747,200) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2015 and ending June 30, 2016:

OPERATING REVENUES

	2015/16 BUDGET	2015/16 REVISED
PRIOR YEAR BALANCE	**$ 144,000**	**$ 57,800**
GRANTS REVENUE	500,000	688,900
INTEREST INCOME	500	500
TOTALS	**$ 644,500**	**$ 747,200**

OPERATING EXPENSES

	2015/16 BUDGET	2015/16 REVISED
PROGRAM EXP. GRANT RELATED	$ 644,000	$ 655,100
CURRENT YEAR BALANCE	500	92,100
TOTALS	**$ 644,500**	**$ 747,200**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

2015-2016 BUDGET ORDINANCES - SECOND AMENDMENT

LIBRARY GRANT FUND
CASH RECEIPTS/REVENUES AND BUDGET FOR 2015-2016

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

The amount hereinafter named aggregating Three Hundred Thirty Eight Thousand Six Hundred dollars ($338,600) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2015 and ending June 30, 2016:

OPERATING REVENUES

	2015/16 BUDGET	2015/16 REVISED
PRIOR YEAR BALANCE	**$ 17,300**	**$ 30,600**
STATE GRANT	278,900	305,500
FEDERAL GRANT	2,500	2,500
TOTALS	**$ 298,700**	**$ 338,600**

OPERATING EXPENSES

	2015/16 BUDGET	2015/16 REVISED
STATE GRANTS		
FURNITURE/FIXTURES	$ 3,100	$ 7,000
OFFICE SUPPLIES	24,000	30,800
PRINTING AND DUPLICATING	13,200	12,500
PROGRAM EXPENSES/SUPPLIES	24,100	27,500
BOOKS	129,200	133,300
AUDIO VISUAL SUPPLIES	75,100	77,200
POSTAGE	100	100
TRAINING/CONF/FOOD/TRAV	2,000	8,800
CONTRACTUAL SERVICES	900	-
OFF EQP/REPAIRS & MAINT	6,000	6,300
OTHER EQUIP - LEASE	1,200	2,000
SUBTOTAL EXPENSES STATE GRANTS	**278,900**	**305,500**
FEDERAL GRANTS		
PROGRAM EXPENSES/SUPPLIES	2,500	2,500
SUBTOTAL EXPENSES FEDERAL GRANTS	**2,500**	**2,500**
GRAND TOTAL EXPENSES	**281,400**	**308,000**
CURRENT YEAR BALANCE	17,300	30,600
TOTALS	**$ 298,700**	**$ 338,600**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

2015-2016 BUDGET ORDINANCES - SECOND AMENDMENT

POLICE GRANTS FUND
CASH RECEIPTS/REVENUES AND BUDGET FOR 2015-2016

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

The amount hereinafter named aggregating Six Hundred Eighty Two Thousand Two Hundred dollars ($682,200) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2015 and ending June 30, 2016:

OPERATING REVENUES

	2015/16 BUDGET	2015/16 REVISED
PRIOR YEAR BALANCE	**$ 125,000**	**$ 154,900**
STATE AND FEDERAL GRANTS RECEIVED	527,300	527,300
TOTALS	**652,300**	**682,200**

OPERATING EXPENSES

	2015/16 BUDGET	2015/16 REVISED
EXPENDITURES		
PERSONNEL EXPENDITURES		
CADET PROGRAM SALARIES	71,400	71,400
CADET PROGRAM FICA	5,400	5,400
CADET PROGRAM W/COMP	3,500	3,500
MATERIALS AND SUPPLIES		
POLICE EQUIPT & PROG SUPP	410,600	379,600
TECHNOLOGY EQUIPMENT	20,000	20,000
ADMINISTRATIVE EXPENDITURES		
CELL PHONE CHARGES	15,000	15,000
TRAINING	17,000	45,000
AUDIT FEES	1,000	1,000
CONTRACTUAL SERVICES	-	3,000
TOTAL EXPENDITURES	**543,900**	**543,900**
OTHER FINANCING USES		
OPERATING TRANSFERS-OUT	74,400	74,400
TOTAL FINANCING USES	**74,400**	**74,400**
CURRENT YEAR BALANCE	34,000	63,900
TOTALS	**$ 652,300**	**$ 682,200**

The above budget represents the combination of all State & Federal Grants.

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

2015-2016 BUDGET ORDINANCES - SECOND AMENDMENT

SUBSTANCE ABUSE GRANTS FUND
CASH RECEIPTS/REVENUES AND BUDGET FOR 2015-2016

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

The amount hereinafter named aggregating One Hundred Fifty Nine Thousand Two Hundred dollars ($159,200) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2015 and ending June 30, 2016:

OPERATING REVENUES

	2015/16 BUDGET	2015/16 REVISED
PRIOR YEAR BALANCE	**$ 41,000**	**$ 98,200**
STATE GRANTS RECEIVED	55,700	28,000
RECREATION REVENUE	33,000	33,000
TOTALS	**129,700**	**159,200**

OPERATING EXPENSES

	2015/16 BUDGET	2015/16 REVISED
EXPENDITURES		
TEMPORARY HELP/BENEFITS	71,400	71,400
PROGRAM EXPENSES/SUPPLIES	5,400	5,400
TOTAL EXPENDITURES	**76,800**	**76,800**
CURRENT YEAR BALANCE	52,900	82,400
TOTALS	**$ 129,700**	**$ 159,200**

The above budget represents the combination of all State & Federal Grants.

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

FINAL READING

CITY OF DOVER PROPOSED ORDINANCE #2016-05

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

That Chapter 106 - Traffic and Vehicles, Article III - Stopping, Standing and Parking, Division 2 - Metered Parking, Section 106-164 - Violations; Penalties of the Dover Code be amended by deleting the text indicated in red strikeout and inserting the bold, blue text, as follows:

Sec. 106-164. - Violations; penalties.

(a) Generally. Any person convicted of violating the provisions of this article or of aiding, abetting or assisting in the violation of said provisions shall be sentenced to pay a fine as provided for in Appendix F-Fees and Fines.

(b) Enhanced civil enforcement authority. If ~~five~~ **three** or more violations of this article have been issued to a vehicle and those violations are more than 30 days past due, or if accumulated unpaid violations of this article exceed more than $100.00, the vehicle shall be subject to enhanced civil enforcement, as follows:

(1) Such vehicle found parked on any street in the city shall be immobilized by any police officer or parking enforcement employee of this city in such manner as to prevent its operation. Any vehicle so immobilized or impounded shall not be released to its lawful owner until all unpaid violations and applicable administrative fees issued to such owner have been discharged by payment in full, together with payment for the costs of immobilizing, releasing, and storing such vehicle. The owner shall sign a receipt for such vehicle. Payment for any such towing shall be in accordance with the towing costs outlined in the current agreement between the police department and the towing operator. If the vehicle is a tractor-trailer combination, the trailer may be released to an authorized agent if the tractor-trailer is immobilized pursuant to this section.

(2) In any case involving immobilization of a vehicle pursuant to this section, the police officer or parking enforcement employee shall place on such vehicle, in a conspicuous manner, notice sufficient to warn any individual that such vehicle has been immobilized and that any attempt to move such vehicle might result in damage to such vehicle.

(3) Any vehicle remaining immobilized and not released for 24 hours may be towed and impounded at the direction of a police officer or parking enforcement employee.

(4) Any person who unlawfully removes a device for immobilization of a vehicle shall be fined as provided for in Appendix F-Fees and Fines.

(5) Any person who tows or otherwise moves an immobilized vehicle without authorization by the chief of police or his designee shall be fined as provided for in Appendix F-Fees and Fines.

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(c) Cost. No cost will be assessed if payment of the penalty as hereinbefore imposed is voluntarily paid without the necessity of a hearing before the proper official.

(Code 1968, § 31-77; Ord. of 8-25-1971, § 1; Code 1981, § 13-49; Ord. No. 2009-09, 6-22-2009; Ord. No. 2011-22, 9-26-2011; Ord. No. 2015-09, 6-8-2015)

ADOPTED: *

S:\ORDINANCES\2016\DRAFT\ORDINANCE #2016-05 CH 106, ART III, DIV 2, SEC 106-164 VIOLATIONS-PENALTIES\Ordinance #2016-05 Ch 106, Art III, Div 2, Sec 106-164 Violations-Penalties-FINAL READING.wpd

SYNOPSIS

The amendment reduces the maximum number of past due or accumulated violations from five to three in order for a vehicle to be subject to enhanced civil enforcement.

(SPONSORS: HOSFELT AND HUTCHISON)

Actions History

02/22/2016 - Scheduled for Final Reading - City Council
02/08/2016 - First Reading - City Council
01/26/2016 - Introduced - Council Committee of the Whole/Safety Advisory and Transportation Committee

Draft

FINAL READING

CITY OF DOVER PROPOSED ORDINANCE #2016-06

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

That Chapter 26 - Businesses, Article II - Licenses, Section 26-40 - License Issuance, Expiration and Form of the Dover Code be amended by deleting the text indicated in red strikeout and inserting the bold, blue text, as follows:

Sec. 26-40. - License issuance, expiration and form.

Upon proper application and payment of the prescribed fee, a license shall be issued to each such applicant, and shall be signed by the license officer~~, the city clerk, the fire marshal and the executive officer of the board of health~~. Each such license shall be valid and effective from ~~July~~ **August** 1 of each year or the date of issuance to ~~June 30~~ **July 31** of the following year. A record of all licenses issued and licensee fees paid shall be maintained at the city hall. Each such license shall be upon a form provided by the ~~clerk of the council~~ **department of planning and inspections**, which shall set forth the following information:

(1) The name and business address of the licensee;
(2) The trade, business or occupation for which the license is granted;
(3) The date of issuance of the license;
(4) The amount of the license fee paid to the city.

(Code 1968, § 18-20; Ord. of 3-12-1973, § 1(3)(b); Code 1981, § 11-9)

BE IT FURTHER ORDAINED:

That Chapter 26 - Businesses, Article II - Licenses, Section 26-42 - Penalty for Late Payment of License Fee of the Dover Code be amended by deleting the text indicated in red strikeout and inserting the bold, blue text, as follows:

Sec. 26-42. - Penalty for late payment of license fee.

In the event that the license fee set forth herein is not paid on or before ~~July~~ **August** 31 of each year, then the licensee shall incur a penalty fee as provided for in Appendix F-Fees and Fines until the same is paid.

(Ord. of 3-12-1973, § 1(9); Code 1981, § 11-11; Ord. of 2-23-1998; Ord. No. 2009-09, 6-22-2009)

ADOPTED: *

S:\ORDINANCES\2016\DRAFT\ORDINANCE #2016-06 CH 26-BUSINESS, ART II-LICENSES, SEC 26-40 LICENSE ISSUANCE\Ordinance #2016-06 CH 26, ART II, SEC 26-40 LICENSE ISSUANCE AND 26-42 PENALTY-FINAL READING.wpd

Ssynopsis

The amendments would bring the license renewal process in line with the fiscal year end.

(SPONSORS: HOSFELT AND TOWNSHEND)

Actions History

02/22/2016 - Scheduled for Final Reading - City Council meeting
02/08/2016 - First Reading - City Council meeting
01/26/2016 - Introduced at Council Committee of the Whole/Legislative, Finance, and Administration Committee meeting

Draft