REGULAR COUNCIL MEETING
AGENDA

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

CITY HALL COUNCIL CHAMBERS ✧ 15 LOOCKERMAN PLAZA ✧ DOVER, DELAWARE

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

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

INVOCATION BY BISHOP THOMAS L. HOLSEY

PLEDGE OF ALLEGIANCE LED BY COUNCILMAN SUDLER

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**
   - **A. SPECIAL COUNCIL MEETING OF DECEMBER 9, 2015**
   - **B. SPECIAL COUNCIL MEETING OF JANUARY 11, 2016**
   - **C. REGULAR COUNCIL MEETING OF JANUARY 11, 2016**

2. **PROCLAMATION - BLACK HISTORY MONTH**

3. **PUBLIC HEARING - VIOLATION OF THE DANGEROUS BUILDING ORDINANCE - EMERGENCY CASE - PROPERTY LOCATED AT 53 SOUTH NEW STREET, OWNED BY SIEKEN INVESTMENTS LLC**

   (STAFF RECOMMENDS: 1) DECLARING THIS BUILDING AND ALL ACCESSORY STRUCTURES ON THIS PROPERTY DANGEROUS; 2) ORDERING THE PROPERTY DEMOLISHED OR REPAIRED BY FEBRUARY 10, 2016 BY THE OWNER OR EQUITY OWNER AT THEIR OWN RISK; 3) ORDERING THE BUILDING INSPECTOR TO CAUSE THE DEMOLITION OF THE STRUCTURES IF NOT COMPLETED BY THE OWNER WITHIN 10 DAYS OF THE DATE ESTABLISHED BY CITY COUNCIL; AND 4) ORDERING THE CITY MANAGER, WITH THE ASSISTANCE OF THE CITY SOLICITOR, TO CAUSE THE COST OF DEMOLITION TO BE CHARGED AGAINST THE LAND ON WHICH THE BUILDING EXISTS AS A MUNICIPAL LIEN OR CAUSE SUCH COST TO BE ADDED TO THE TAX DUPLICATE AS AN ASSESSMENT, OR TO BE LEVIED AS A SPECIAL TAX, OR TO BE RECOVERED IN A SUIT AT LAW AGAINST THE OWNER.)

* **4. PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE REPORT - JANUARY 11, 2016**

A. PROPOSED RECREATION CENTER - DOVER PARK

(COMMITTEE REFERRED THE PROPOSAL BACK TO THE MAYOR FOR MORE INFORMATION)

B. AVAILABILITY OF SOCCER FIELDS

(COMMITTEE ACTION NOT REQUIRED)

C. LIGHTING AND SECURITY AT THE HAMLET PARK

(COMMITTEE ACTION NOT REQUIRED)

D. CITIZEN SUGGESTIONS - DOWNTOWN AMERICAN FLAG PROJECT, JUNE MYERS

(COMMITTEE ACTION NOT REQUIRED)

5. LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE REPORT - JANUARY 11, 2016

A. 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:, PARAGRAPH (D) - KEEPING DOMESTIC ANIMALS (SPONSORS: HARE, HUTCHISON, AND COLE) (SEE ITEM #9A)

(COMMITTEE 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)

* **6. QUARTERLY REVENUE REPORT**

(STAFF RECOMMENDS ACCEPTANCE OF THE REPORT)

7. EVALUATION OF BIDS

A. MASTER ELECTRICIAN

(STAFF RECOMMENDS AWARDING A BLANKET MASTER ELECTRICIAN SERVICES CONTRACT TO THE LOWEST BIDDER WITH NO MINIMUMS, DEVARY ELECTRIC FOR THREE (3) YEARS WITH THE OPTION TO EXTEND FOR AN ADDITIONAL TWO (2) YEARS (FIVE (5) YEARS TOTAL) AS PER THE PRICING INCLUDED IN THE BID SUBMITTAL. THE OPTIONAL TWO (2) YEARS EXTENSION WILL BE AT THE DISCRETION OF THE ELECTRIC DIRECTOR.)

B. ENVIRONMENTAL SERVICES

(STAFF RECOMMENDS AWARDING A BLANKET ENVIRONMENTAL SERVICES CONTRACT TO COMPLIANCE ENVIRONMENTAL, INC. WITH NO MINIMUM AMOUNTS. THE INITIAL PERIOD OF THE CONTRACT WILL BE THREE (3) YEARS WITH AN OPTION TO EXTEND THE CONTRACT FOR AN ADDITIONAL TWO (2) YEARS (FIVE (5) YEARS TOTAL) AS PER THE PRICING INCLUDED IN THE SUBMISSION.)

* **8. CONFIRMATION OF POLICE PENSION ELECTION - RETIRED CAPTAIN JOHN SIGLER - THREE (3) YEAR TERM TO EXPIRE JANUARY 31, 2019**

9. FIRST READING - PROPOSED ORDINANCES

IT IS RECOMMENDED THAT A PUBLIC HEARING BE SCHEDULED BEFORE THE PLANNING COMMISSION ON FEBRUARY 16, 2016 AT 7:00 P.M. AND THAT A PUBLIC HEARING BEFORE CITY COUNCIL BE SET FOR MONDAY, MARCH 14, 2016 AT 7:30 P.M. AT WHICH TIME THE SECOND READING AND FINAL ACTION BY COUNCIL WILL TAKE PLACE. COPIES OF THE PROPOSED ORDINANCES ARE AVAILABLE AT THE ENTRANCE OF COUNCIL CHAMBERS OR CAN BE OBTAINED FROM THE CITY CLERK'S OFFICE.

A. 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

(LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE)

B. ORDINANCE #2016-02 AMENDING THE 2008 COMPREHENSIVE PLAN, AS AMENDED, BY REPLACING MAP 12:1: LAND DEVELOPMENT PLAN (PROPOSED REVISIONS TO LAND USE CLASSIFICATIONS OF MULTIPLE PROPERTIES (MI-16-01))

C. ORDINANCE #2016-03 - REZONING REQUEST FOR LANDS OF KESSELRING COMPANY, LLC AND OTHERS, CONSISTING OF 37.2$^{+/-}$ ACRES LOCATED WEST OF NEW BURTON ROAD AND THE RAILROAD CORRIDOR AND INCLUDING THE PROPERTY LOCATED AT 1436 NEW BURTON ROAD. THE PROPERTIES ARE CURRENTLY ZONED R-20 (ONE-FAMILY RESIDENCE ZONE) AND THE PROPOSED ZONING IS IPM (INDUSTRIAL PARK MANUFACTURING ZONE)

(TAX PARCELS: ED-05-085.00-01-07.00-000 AND ED-05-085.00-01-07.00-001; PLANNING REFERENCE: Z-16-02; COUNCIL DISTRICT 2)

D. ORDINANCE #2016-04 - REZONING REQUEST FOR PROPERTY LOCATED AT 834 SOUTH STATE STREET, CONSISTING OF 17,000$^{+/-}$ S.F, OWNED BY MICHAEL W. AND WINIFRED M. BRAUN. THE PROPERTY IS CURRENTLY ZONED R-8 (ONE-FAMILY RESIDENCE ZONE) AND THE PROPOSED ZONING IS C-PO (COMMERCIAL AND PROFESSIONAL OFFICE ZONE)

(TAX PARCEL: ED-05-077.17-03-45.00-000; PLANNING REFERENCE Z-16-03; COUNCIL DISTRICT 2)

10. COUNCIL MEMBERS' ANNOUNCEMENTS

11. ADJOURNMENT

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SPECIAL COUNCIL MEETING

A Special Council Meeting was held on December 9, 2015 at 5:00 p.m. with Chairman Slavin presiding. Council members present were Mr. Anderson, Mr. Cole, Mr. Hare, Mr. Hosfelt, Mr. Hutchison, Mr. Lewis, Mr. Neil, and Mr. Sudler.

Council staff members present were Mr. Koenig (departed at 5:54, returned at 6:01 p.m., and departed at 6:35 p.m.), Mrs. McDowell, Mrs. Mitchell, Mrs. Townshend (arrived at 5:54 p.m.), and Mr. Rodriguez (arrived at 5:54 p.m.). Mayor Christiansen, Chief Bernat, Mrs. Hawkins (departed at 5:54 p.m.), Mr. Hudson, and Mr. Bowser (departed at 5:54 p.m.) were also present.

ADOPTION OF AGENDA

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

Mr. Hutchison moved to recess into Executive Session pursuant to 29 Del. C. §10004(b)(4) - collective bargaining strategy session, seconded by Mr. Cole and unanimously carried.

The Special Meeting recessed at 5:01 p.m.

Mr. Neil moved to adjourn the Executive Session, seconded by Mr. Anderson and unanimously carried.

Executive Session adjourned at 5:54 p.m.

POTENTIAL ACTION RESULTING FROM THE EXECUTIVE SESSION

Tentative Labor Agreement - Fraternal Order of Police (FOP)

Council President Slavin stated that during the Executive Session, Council discussed the tentative labor agreement with the Fraternal Order of Police (FOP). He indicated that no vote was taken in executive session and no vote was scheduled to be taken during the open session of the meeting. Mr. Slavin extended an opportunity for members of the public to speak regarding this matter.

Mr. LaMar Gunn stated that it had been brought to his attention, based on the agenda, that there was discussion on a tentative labor agreement between the City of Dover and the FOP. He indicated that most of the people in attendance were probably aware of the Officer Webster trial. Noting that he had some experience and familiarity with that incident, Mr. Gunn expressed his opinion that it was in the public's interest to handle the agreement situation with some level of transparency and involvement from the community. He stated the need to learn from past mistakes, and not keep doing the same things and expecting a different result. Mr. Gunn believed that the public should have some view of the labor agreement so that they could actually see what was being proposed and what Council was planning to vote on in the coming days. He indicated that he did not have all the facts and was hoping that the public, like himself, could learn them so they could participate in the issues affecting this great City. Noting that he had a relationship with the current Chief of Police and the previous Police Chief, Councilman Hosfelt, Mr. Gunn indicated that he was made aware of some things and tried to share as much as he possibly could with members of the community; however, he felt that it should not come down to things being relayed through him. Mr. Gunn urged that there be an open government where all parties who are stakeholders can participate in decisions that, in his opinion, are major and affect all. He felt that there was room to make significant improvements

to the labor agreement in regard to the Police Department and possibly the powers of the Chief, Mayor, or the City Manager. Mr. Gunn indicated that he was asking to start a positive dialogue regarding the contract and the improvements that could be made to prevent situations like those recently experienced with regard to the Officer Webster trial and the incident involving Mr. Lateef Dickerson. He expressed the desire to learn from this incident and make amendments to the contract as necessary. Mr. Gunn questioned if residents or constituents would be permitted to see the contract and requested that it be posted on the City's website.

Mr. Slavin stated that when the agreement is brought forward for public vote, it becomes a part of the packet that is provided for that meeting.

Mr. Gunn asked if the public was permitted to see the tentative labor agreement that was listed on the agenda. Responding, Mr. Slavin stated that State law prohibited the City from sharing the agreement until the public vote, which was tentatively scheduled for the next Regular City Council meeting on Monday, December 14, 2015.

Mr. Gunn questioned if members of the public could see the agreement beforehand, noting if they waited until it was presented on December 14, 2015, there would not be much time to review it. Responding, Mr. Slavin stated that this was the procedure.

Mr. Gunn asked if there was a special committee within Council that was reviewing the agreement in preparation for the vote. Responding, Mr. Slavin explained that Council meets as a whole to discuss the agreement in executive session.

For clarification, Mr. Gunn stated his understanding that members of the public would not get a chance to review the tentative agreement before it was scheduled for a vote on Monday, December 14, 2015. Responding, Mr. Slavin stated that members of the public were invited to be present on Monday when the agreement would be brought forward. At that time, they could listen to presentations that are made and the questions raised by their elected officials.

Mr. Hosfelt advised Mr. Gunn that the City's current contract with the FOP was available on the City's website.

Mr. Gunn asked if the current FOP contract was identical to the tentative contract that was being presented. Responding, Mr. Hosfelt stated that he could not discuss the tentative contract.

Ms. Sandra Dyer, 600 West Division Street, expressed her hope, after viewing the tape of the police officer, that he would not be walking the beat in Dover and that the Police Chief had the power to make that decision. If not, she felt that the contract needed to address this, stating that the officer treated a human being as if he were a dog. Ms. Dyer stated that a professional should have some self-control and should have been trained to know how to handle a situation and handle his own emotion.

Council President Slavin requested that speakers talk about the contract.

Mr. Anwar Dyer, 52 Traybern Boulevard, Camden, stated that it was going to be very important to keep Officer Webster off the street, indicating that it was not safe for any officer, personnel, or citizens for an officer like that to be on the street. Mr. Dyer advised members that he, his kids, and his family members walk the street. He implored members to make sure that they look at the best interests of everyone and stated his wish to be clear and provide fair warning about putting this officer back on the street. Mr. Dyer stated that he was not asking but demanding that members make the best decision or there would be consequences.

Dr. Kimberly Milligan expressed her belief that it was important that all the power does not lie in just one (1) person or one (1) group's hands, whether it is the police, the Police Chief, or the Mayor. She thought that more hands needed to be on deck when it comes to hiring and firing. Dr. Milligan felt that the public and those who represent the public should have a say in people getting hired and fired. She did not think that only the FOP should be in charge of hiring and firing police officers and that others should have a say as well. She expressed her opinion that Officer Webster is a pig.

Mr. Enrico Stratton-Bey stated his belief that returning Officer Webster to the police force would allow the community to see that they had no rights and that Council did not care about them. He felt it would also show that Council was giving the police the ability to say that it was okay to continue the action that they had been continuing for more than 20 years. Mr. Stratton-Bey did not think it reasonable to look at the video and say that it was legal and justifiable for those in or out of uniform to treat citizens this way, regardless of their history. He stated that if someone out of uniform had committed an act like that, they would not have gotten the same play that Officer Webster got. Mr. Stratton-Bey stated that the victim is usually there when someone is on trial; however, the victim was not present, and he felt this was misconduct. He expressed his opinion that if an ordinary citizen had done this, a warrant would have been issued for them, and there would have been threats made that they needed to be there or they would have been prosecuted. Mr. Stratton-Bey felt that putting Officer Webster back on the force would tell the community and the citizens of Delaware and Dover that police have the right to attack citizens whether they are in a felony prone position or if they are being snatched out of a vehicle. Mr. Stratton-Bey felt that this was history and it was not changing. He stated that change had to start with Council and asked members not to let the public think that they did not matter. Mr. Stratton-Bey noted that things were happening around the country that were not wanted here, noting that children and grandchildren have to grow up in these streets and did not want them to face this because if this had been his son, there was no telling what would have happened. Mr. Stratton-Bey expressed the need for change now, not in five (5) or 10 years, noting that Council had this document and the opportunity to make a change and he hoped they would do the right thing.

Ms. Cecile Coleman, 28 North Queen Street, stated that she thought it strange that Dover, Delaware was being compared to Mississippi and questioned how this community allowed what had occurred to persist. She indicated that she could not get over the visibility of the injustice showing. Ms. Coleman stated that she felt that people have something wrong with their brains, especially those of the so-called people of the jury, noting that everyone saw what was on the dashcam. She felt that the jurors were peculiar looking and something was wrong with that group, noting that she could not prove this. Ms. Coleman advised Council that they had the ability to make a correction and this was in their hands and nobody else's at this point. She felt that the FOP had big money to do what they were doing to keep things going. Ms. Coleman stated that Officer Webster had a history of all kinds

of complaints for years and nothing was done, nor was anything done regarding this occurrence. She reiterated that it was in Council's hands to make the correction so that Officer Webster would not go back on the force or on the streets. Ms. Coleman felt it was a big slap to the community to think that this man could walk around here and be an officer, questioning how there could be community relations when this was allowed to occur. She stated her desire to not be in Mississippi any longer.

Ms. Lillian Rogers, 67 Lynnhaven Drive, stated that she was looking around at fathers, brothers, sons, and grandfathers and people who she hoped would decide to turn the page today. She stated that the African-American community had not had good relations with the police and the City of Dover and that Council could decide right now to start anew by sending the message that, "sure you got off with this, but we won't tolerate this." Ms. Rogers stated that these types of people were not wanted on the police force.

Responding to Ms. Rogers, Mayor Christiansen confirmed that he was in charge of the Chief of Police.

Ms. Rogers stated that if the Mayor is in charge of the Chief of Police and the police officers are doing what they are doing, the Mayor could fire the Chief of Police. She felt that the Police Chief would have to clearly understand that he must take care of all the people and keep them safe, and she believed it was in his heart and in the hearts of all Council to do the right thing. Ms. Rogers felt that anybody who saw that video would know that the verdict was not the right thing. She understood that nothing could be done about that; however, members would get to decide on Monday whether they were going to do the right thing. She noted that they would get to turn the page and expressed her hope that they would do so for all citizens.

Reverend Rita Paige, 355 Rita Wilma Road, Dover, concurred with everything that had been said. She expressed her trust that those whom had been entrusted and elected to be a voice for people would do the right thing and not have Officer Webster back on the police force. She felt that young African-American males and females were being threatened now. Reverend Paige indicated that she personally had some reservations, slight concern, and fear about the safety of her children, nephews, and nieces, and for all of the young people in this community as they walk the streets. She stated that she was not convinced that justice would be served and they will not be harmed even if they do what the police ask, as she thought the videotape clearly showed. Reverend Paige felt that in order to keep peace, the community needed to build relationships with the police. She stated that this incident had knocked down that relationship; however, she indicated that when people get hurt, you have to rebuild trust, just as in a marriage. Reverend Paige was not convinced that all of the police officers or those in charge agreed with what happened. She stated her understanding that Councilman Hosfelt, former Chief of Police, had Officer Webster arrested or wanted to, and Mr. Hosfelt confirmed this. Reverend Paige expressed her hope that they would stand for what they really believe. She offered a passage of scripture, stating that those who are Christians of faith are required to do justly, love mercy, and walk humbly with our God, stating her trust that members would do this.

Ms. Carol Dyer, 52 Traybern Boulevard, Camden, stated that she agreed with everything that had been said and that this was an emotional subject for everyone, particularly people of color. She stated that others do not have to wake up every morning and determine whether someone was going

to look at them, whether they have to steal anything. They do not have to have a conversation with their children about making sure their hands are in or out of their pockets, or whether they have to say yes sir or no sir. Ms. Dyer stated that members have the luxury of not doing that. She advised members that her kids were straight-A students and that children can be taught everything, but what parents cannot control is someone shooting at them. She indicated that Officer Webster was able to change the way he looked, but she could not change the color of her skin. Ms. Dyer asked members to do their best to look at the hiring process and put people of color in the position, who understand. She stated that she had seen some of the training methods used that were inappropriate and that they were always looked at as a threat, which she felt was unfair for her child or anyone's child. Ms. Dyer stated that many people were tired, noting that she was disgusted and furious. Ms. Dyer advised members her 14-year-old had stated that Mr. Webster would be found not guilty because they had heard of Tamir Rice being shot at age 12; Aiyana Jones, while sleeping; John Crawford; and Sandra Bland, etc. She stated that she, her son, and her daughter were all those individuals who are at risk just by walking or getting a traffic ticket. Ms. Dyer noted that McVey and everyone else that have murdered and caused chaos are white, can walk off, and are not shot at, while she does not have that luxury. Ms. Dyer stated that she was angry and hurt and asked that Officer Webster not be put back on the streets, which would be an insult to her and to the families present. She stated that they would do whatever it takes to put pressure on the community and make sure that the right thing is done. Ms. Dyer stated that she was tired of praying because this had not brought anything but continuous chaos while people were shooting around the kids.

Mr. Fred Tolbert thanked Council for allowing those present to speak, noting that Council did not have to do that. He stated that people had strong feelings about what happened. Noting what was in the newspapers and what was going on in this country, he stated that we do not need to let this happen in Dover. Mr. Tolbert felt that Council had their hearts in the right place, although they may not do the right thing all of the time. He stated that meetings like this were needed to make Council aware of how the people feel, and he was present to support that. Mr. Tolbert stated that they were looking to Council to do the right thing to protect the African-American community who was being abused unmercifully and unnecessarily. He felt that enough was enough.

Ms. Elaine Parker, 95 Pear Blossom Lane, Camden, advised members that justice should have no color and they were asking Council to do the right thing. She stated that her community has to rear its kids differently and tell them certain things that others never even probably think about. Ms. Parker stated the need to understand that people have more in common than they have differences and to look beyond what a person looks like. She stated she had no doubt that if the incident had involved a black police officer and a white male, he would not have been convicted and she felt this was a travesty. Ms. Parker felt that all of the cases across the country proved this and that there was cover-up. She questioned how to trust the people that are paid to work for the community and for their best interest and expressed the need to do the right thing. Ms. Parker stated that she had tried to see beyond the video. Noting that it had been said that the officer aimed his kick for the upper torso, she questioned why he was kicking at all when there were two (2) police officers with guns there. Ms. Parker felt that injustice had been going on for hundreds of years. She felt that some white people were surprised, noting that if there had not been a video no one would have believed the incident happened and the case would not have been reopened. Ms. Parker stated that something was very wrong and it has to be stopped. She asked that members find out what is going on and stop hurting kids and families. She stated that there was not an African-American in the

world that could not provide a case of discrimination, bias, prejudice, mistreatment, in every area, including employment. For example, she explained that, as the only African-American participant in a multi-cultural training session, she had recounted being followed in stores to make sure that she was not stealing anything since this was the stereotype. Subsequently, a co-worker told her that after hearing this account, this co-worker observed three (3) African-American males being followed in this manner. Ms. Parker appealed to Council to come together and fix this thing because treating everybody equally or justly would bring about a better Dover and a better world.

Mr. Claude O. Tolson, 34 Heritage Drive, stated that he was probably known by some of the older officers because for many years he was in a lot of trouble with a lot of police officers. He felt that what was happening today was a travesty of justice. Mr. Tolson advised members that he had been arrested by police who were concerned about his well-being, what was going on with him, why he was not in school, and why he did not have a job. He felt that members should want bad officers out of the force because they give the rest of the good officers a bad name. Mr. Tolson stated that some officers think the worst of someone because of the neighborhood where they live, noting that an officer stated that he needed to get a job and stop selling drugs because of where he was living, although he was working two (2) jobs and going to college at the time. He explained that this officer was still on the force today, noting that his blood curdles every time he sees this officer due to the way he treats people just because of the color of their skin. Mr. Tolson felt that there must be something in the FOP contract to allow the weeding out of what was not good, noting that otherwise this issue would not stop but fester in the community. He stated that kids must interact with people of color and questioned who would protect the kids if everyone goes back to the old days when people hated each other because of color. Mr. Tolson stated the need to stop this while there was an opportunity. He felt the fact that Officer Webster was found not guilty was the worst travesty of justice seen in his lifetime and that this would be seen by anyone who watched the videotape. Mr. Tolson indicated that he cried when he saw the videotape because he thought it could have been him or his 22-year-old son. He advised members that his son was arrested a couple of months ago and charged with five (5) armed robberies because he was in Whatcoat. Mr. Tolson paid $5,000 that he did not have in order to get his son out on bail and all charges were dropped without going to court. He questioned where the justice was, stating that they knew he had nothing to do with it. He indicated that injustice to anyone anywhere was injustice to everyone everywhere.

Mr. Pernest Sparks stated that he did not want to give his address because of fear for the safety of himself and his family, stating that he could not trust the system which had failed him and his kids. He advised members that he was the father of 12 children, eight (8) of whom were living at home. Mr. Sparks felt that the verdict they witnessed was a smack in the face. He agreed with those who had spoken and with the gentleman who said that when Officer Webster does hit the streets, he may run against young people, noting that there are a lot of young people that do not care. Mr. Sparks felt that there was a problem with kids hurting each other and stated the desire for good officers that can be trusted. Mr. Sparks expressed worry about sending his kids to the store if Officer Webster were on the scene, stating his concern that bullets could be exchanged if Officer Webster were recognized. Mr. Sparks stated that he never expected something like this to happen in Dover. He stated that he felt that Dover was a nice place to raise a family but not anymore, not with this gentleman getting off with something like this. Mr. Sparks indicated that he understood that police officers have a job to do but noted that they also have a job to protect and serve. He understood that Officer Webster may have felt threatened; however, Mr. Sparks felt no one would feel threatened

by someone on their knees. Mr. Sparks disagreed with the outcome and felt that Officer Webster should not have a job on the Dover police force or anybody's police force. He asked that members not let Officer Webster have a job. Mr. Sparks felt that if he had been performing Officer Webster's job himself, he would have been fired, noting that he had held hundreds of jobs and been fired from them all for little things, stating his belief that disorderly conduct was anything that made someone turn their head.

Mr. Anwar Dyer inquired if Mayor Christiansen would be looking to see if he could get Officer Webster out. Responding, Mayor Christiansen stated to rest assured that he would take the appropriate action.

Mr. Dyer stated that he had shaken hands with the Mayor before about the Fletcher issue and things changed up. He asked if the Mayor would give him his word. Responding, Mayor Christiansen stated that he would do the best he could, and this was his word.

Mr. Anderson noted that Regular Council Meetings were normally televised and posted to the website. He questioned if the audio of this meeting would be posted for public record. Responding, Mr. Slavin stated that the public portion of the meeting was a matter of public record. He noted that audio is not typically posted; however, a way would be figured out to post the audio for this meeting.

Responding to Mr. Sudler, Mr. Slavin stated that a motion was not needed to post the audio and he would make sure that this happened.

Mr. Neil moved for adjournment, seconded by Mr. Anderson and unanimously carried.

The Special Meeting adjourned at 6:37 p.m.

TRACI A. McDOWELL
CITY CLERK

All ordinances, resolutions, motions, and orders adopted by City Council during their Special Meeting of December 9, 2015, are hereby approved.

ROBIN R. CHRISTIANSEN
MAYOR

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S:\AGENDAS-MINUTES-PACKETS-PRESENTATIONS-ATT&EXH\Council-Minutes\2015\12-09-2015 Special Council-PUBLIC COMMENT following FOP ES.wpd

SPECIAL COUNCIL MEETING

A Special Council Meeting was held on January 11, 2016 at 5:00 p.m. with Council President Slavin presiding. Members present were Mr. Anderson, Mr. Cole, Mr. Hare, Mr. Hosfelt, Mr. Hutchison, Mr. Neil, and Mr. Sudler. Mr. Lewis was absent.

Council staff members present were Mr. Koenig, Mrs. Mitchell, and Mrs. McDowell. Mayor Christiansen was also present.

ADOPTION OF AGENDA

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

Mr. Neil moved to recess into Executive Session pursuant to 29 Del. C. §10004(b)(4) - Potential Litigation and Collective Bargaining Strategy Session, seconded by Mr. Hosfelt and unanimously carried.

The Special Meeting recessed at 5:00 p.m.

Mr. Neil moved to adjourn the Executive Session, seconded by Mr. Anderson and unanimously carried.

Executive Session adjourned at 5:48 p.m.

ACTION RESULTING FROM THE EXECUTIVE SESSION

Conciliation Order by Consent - Department of Natural Resources

During the Executive Session, Mr. Scott Koenig, City Manager, provided historical information related to the City's Municipal Separate Storm Sewer System (MS4) Permit and advised members of a Conciliation Order proposed by the Department of Natural Resources.

Mr. Anderson moved to accept the City Manager's recommendations and authorize him to enter into conciliatory decree negotiations and agreement. The motion was seconded by Mr. Hosfelt and unanimously carried.

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

The Special Meeting adjourned at 5:50 p.m.

TRACI A. McDOWELL
CITY CLERK

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

ROBIN R. CHRISTIANSEN
MAYOR

/TM

REGULAR COUNCIL MEETING

The Regular Council Meeting was held on January 11, 2016 at 7:40 p.m. with Council President Slavin presiding. Council members present were Mr. Anderson, Mr. Sudler, Mr. Neil, Mr. Lewis, Mr. Cole, Mr. Hosfelt, Mr. Hare, and Mr. Hutchison.

Council staff members present were Police Chief Bernat, Mrs. Mitchell, Mr. Koenig, Mrs. Townshend, City Solicitor Rodriguez, and Mrs. McDowell. Mayor Christiansen was also present (departed at 7:47 p.m.). Fire Chief Carey was absent.

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. Eshed Alston advised members that he had lived in Delaware for 40 years, was an honorably discharged veteran, and had served at Dover Air Force Base. He stated that, due to an order from a judge who Mr. Alston felt was racist, he was unable to attend Delaware State University. Mr. Alston indicated that he filed litigation, and Mr. Charles Oberly had now removed this matter to federal court and was prosecuting Mr. Alston for bringing prosecution against Mr. Oberly. Mr. Alston stated that he was getting no help from the National Association for the Advancement of Colored People (NAACP) state-wide, noting that he was receiving more support from Mr. David Gist, from the Fraternal Order of Police (FOP), than from the NAACP. Mr. Alston stated that before New Year's Eve, a Councilman's daughter had been embarrassed in public because of paperwork that was not done properly, correctly, or in a manner suitable to Council. As a paperwork specialist, Mr. Alston stated that he could have gotten this done; however, as a result of the politics of racism, he was not asked. He felt that this Councilman would rather have his daughter embarrassed in public than ask for assistance from a qualified black person. Mr. Alston felt that the City of Dover was in crisis because of fraud and corruption in both the black and white communities. He expressed his opinion that veterans should be supported and that an honorable discharge should be worth something in America.

Mr. Syl Woolford, 1006 Coventry Lane, Newark, stated that he had been before Council previously to lobby for an apology for slavery and thanked City Council for supporting this initiative four (4) or five (5) years ago. He advised members that he considered himself a concerned citizen on many issues, noting that he is involved in the community, lectures on African-American history, and is involved in many civic organizations. Mr. Woolford stated that a policeman had used undue or unnecessary force, which should have been remedied by the criminal justice system but was not. From reading newspaper articles regarding this issue, Mr. Woolford felt there was a need for change and discussion. He indicated that no one had the right to kick anyone in the face or chest to bring them to justice. Mr. Woolford advised members that another agency, organization, or voice was being sought to remedy the situation, noting that silence was unacceptable, since silence says that what had occurred was right and just, but it was not. Mr. Woolford felt that there was much that could be done. He stated that the issue was not going away and that the Mayor and Council had to say this incident was wrong and would not happen again, whether the gentleman was black, white, rich, poor, green, yellow, or back in jail. Mr. Woolford stated that a police force cannot be on the street inflicting punishment on citizens and someone must stand up and say “not in this town, not

in this jurisdiction, never again." He expressed his hope that he would read in the paper that the City of Dover stated that they apologized for what had happened, it would never happen again, and Corporal Thomas Webster IV was off the police force.

Mr. James Wilson advised members that on approximately December 13th or December 20th, he was pulled over by a young, black police officer while returning to Dover from Wilmington, and was asked for his license, registration and insurance, which he provided. He stated that he was not speeding and was wearing a suit. Mr. Wilson informed members that he questioned why he was stopped and the officer indicated that he had a federal warrant and called two (2) additional officers, after which there were three (3) police cars present. He stated that the officer then said that he did not have a warrant. Mr. Wilson questioned if there was a law that states that the police can scan his tag every time they see him, because he would like to see this before filing an investigation with internal affairs at the Dover Police Department. Mr. Wilson stated that, according to Facebook, a police officer in South Carolina who pulled a black teenager across the floor after slamming him into a chair had been fired. He questioned if Council had the same heart to stand up as had been done there, stating his belief that they did not. Mr. Wilson expressed his belief that most white people condone evil. He felt that most people supported what Officer Webster had done, noting that the related video showed Lateef Dickerson on the ground. He felt that if Council was for freedom, justice, equality, and equal protection for blacks, there would have been no need for everyone to be present tonight. Mr. Wilson stated his opinion that some people do not want to change but desire to keep things like they were before 1965. He felt that slavery had been abolished except when someone commits a crime; therefore, it had not really been abolished and people were just playing games. Mr. Wilson questioned if games would continue to be played in Dover and if poor, black people would continue to be beaten up. He requested members to make a statement that enough is enough, in order to make things better and united in Dover and encouraged them to make the right decision.

Mr. Jack Guerin, Wilmington, stated that he was concerned about the excessive use of police force in Dover. He advised members that he was present because of press reports indicating that Officer Webster might be returned to duty, and he hoped that this was not true. Mr. Guerin felt that the young man that Officer Webster attacked appeared to be unarmed and obsequiously cooperative. He stated his understanding that Officer Webster was on probation when this incident occurred and that, several months earlier, Mr. Webster and another officer had taken two (2) drunken suspects from a 7-Eleven store in Dover to a rural area near a wildlife refuge in Little Creek and left them there. He noted that court papers filed by the prosecution indicated that one (1) of these individuals had asked to be taken to the hospital. Mr. Guerin stated that Officer Webster had generated 29 use-of-force reports, noting that three (3) strikes in Delaware will get someone a long prison sentence; however, 29 strikes could qualify someone to return to duty as a police officer. Mr. Guerin expressed concern about the type of people being hired to uphold the law in the State capital, noting that police officers are hired to protect citizens and not to attack them. He felt that reinstating Officer Webster would send a message to other police officers that there is no accountability for use of excessive force. Mr. Guerin advised members that police brutality is unacceptable, Officer Webster should be dismissed, and the City should require a strong new police contract outlawing excessive force.

Mr. LaMar Gunn advised members that he had been involved in football for many years, having played and coached, and that he was now serving as a college football official. He noted that in recent years he had made bad comments about coaches and players, calling them soft when they complained about rough hits. Mr. Gunn indicated that he had been wrong in making those comments, and that his old school, tough way of playing football had to advance with the times. He stated that policing policies were also out of date and asked the Mayor, Council President, Police Chief, and Council to prove that they care and are open to change by discarding outdated policies and becoming the model for 21st century policing. He noted that Council members and the Mayor each had a unique set of skills and talents and that the people who elected them deserve better than the status quo. Mr. Gunn indicated that those in attendance during the Special Council Meeting of December 9, 2015 were led to believe that Council was committed to meeting requirements for transparency and working to bring people together. He stated that he left that meeting believing that members of the community would have an opportunity to review and make suggestions for improving the City's labor agreement with the FOP. Mr. Gunn felt it was uncontroverted that the old FOP agreement was synonymous with the leather helmets once used for football and was more suitable for community trash receptacles. He advised members that he wanted good officers to receive raises and have a labor agreement; however, he questioned if the City must continue to operate under a closed government approach, driven by clandestine decisions and meetings geared towards protecting bad actors or officers. Mr. Gunn stated that he had listened to several officers and good, hard-working people who live here and expressed his desire to share with members a five (5) point plan focused on maximizing safety and improving cultural competency. He felt that Council would either strengthen their legacy by showing that they care or they would show who they were by ignoring the cries and interests of an entire community and would be written into the record for good or bad. Mr. Gunn indicated that he would like to believe that the elected officials were good people who would do what is difficult and hear the concerns of their brothers and sisters, stand as a model for the rest of the country and, as reflected in the State motto, be first and consider the needs of all people, stating that it was Dover's time to lead.

Ms. Cami Seward, Newark, stated that she was part of a coalition to dismantle the new Jim Crow. She agreed with Mr. Gunn that it was time for Dover to lead as the capital city of the First State. Ms. Seward advised members that law enforcement was very important to her, as her father worked for the department of corrections, retired as a warden of a federal prison in Texas, and then went on to become the Director for the State of Alaska. She stated that she had worked in juvenile justice, and her husband had worked his entire career in juvenile justice as well. Ms. Seward's brother was a retired policeman who went on to be a detective, and she indicated that she valued good law enforcement. She felt that it was time for Mr. Webster to move on, noting that most people leave jobs at different points in life for various reasons. Ms. Seward stated her understanding that the decision was with the Chief of Police and Mayor and she encouraged them to take this opportunity to begin healing the City of Dover.

Ms. April Murray, 2465 McKee Road, President, Dover Jaycees, stated that this civic group had been in Dover for 75 years and she expressed a desire to forge a better union with the City, shine a positive light for young professionals in Dover, and to help forge programs for younger people. Ms. Murray informed members that the organization runs several programs, including a program called Pitch, Hit, Run, which is run by Major League Baseball. She expressed the hope of the Jaycees to unify the schools and get kids off the couch into the fresh air and onto the field.

Ms. Murray stated that members could look forward to hearing more from her, stating an intention to hopefully be present at Council meetings every month. She noted that her first act as President of the Dover Jaycees for 2016 was to make sure that their meeting times would allow for them to attend City meetings.

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. Neil and unanimously carried.

Mr. Lewis requested that item #12A - Legislative, Finance, and Administration Committee Report of December 14, 2015 - Pilot Take Home Vehicle and Carryover Program, be removed from the Consent Agenda.

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

ADOPTION OF MINUTES - SPECIAL COUNCIL MEETING OF NOVEMBER 23, 2015

The Minutes of the Special Council Meeting of November 23, 2015 were unanimously approved by motion of Mr. Lewis, seconded by Mr. Anderson and bore the written approval of Mayor Christiansen.

ADOPTION OF MINUTES - SPECIAL COUNCIL MEETING OF DECEMBER 9, 2015 - VIOLATIONS OF THE DANGEROUS BUILDING ORDINANCE

The Minutes of the Special Council Meeting of December 9, 2015 (Violations of the Dangerous Building Ordinance) were unanimously approved by motion of Mr. Lewis, seconded by Mr. Anderson and bore the written approval of Mayor Christiansen.

ADOPTION OF MINUTES - SPECIAL COUNCIL MEETING OF DECEMBER 9, 2015

The Minutes of the Special Council Meeting of December 9, 2015 were unanimously approved by motion of Mr. Lewis, seconded by Mr. Anderson and bore the written approval of Mayor Christiansen.

ADOPTION OF MINUTES - REGULAR COUNCIL MEETING OF DECEMBER 14, 2015

The Minutes of the Regular Council Meeting of December 14, 2015 were unanimously approved by motion of Mr. Lewis, seconded by Mr. Anderson and bore the written approval of Mayor Christiansen.

PRESENTATION - RECOGNITION OF SERVICE - JAMES P. WEBSTER - PUBLIC ADVISORYCOMMITTEE OF THE DOVER-KENT COUNTY METROPOLITAN PLANNING ORGANIZATION (MPO) (JANUARY 2007 THROUGH OCTOBER 2015)

On behalf of the Mayor, Council, and City Staff, Mayor Christiansen presented Mr. Webster with a Dover Cup in recognition of his many years of service on the Public Advisory Committee (PAC) of the Dover-Kent County Metropolitan Planning Organization (MPO).

PUBLIC HEARING/FINAL READING OF PROPOSED ORDINANCE #2015-23 - REZONING REQUEST FOR PROPERTY LOCATED AT 904, 910, 930, 950, 956, 970, 986, AND 992 WHATCOAT DRIVE, OWNED BY WHATCOAT COMMUNITY DEVELOPMENT, INC.

A public hearing was duly advertised for this time and place to consider the rezoning of property located at 904, 910, 930, 950, 956, 970, 986, and 992 Whatcoat Drive, consisting of $4.282^{+/-}$ acres, owned by Whatcoat Community Development, Inc. The property is currently zoned RG-1 (General Residence Zone) and subject to the COZ-1 (Corridor Overlay Zone) and the proposed zoning is RG-2 (General Residence Zone) and subject to the COZ-1 (Corridor Overlay Zone). (Tax Parcel: ED-05-067.19-02-11.00-000; Planning Reference Z-15-04; Council District: 4).

Mr. Neil moved that the Final Reading of Proposed Ordinance #2015-23 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 November 23, 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 Planning Commission recommended approval of the rezoning request.

Public Hearing

Council President Slavin declared the public hearing open.

Mr. Andrew L. Parker, 910 Whatcoat Drive, stated that he was in support of the changes that are being proposed for renovating. He questioned whether the RG-2 zoning would change the number of subsidized housing in the community. Responding, Mrs. Townshend stated that the housing subsidy is addressed through the State program and the zoning would not affect it.

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

Mr. Hare moved for approval of the rezoning request, as recommended by the Planning Commission. The motion was seconded by Mr. Neil and, by a unanimous roll call vote, Council adopted Ordinance #2015-23, as follows:

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER BY CHANGING THE ZONING DESIGNATION OF PROPERTY LOCATED AT 904, 910, 930, 950, 956, 970, 986, AND 992 WHATCOAT DRIVE

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

WHEREAS, it is deemed in the best interest of zoning and planning to change the permitted use of property described below from RG-1 (General Residence Zone) and subject to the COZ-1 (Corridor Overlay Zone) to RG-2 (General Residence Zone) and subject to the COZ-1 (Corridor Overlay 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 RG-1 (General Residence Zone) and subject to the COZ-1 (Corridor Overlay Zone) to RG-2 (General Residence Zone) and subject to the COZ-1 (Corridor Overlay Zone) on that property located at 904, 910, 930, 950, 956, 970, 986, and 992 Whatcoat Drive, consisting of $4.282^{+/-}$ acres, owned by Whatcoat Community Development, Inc.
   (Tax Parcel: ED-05-067.19-02-11.00-000; Planning Reference Z-15-04; Council District: 4)

ADOPTED: JANUARY 11, 2016

PUBLIC HEARING/FINAL READING OF PROPOSED ORDINANCE #2015-20

A public hearing was duly advertised for this time and place to consider approval of proposed zoning text amendments to Appendix B - Zoning, Article 12 - Definitions of the Dover Code.

Mr. Hare moved that the Final Reading of proposed Ordinance #2015-20 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 November 9, 2015.)*

Mrs. Ann Marie Townshend, Director of Planning and Community Development, advised members that the amendments clarify that a one-family dwelling is a permanent dwelling unit placed on a permanent foundation, designed and intended for use by one family, and that one-family dwellings shall not included manufactured homes or mobile homes, but shall include modular homes constructed to the standards of the City Building Codes. She noted that the amendment adds a definition for manufactured homes. Mrs. Townshend advised members that this is the first step in a series of changes that will be coming forward to address the issue of manufactured housing in the City of Dover, and to update and thoroughly review the residential zones to ensure that they are providing the uses and the standards that the City wants. She also advised that the Planning Commission recommended adoption of the ordinance.

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

Mr. Hare moved for adoption of the ordinance, as recommended by the Planning Commission. The motion was seconded by Mr. Cole and, by a unanimous roll call vote, Council adopted Ordinance #2015-20, as follows:

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

That Appendix B - Zoning, Article 12 - Definitions of the Dover Code be amended by revising the definition for Dwelling, one-family and inserting the definition for Manufactured Home, to read as follows:

Dwelling, one-family: A permanent dwelling unit placed on a permanent foundation and designed and intended for use by only one family. One-family dwellings shall not include manufactured homes or mobile homes but shall include modular homes constructed to the standards of the Dover Code of Ordinances, Chapter 22 - Buildings and Building Regulations.

Manufactured Home: A factory-built housing unit designed and constructed to meet the Manufactured Home Construction and Safety Standards of the U.S. Department of Housing and Urban Development (HUD) Code. A manufactured home is built on a chassis that supports the structural integrity of the home and to allow transport to the site. Factory-built units built to meet the HUD Code and constructed after the code took effect on June 15, 1976 are classified as "manufactured homes."

ADOPTED: JANUARY 11, 2016

TENTATIVE LABOR AGREEMENT - FRATERNAL ORDER OF POLICE (FOP) (TABLED DURING THE MEETING OF DECEMBER 14, 2015)

During their Regular Council meeting of December 14, 2015 members of Council reviewed the proposed changes to the labor agreement for the Fraternal Order of Police (FOP). Noting that they had heard from the community and emotions were running high and that there were two (2) separate matters under consideration, Council members tabled action on the tentative labor agreement until the first meeting in January to provide Chief Bernat and the Human Resources Department time to determine what actions could be taken.

Mr. Hosfelt moved to lift the item from the table. The motion was seconded by Mr. Sudler and carried with Mr. Anderson voting no.

Mr. Scott Koenig, City Manager, reminded members that Mr. William Bowser, the City's Labor Chief Negotiator for the FOP successor agreement, previously briefed Council on the highlights of the tentative agreement that was reached between the City's negotiating team and the FOP and ratified by the FOP. He reviewed the tentative agreement, noting that a majority of the changes focus on the salary table and the benefits and compensation associated with employment as a Dover police officer. Mr. Koenig advised that there were some changes to holidays, overtime calculations, the physical fitness requirement, education assistance, and an incentive for Dover police officers to live within the incorporated municipal limits of the City of Dover.

Mr. Lewis asked how the labor agreement would affect the City Budget. Responding, Mr. Koenig stated that the calculation provided to Council was the estimated cost to implement the salary portion of the tentative agreement, which is approximately $1.45M over three (3) years. He noted that savings would be generated through health care cost sharing for new employees and the change from 80 to 84 hours for the officers on a patrol shift. Mr. Koenig advised that, for the current fiscal year, the tax rate would remain the same and the tax rate would be reviewed for FY17 and FY18 through

the budget process. He stated that Staff has committed to trying to keep all of the costs associated with the labor agreement within the existing tax structure.

Responding to Mr. Sudler, Mr. Bowser stated that there were questions raised prior to his December 14th presentation regarding the tentative collective bargaining agreement and the adoption and the application of rules and regulations of the Police Department itself. He noted that nothing in the tentative contract prohibits or limits the Chief of Police from applying the department's rules and regulations. Mr. Bowser noted that Article 1.7 of the collective bargaining agreement specifically provides that the Chief of Police has the exclusive right to discharge or discipline officers for violation of departmental rules and regulations. He read Article 1.7 for the record, as follows:

> The management of the City of Dover Police Department and the direction of all Department personnel, including the right to hire, assign, suspend, transfer, promote, discharge, or discipline for violation of the rules and regulations of the Department, duly promulgated, providing for such discipline, and to maintain the discipline and efficiency of its members is vested exclusively in the Police Chief.

Mr. Bowser noted that the article provides that the Chief's authority cannot be in derivation of State law. In this regard, the Chief's authority, or the collective bargaining agreement, could not violate the rights provided to an officer under the Police Officer's Bill of Rights, which was under discussion in the prior meeting.

Mr. Neil stated that, in other words, this was the same section of that agreement that was in place when the former Chief of Police sent what he believed was Webster's violation against the rules to a grand jury. Responding, Mr. Bowser stated that Section 1.7 deals with the right of the Police Chief to discipline the police force and has the authority to do so under the rules and regulations. Mr. Neil indicated that the Chief of Police did everything possible to show that excessive force was not acceptable. He also noted that State law must be obeyed and any proposed changes must come from the State. Mr. Bowser concurred that any Dover Ordinance or collective bargaining agreement must respect State law.

Mr. Anderson stated that he did not feel that the Officer's Bill of Rights would prohibit the City from updating the policies and procedures to include that excessive force is a dismissible offense. Responding, Mr. Koenig stated that he could not speak to the Officer's Bill of Rights; however, Section 1.7 allows the Chief of Police to duly promulgate rules and procedures.

Mr. Anderson asked Mr. Koenig if he thought they would be worse off if excessive force being a dismissible offense were included in the contract instead of updating the policies and procedures. Responding, Mr. Koenig stated that the broad management rights clause empowers the Chief of Police to direct the police force and to promulgate rules and regulations. He noted that nothing in the contract impairs his right to do so.

Mr. Sudler moved for approval of the labor agreement with the Fraternal Order of Police (FOP), as recommended by Staff. The motion was seconded by Mr. Hosfelt.

Mr. Anderson stated that he wanted to vote for the agreement because he wants to even out the pay for the lower ranks and be competitive for minority recruitment, as well as recruitment of quality candidates in general; however, he was concerned that certain changes still have not been made and they have been told to be patient and to wait. He stated that there is a point in time when, after 250 years, you wonder how much longer you are going to wait and be patient. Mr. Anderson advised that he is a conservative who believes in the institutions of this country and those that make this community great. He stated that he was supportive and also a Constitutionalist who believes that first and foremost, we have to live with the Constitution, which limits government. Without limited government there are no human rights or freedom. Government has to be held on a short leash. To do that, we have to respect the 4th, 5th, and 14th Amendments of our Constitution. If the State fails to do it, if the Federal government fails to do it, then we who have taken an oath have to make sure that our local policies and procedures do it. It is our government at a local level, and we have to make sure we fulfill our own oaths. Mr. Anderson stated that he believes they need to support their local police because they do a great job, noting the work they do building the community and their statistics-based management. He stated that he would rather have left the labor agreement on the table to continue the effort of making sure that the City's policies and procedures are a model and a leader in the Capital of the first State.

Mr. Hutchison thanked everyone for expressing their views, noting that their concerns were the City's concerns. He stated that he has lived in this community for a lifetime, has served this community for 25 years as a police officer, is a retired Chief of Police with the City, and has served 10 years as a Mayor of this City. Mr. Hutchison assured those present that every concern that was raised is a concern that every member of Council, the Mayor, and the Police Chief are concerned about. He stated that he has all the faith that due process is what the Mayor and the Police Chief are currently doing and that it is extremely important that we allow that process to work. Mr. Hutchison stated that he believes that approving the contract is the right thing to do for the right reasons because the men and women who serve as Dover police officers are taking care of our concerns every single day and night, and they need to be paid for what they do. He stated that the contract is separate from the issues and concerns raised.

The motion to approve the labor agreement with the Fraternal Order of Police (FOP), as recommended by Staff was carried by a roll call vote of seven (7) yes (Sudler, Neil, Cole, Hosfelt, Hare, Hutchison, and Slavin) and two (2) no (Anderson and Lewis).

VIOLATIONS OF THE DANGEROUS BUILDING ORDINANCE

Property Located at 1032-1058 South DuPont Highway, Owned by BMDR LLC - 60-Day Progress Report

During the Regular City Council Meeting of November 9, 2015, members considered a Violation of the Dangerous Building Ordinance at 1032-1058 South DuPont Highway, owned by BMDR LLC. At that time, Council declared the structure located at 1032-1058 South DuPont Highway a dangerous building; ordered that the property be repaired or demolished by July 1, 2016 by the owner or equity owner at their own risk; ordered the Building Inspector to cause the demolition of the structure if not completed by the owner within 10 days of the date established by City Council; ordered the City Manager with the assistance of the City Solicitor to cause the cost of demolition to be charged against the land on which the building exists as a municipal lien or cause such cost to be

added to the tax duplicate as an assessment, or to be levied as a special tax, or to be recovered in a suit at law against the owner; and that progress reports be provided at the Council Meetings scheduled for January 11, 2016, March 14, 2016, and June 13, 2016.

Mrs. Ann Marie Townshend, Director of Planning and Community Development, advised members that the condition of the property has improved. She noted the following: a stockade fence was put in at the rear of the property where it abuts the residential lots; the northern building, which was not the subject of the dangerous building case but which was in poor shape, has been demolished; and a construction fence is in place surrounding the site.

Mrs. Townshend noted that Mr. Robert MacLeish had advised her staff that they were working on the drawings for the building permit and expected to file the permit application within the next week or two (2). He also advised that they are working with one (1) of the tenants to remove items from their space so that they can work on the required interior demolition for the overall fit-out. Mrs. Townshend stated that the property owner has held to their promises and Staff will continue to work with them and to monitor the progress.

Mr. Hare moved to accept the report, seconded by Mr. Sudler and unanimously carried.

Property Located at 2 South Queen Street, Owned by KZ FOREVER LLC

During the Special City Council Meeting of December 9, 2015 (Violations of Dangerous Building Ordinance), a public hearing was held regarding violations of the dangerous building ordinance for property located at 2 South Queen Street, owned by KZ Forever LLC. At that time, it was the decision of Council to have the property owner provide Staff with estimates within 15 days and to place the matter on the January 11, 2016 agenda for discussion.

Mrs. Ann Marie Townshend, Director of Planning and Community Development, advised that a copy of the Structural Engineering Report, performed by Charles C. Mikula, Sr., P.E., was received on December 23, 2015. Also received, on December 22, 2015, were proposals from Bulldog Contracting and J&C Builders, Inc. and a receipt from David E. Wilson Electric for work that was completed. Mrs. Townshend noted that an updated proposal from J&C Builders, Inc. was received on January 8, 2016.

Mrs. Townshend advised that Mr. Mike McGregor, City of Dover Building Inspector, reviewed the Structural Engineering Report, along with the code enforcement case and the proposals that were provided. She noted that Mr. McGregor believes that, although the report addresses the sagging at the center of the floor area, the Structural Engineering Report is incomplete. Mrs. Townshend stated that the contractor discusses in his scope of work that all concrete footings are to be inspected for cracks, adequate attachment, scour and spalling. She noted that the engineer did not mention looking at any other foundation areas in his report. Mrs. Townshend advised that the proposal from Bulldog Contracting states "Install 2x12x16 treated lumber at rear foundation of the house. Install 2x12x16 treated lumber at left side of the foundation of house." She stated that these areas were not discussed in the structural report and it is not clear if this is an attempt to repair a rotten sill plate or room joist. Mrs. Townshend advised that the area should have been inspected by the engineer to determine if there is additional rot or termite damage, or other structural members, such as joists or sill plates.

Mrs. Townshend advised members that the grade at the rear, or west side, of the building is sloped toward the building, causing rainwater to run directly toward the building instead of shedding it away from the building. She noted that this is likely a contributing factor to rotten or termite-damaged wood in this area and it is not mentioned in the report, nor is the leaning chimney. Mrs. Townshend stated that the engineer may not have had the City of Dover case history report and only observed what he was requested to inspect.

Mrs. Townshend stated that the proposal from Bulldog Contracting proposes to "cosmetically cover any exposed area of exterior shingle siding with shingles." She advised that the building inspector researched asphalt shingles, which were used as an exterior wall cover in the 1930s and 1940s as a renovation alternative to painting weathered or rotted clapboards and covering deteriorated exterior walls of old homes. Mrs. Townshend indicated that the materials, which are no longer available on the market, may contain asbestos. She advised that nailing roof shingles over leaking, worn-out areas is not a proper repair to keep rainwater or moisture out of the building and the proper method of repair would be to remove and replace the siding.

Mrs. Townshend stated that none of the proposals addressed the mold, which was observed by the City inspector and noted in the case history. She noted that moisture is probably entering the building through the deteriorated siding and causing the mold to grow.

Mrs. Townshend advised that the absolute minimum standard of repair for an existing building without a planned major renovation is addressed in the International Property Maintenance Code. She stated that Section 304.2 of the Code states that "All exterior surfaces, including but not limited to, doors, dorm window frames, cornices, porches, trim, balconies, decks, and fences shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking, and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints, as well as those between the building and the perimeter of the windows, doors and skylights, shall be maintained weather-resistant and water-tight." Mrs. Townshend stated that Section 304.6 states that "All exterior walls shall be free from holes, breaks, and loose or rotting materials and maintained weather-proof and properly surface-coated where required to prevent deterioration." Mrs. Townshend advised that this scope does not even bring it to the standard of the International Property Maintenance Code and Staff maintains concerns.

Mr. Sudler advised that he would recuse himself from discussion of this item due to a conflict.

Responding to Mr. Hare, Mrs. Townshend stated that there is no rental permit for this address. Mr. Hare stated that someone was seen coming out of the back of this property and requested that someone check to see if there is a tenant.

Mr. Anderson stated that he read the inspector's report, the proposal, and the cost estimate and they did not seem to add together. Mrs. Townshend stated that Mr. McGregor noted that the Structural Engineering Report does not address the chimney and does not address several aspects of the foundation. His concern was that the Structural Engineering Report was incomplete, and therefore, the scope of work does not match the structural report. Mrs. Townshend stated that if the scope of

work is expected to be provided to obtain a building permit, there are no drawings that show how this work will be performed.

Mrs. Townshend stated that Staff is concerned that the structural report is incomplete and does not match the scope. The scope in the proposals by the contractor does not indicate that there has been any structural inspection and the inspector cannot determine that it is sufficient. Mrs. Townshend advised that Staff cannot look at the proposals and determine that the building will be code-compliant when the work is done because the structural report is incomplete. She noted that the proposal from Bulldog Contracting only addresses patching holes in the siding and does not address the issue of being weather-tight and water-tight. Mrs. Townshend reminded members that there is mold inside the building, which is an indication that moisture is getting in and the scope of what has been provided does not meet the minimum of the Code.

Mr. Anderson asked if Staff were looking for more than what was previously requested from the property owner and if there had been conversations with the property owner regarding the concerns expressed. Responding, Mrs. Townsend stated that the house needs to be brought into code-compliance and the level of deficiency in this structure is too extensive to detail everything in a report. She stated that the property owner was advised to obtain a Structural Engineering Report and that the siding needed to be repaired to make the house water-tight to keep moisture out.

Mrs. Townshend advised that the proposal presented by Bulldog Contracting indicates that they will cosmetically replace any exposed areas of exterior shingle siding with shingles, which will not improve the siding's function. Additionally, there is no warranty for the work and there is a disclaimer that the work is not guaranteed to pass any inspections, which indicate that performing the work may not bring the property to minimum code standards. Mrs. Townshend stated that she provided Bulldog Contracting with the pages from the International Property Maintenance Code that addressed the issues of the exterior walls and weather-tight and water-tight.

Mr. Hare noted that the property owner could spend $7,700 to do the work and it is possible that it would not pass inspection. Mrs. Townshend responded that Mr. McGregor is concerned that the scope of work is significantly more than what is addressed in the Structural Engineer's Report.

Responding to Mr. Anderson, Mrs. Townshend stated that the Code Enforcement Officer had a conversation with the property owner after the engineer's report and the proposals were received.

Responding to Mr. Anderson, Mrs. Townshend stated that if Council requires demolition, that decision could not be reversed. She advised that if Council allows time for repair, then they would need to set a time for repair, noting that, in this case, it would take longer than 30 days. Mrs. Townshend reminded members that Staff has changed their recommendation to exclude the option of repairing the property because there are a number of houses that have been declared dangerous and the owner's were given time to make repairs. Subsequently, those owners invested significant amounts of money and the properties were still not up to Code, so the City has proceeded with demolition. Mrs. Townshend stated that it is preferable to let the property owner know that the property is beyond repair before they invest in repairs.

Staff recommended: 1) Declaring the building and all accessory structures on the property dangerous; 2) Ordering the property demolished by February 11, 2016 by the owner or equity owner at their own risk; 3) Ordering the Building Inspector to cause the demolition of the structures if not completed by the owners within 10 days of the date established by City Council; and 4) Ordering the City Manager, with the assistance of the City Solicitor, to cause the cost of demolition to be charged against the land on which the buildings exist as a municipal lien or cause such costs to be added to the tax duplicate as an assessment, or to be levied as a special tax, or to be recovered in a suit at law against the owners.

Mr. Neil moved for approval of Staff's recommendation, seconded by Mr. Hosfelt.

Council President Slavin noted that this matter was not scheduled for a public hearing and that the property owner was present wishing to speak.

Mr. Neil moved to suspend the rules to allow the property owner to speak. The motion was seconded by Mr. Anderson and unanimously carried (Mr. Sudler recused).

Ms. Zionna Adamolekun, 9 East Loockerman Street, Suite 301, provided correspondence dated January 8, 2016, which Council President Slavin read into the record, as follows:

> "To the City Council Members and Mayor of the City of Dover.
>
> Dear City Council Members and Mayor:
>
> I'd like to first say thank you for the 15 day extension allotted, which has allowed me to provide you with the following information. Since I spoke with the City Council last month, I have been successful obtaining a general contractor for 2 South Queen Street, and have already completed phase one for addressing electrical hazards and violations in the Code Enforcement Report.
>
> The total cost of all repairs according to the estimate provided to me by J&C Builders will not exceed $8,000, which I am financially capable of covering.
>
> It is my intent to cure all the defective conditions cited in the Code Enforcement Report first and replace the asphalt siding with modern siding to improve the exterior décor.
>
> Also, for your review I have the engineer's Report, which the general contractor will use as specifications for reinforcing or adjusting any area of the unit that needs to be adjusted and addressed.
>
> As stated earlier, I thank you for your patience and now I am ready to proceed with bringing 2 South Queen Street up to City code, upon Council's approval.
>
> Thank you for your time and consideration."

Ms. Adamolekun stated that when the inspection was done on the 5th, she got notice on the 10th that all of the items needed to be completed. She noted that there was not sufficient time to remedy all of the issues, in addition to having the inspection and the structural report done. Ms. Adamolekun thought that seven (7) days was an unreasonable amount of time.

Ms. Adamolekun advised that she wrote to Mrs. Townshend requesting a more reasonable amount of time. She stated that City Staff expressed concern in a telephone conversation that Bulldog Contracting was not qualified to do the repairs. Ms. Adamolekun stated that she had to go with whoever was available during the time; however, Bulldog Contracting was not her first choice of contractor, but considering the short amount of notice and the holidays, a lot of contractors were out on vacation.

Ms. Adamolekun stated that she submitted another proposal from J&C Builders, Inc.; however, Mrs. Townshend focused her presentation on the Bulldog Contracting proposal and she is not hiring Bulldog Contracting. She stated that J&C Builders, Inc. addressed repairing the foundation and siding, and any other necessary work that is found that needs to be done.

Ms. Adamolekun stated that what has been referred to as mold is actually water stains on the drywall in one (1) area of the house where the pipes leaked at one time. She advised that she has not owned the property for a year yet and she has not been afforded the opportunity to bring it up to Code.

Mr. Anderson noted that the second estimate included "New pier foundation to be poured with solid concrete, and into bedrock, the same dimensions as existing" as part of the scope of work. He asked Ms. Adamolekun if she was taking a comprehensive approach to the repairs and if she felt that not being allowed to repair the property, which has been typically done for decades, either repair or demolish, would be an unnecessary infringement on her fundamental property rights. Ms. Adamolekun agreed that it would be an infringement on her rights. She also noted that she believed it would cost more to demolish the house than it would to repair it.

Mr. Hare suggested that Ms. Adamolekun consider having Mold Master do an inspection of the house.

Responding to Mr. Hare, Ms. Adamolekun stated that no one was living in the house; however, she does have someone who cleans and keeps an eye on the property for her.

Mr. Anderson moved to amend the motion to include the option to repair the property and to allow 90 days to either repair or demolish. The motion was seconded by Mr. Lewis.

Mr. Neil noted that money can be spent and this building could also be torn down if it does not meet Code.

The motion to amend the motion to include the option to repair the property and to allow 90 days to either repair or demolish failed by a roll call vote of three (3) yes (Anderson, Lewis, and Hare) and five (5) no (Neil, Cole, Hosfelt, Hutchison, and Slavin) (Sudler recused).

The motion for approval of Staff's recommendation to: 1) Declare the building and all accessory structures on the property dangerous; 2) Order the property demolished by February 11, 2016 by the owner or equity owner at their own risk; 3) Order the Building Inspector to cause the demolition of the structures if not completed by the owners within 10 days of the date established by City Council; and 4) Order the City Manager, with the assistance of the City Solicitor, to cause the cost of demolition to be charged against the land on which the buildings exist as a municipal lien or cause such costs to be added to the tax duplicate as an assessment, or to be levied as a special tax, or to be recovered in a suit at law against the owners was carried by a roll call vote of five (5) yes (Neil, Cole, Hosfelt, Hutchison, and Slavin) and three (3) no (Anderson, Lewis, and Hare) (Sudler recused).

DOVER HUMAN RELATIONS COMMISSION REPORT - AUGUST 25, 2015

The Dover Human Relations Commission met on August 25, 2015 with Chairman Smith presiding.

Community Development Opportunities

Presentation by Dr. Dan Young - TEDx Dover

Chairwoman Smith reminded members that during the DHRC meeting of July 28, 2015, she advised members that she had received an invitation from Dr. Dan Young, curator for TEDx at Wilmington University, to present at Wilmington's October TEDx Conference. Members discussed the possibility of a partnership between the DHRC and Dr. Young in bringing a TED talk event to Dover and Ms. Smith had indicated that she would invite Dr. Young to the next DHRC meeting to provide additional information about TED talks.

Ms. Smith advised members that Dr. Young is a professor in Wilmington University's doctorate program and some of his work had included trying to increase diversity among non-profit boards. She explained that Dr. Young had instructed at Temple University, West Chester University, and the University of Delaware and served on the board of the local American Civil Liberties Union (ACLU).

Dr. Young stated that TED was an acronym for "Technology, Entertainment, and Design," and TED talks had started as a non-profit in the 1970s and gained popularity in the last five (5) years. He explained that it allowed for people in local communities to share innovative ideas, initially in local churches, street corners, or libraries. After approximately 20 years, when YouTube began, TED talks were posted online and speakers obtained a much larger platform.

Dr. Young stated that he was a former financial advisor who went back to school and got a Ph.D. from Temple University. While teaching as an adjunct at the University of Delaware, he became worried about the basic disconnect between professors and students in research institutions. He explained that the TED program allows academics to show how people in different fields are using the theories that they research and get students to start thinking creatively.

Dr. Young stated that Wilmington University had held two (2), six (6) hour TEDx events with approximately seven (7) live speakers and four (4) to five (5) films that TED had previously curated. He advised members that he was also serving as a technical advisor to TED Seaford, which was scheduled for January 2016, and TED Dover. Dr. Young stated that there was a desire to make sure that there would be synergy between the events in all three (3) counties. He noted that every TED event in the State of Delaware was run by a man of color and they talked to each other about things that were not being represented in other TED talks so that Delaware could be at the forefront.

Dr. Young expressed the desire to make sure that any event in Dover would tap into the psyche of the community and open the lines of communication regarding specific issues in the City or Kent County. He advised members that he was not looking for labor but for ideas to bring to Delaware State University and the University of Delaware and ask them to vet TED speakers. Dr. Young also indicated that he would like to give members latitude to propose speakers for vetting. Interested speakers would provide a two (2) to three (3) minute video indicating what they would like to speak about, which would allow a determination of whether they have personality and are passionate. He wanted to make sure that what was put on stage would be representative of the community and that it would be a product that the citizens of Dover would be proud of.

In response to Ms. Denise Tolliver, 109 Garden Gate Road, Camden, regarding when the event in Dover would be held, Dr. Young stated that a license for the event was recently received and the program must be put on within one (1) year of the license, noting that a three (3) month extension could be requested. The date and location had not been set. Dr. Young expressed the desire to get opinions about the best places to hold the event, noting that he would love to get ideas that are "out of the box". He stated that most TED talks occur in school auditoriums; however, if there was an area that represented opportunities or struggles in the City of Dover and had audio-visual capability, he would be open to this.

Responding to Mr. Henderson's request for clarification on TED talks, Dr. Young stated that individual TED talks tend to be approximately 10 to 18 minutes in length, with an 18-minute maximum. Speakers talk about things that are innovative, creative, and relatively personal. He indicated that most TED talks differ from lectures because they have some element that causes the audience to think about an issue from a new and different perspective. If it is done well, the audience response is very visible and can be felt. Dr. Young noted that this would be a great opportunity to identify latent talent in the State of Delaware in terms of speakers and leaders. He indicated that he was passionate about this project because he felt it was the most effective way to inspire large numbers of people.

Responding to Ms. Smith about the DHRC's potential role in the project, Dr. Young stated that the DHRC was the first group that he had approached in Dover, and he wanted them to have as much ownership as they would like, from possibly

recommending speakers or sponsors, having a hand in running an event, or vetting speakers. He stated that after leaving today, he would like permission to e-mail members to find out what they think and in what ways they might be able to help.

Responding to Mr. McGiffin as to whether an email would be sent individually to members, Dr. Young stated that he could send a LISTSERV or forward an email through Ms. Smith to keep members informed and to get ideas about speakers, locations, or sponsoring organizations to contact. He also offered to provide the timeline and the framework of how the TED talk would work so that members would know the milestones on the event planning calendar. Dr. Young explained that there are two (2) types of TED talks: 1) TED talks that are sponsored by the TED organization and are held in places like Brazil, China, and Japan, with attendance of 15,000 to 20,000 people, and 2) TEDx talks, which are local events.

In response to Ms. Smith regarding the number of typical attendees, Dr. Young stated that TED parameters dictate that minor events can have a maximum of 100 attendees. He noted that at TEDx Wilmington University there were 100 student attendees and perhaps 70 volunteers. The maximum budget was $10,000. Donations and sponsors would be actively solicited from local businesses and individuals. Dr. Young indicated that he would probably ask a marketing company to put together the TEDx Dover sign, noting that there is always a sign that includes a giant TEDx inside the name of the City.

In response to Ms. Smith, Dr. Young stated that the number of speakers varies per event, noting that the program could be one (1) to three (3) hours in length or a half day, and a half-day event would include approximately seven (7) speakers and four (4) videos. He explained that TEDx Wilmington held full day events with upwards of 20 speakers. Dr. Young felt that a shorter event would be easier for Dover; however, if the City of Dover could integrate the concept with another event, they might like to hold a full day event.

Mr. Henderson suggested the Schwartz Theater for the Arts as a venue.

Mr. McGiffin suggested the brand new, soon to open, Inner City Cultural League as a possible venue, noting that this could bring those who otherwise might not come to this facility, which had the potential to have a large impact on the community. Mr. Henderson noted that Solid Rock Baptist Church had also opened a similar community center.

In response to Mrs. Sadusky as to whether ideas for topics were being sought, Dr. Young advised members that possible topics were submitted when the application for a license was submitted to TED. Some of the issues discussed were police, changes in legislature and governance, gambling and Dover Downs, and economic development, as well as looking at things that Dover does pertaining to the Firefly Music Festival and Dover International Speedway. Dr. Young indicated that

he would love to have some topics that would resonate specifically with the citizens of Dover.

Mr. Henderson noted that Dover was losing its talented pool of young people who leave when they come of age or graduate because they are looking for jobs and opportunities and feel there is no hope in Dover. He felt that perhaps TED could address this through talks on self-esteem and entrepreneurship.

Dr. Young felt that this concept of flight from Delaware resonated throughout the State and suggested that Delaware's counties could focus on their similarities rather than differences to work together. He noted that different areas in Delaware have their own stereotypes and questioned how to battle the stereotypes and get people to see them as opportunities.

Dr. Young stated that he would send Ms. Smith an email with a timeline of the things that go into the event.

Ms. Smith questioned how marketing the work of the DHRC would play into the event in terms of partnership, partial sponsorship, working in an advisory capacity, etc. Responding, Dr. Young stated that the DHRC could determine what they want to get out of it and incorporate marketing, noting that this could be as simple as putting the DHRC on all the marketing materials or having a table at the event with information about the Commission.

Ms. Smith stated that members would talk among themselves and follow up with Dr. Young.

Mr. Henderson expressed his opinion that the event sounded great, that he was in favor of being involved, and that he would like to be part of making it happen.

Mr. McGiffin felt that this was an opportunity that the DHRC could capitalize on. In terms of ideas for topics that would be relevant to the DHRC's mission and still fit the criteria of a TEDx talk, he felt that the topic suggested by Mr. Henderson in regard to flight from Delaware had great potential. Noting that he had recently learned how uninformed constituents in Dover were about how their government runs, including the role of the Mayor and Council, Mr. McGiffin felt this topic was also very important and would be useful. He reminded members that a recent election for a Kent County office was decided by one (1) vote, although 38,000 votes were cast, and suggested that if people appreciated how much of a difference they can make by voting and knowing who their Council representatives are and how to reach out to them, this might bring people together around common issues.

Mrs. Sadusky felt that the TED program was a great opportunity and exactly what the DHRC needed to do. She felt that conflict resolution and the government suggestion were good ideas for topics.

Mr. Henderson moved to recommend that the DHRC collaborate on the TEDx Dover project. The motion was seconded by Mr. McGiffin.

Ms. Tolliver expressed her opinion that, in the context of human relations, some of the topics mentioned by Dr. Young could also be viewed as threats, for example, police brutality and gambling. She asked that members think in terms of positive rather than negative exposure and controlling the message, noting that the Firefly Music Festival was an example of a positive topic.

Ms. Smith concurred, stating that it would be important to know how a topic like police brutality would be presented and if both sides would be shown. She felt it important to be clear about the event's agenda and what the DHRC's name is connected to. Ms. Smith stated the importance of understanding how much influence the DHRC would have in the relationship with TED and that this must be delicately negotiated during the initial conversation, and she offered to be part of this.

Mr. McGiffin felt that it would be fine to collaborate but not decide to sponsor or become more involved without taking additional action. He noted that it would not be desired to be tied to something unsavory or divisive. Mr. McGiffin indicated that members would not want to be involved with anything inconsistent with their function, but this could not be known without collaborating, and Mr. Roach concurred.

Mr. Henderson expressed his hope that sponsorship would not mean censorship.

Ms. Smith stated that she had seen many TED talks, but none that were so controversial as to incite violence. She explained that they are typically personal stories that get people thinking about the impact that others have on their growth, development, and experience.

The Commission recommended that the DHRC collaborate on the TEDx Dover organization.

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

Ms. Smith stated that she would forward the information when received from Dr. Young and questioned which members were interested in being involved. Mr. Henderson, Mrs. Sadusky, and Ms. Stewart stated their interest and Mr. McGiffin indicated that he would provide some ideas for topics.

DHRC Committee Updates

Government Policy, Programs, and Practices Committee

Mr. McGiffin, member of the Government Policy, Programs, and Practices (GPPP) Committee, stated that members of the Committee met with Police Chief Paul Bernat

and Deputy Chief Marvin Mailey to advise them that the DHRC was available to help them and to find out how the Commission could help. Mr. McGiffin informed them that the GPPP was trying to determine the City's status in terms of diversity in recruiting, employment, and service to the community and they discussed how the Police Department addresses diversity issues in these areas. He stated that the Police Department is required to perform minority recruiting and makes extensive efforts in the minority community, including outreach to schools and to Delaware State University. Mr. McGiffin informed members that the Police Department utilizes their cadet program as a recruitment tool, has been cited in their accreditation reports for their positive efforts with respect to recruiting, and is trying to improve. He indicated that the Police Department has relationships with local fraternities and sororities, does outreach to the community in concert with those organizations, and is conscious of their responsibility to reach out to the community in an educational way. Mr. McGiffin cited the Department's participation in a national Night Out Program during the first part of August which allowed the community to see police officers in non-threatening situations and provided demonstrations of equipment, K-9s, etc. He noted that the Police Department was also working on a Police Athletic League program and is involved in a lot of youth outreach and social media activities.

Mr. McGiffin indicated that he informed the Police Department that the DHRC intended to develop a survey for employees and the Chief and Deputy Chief welcomed this, noting that some things that would be relevant to police may not be relevant to other City departments. He stated that he would think about designing questions for particular departments rather than one (1) standard survey. Mr. McGiffin advised members that he would need some help on this and may ask one (1) of the new members to work with him.

Ms. Smith questioned if any members present wanted to join Mr. McGiffin on the GPPP Committee or if anyone would be able to help work on the survey, stating that this was the core of the DHRC's work in understanding what the community is thinking and feeling. She felt that the development of the survey could be completed within a meeting or two (2).

Mr. McGiffin stated that the raw material for the survey, which was previously provided by former Commissioner Eugene Ruane, needed to be culled into perhaps 20 questions to be used in a 10-minute survey that respondents could complete using SurveyMonkey. Mr. Roach stated that he would be willing to assist Mr. McGiffin. Mr. Roach questioned the process regarding new members joining the DHRC and expressed his feeling that new members should be included in this matter since it related to the core of the DHRC's mission. He noted that new members may have things that they would like to see on the survey. Mr. Roach stated that he did not want to delay the survey and thought that current members could begin working on it; however, he suggested not implementing the survey until new members were present.

Mr. McGiffin concurred with Mr. Roach and noted that it would take a while to finalize the survey.

Community Engagement Committee (Roach)
Mr. Roach advised members that Councilman Roy Sudler had organized a walk-through of the Lincoln Park neighborhood and Councilman David Anderson, Representative Sean Lynn, City Manager Scott Koenig, and some of the police cadets had participated. A flyer was also sent to the community requesting their participation. Mr. Roach indicated that the community was asked to air their concerns regarding the neighborhood and there was a good turnout. He felt that this was a good effort and showed the community that the City cared.

Ms. Smith stated that she had heard about this event and asked members to forward information regarding these types of events to the City to be forwarded to the DHRC when they are received, noting that it is important for all members of the DHRC to be part of these initiatives.

Education Committee (Henderson)
Chairman Henderson informed members that the Interdenominational Ministerial Alliance (IMA) and the National Association for the Advancement of Colored People (NAACP) were holding meetings to allow former and current State of Delaware employees who had experienced racial discrimination to share their stories. Mr. Henderson indicated that, as a member of the IMA, he had been invited to sit on a committee to hear complaints; however, he was hesitant because of a potential conflict of interest with his service on the DHRC. He wanted all DHRC members to be aware of these meetings, noting that one (1) such meeting was currently in progress in Smyrna, having been scheduled from 5:30 p.m. to 8:30 p.m. Mr. Henderson indicated that he was thinking of attending the meeting scheduled for August 27, 2015 at the Harvest House at Whatcoat United Methodist Church to observe. He stated that a final meeting was scheduled in Harrington at St. Paul's A.M.E. Church, from 5:30 to 8:30 p.m. Mr. Henderson stated that the NAACP would be there as well as the IMA Action Committee, which he believed was based in Wilmington.

Communications Committee
No report was provided by the Communications Committee.

Approval for Commissioners to Attend Four-Day Basic Mediation Training Conducted by the University of Delaware Institute for Public Administration - School of Public Policy and Administration
During the DHRC meeting of July 28, 2015, members discussed a Four-Day Basic Mediation Training session offered by the University of Delaware Institute for Public Administration (IPA) - School of Public Policy and Administration and scheduled for October 2015. Ms. Smith and Mr. Henderson expressed interest in attending. The Commission deferred scheduling members for the training so that

Mrs. Traci McDowell, City Clerk, could contact the IPA about the possibility of offering this training in Dover.

During the DHRC meeting of August 25, 2015, Ms. Smith advised members that the training would not be offered in Dover in the near future. In addition, since the July meeting, Mrs. Sadusky had indicated that she would also like to attend the training. Ms. Smith stated that members must consider how many and which Commissioners should attend. She indicated that the cost of the training was $725 per attendee and the DHRC's FY 16 budget was $2,000. Ms. Smith stated that members should consider what the return on the investment would be and what the Commission could expect of those who accept the opportunity to go.

Mr. McGiffin noted that the cost of three (3) attendees would exceed the $2,000 budget. Responding, Ms. Smith stated that the City Clerk's Office staff had spoken to Mr. Scott Koenig, City Manager, who was willing to approve the additional $125 needed. Ms. Smith reminded members that any further DHRC expenditures would have to be approved by the City Manager since the Commission had no additional funds budgeted.

Mr. Roach noted that the DHRC may have future expenditures, citing the TED talk. He suggested that one (1) person be a delegate to the training, get the information, and train the other Commissioners, which would maintain a budget for other projects or other types of training. Mr. Roach felt that members should have some idea of what they planned to spend funds on before spending the entire budget on training, and Mr. McGiffin concurred.

In response to Ms. Smith regarding the DHRC's FY 16 budget, Ms. Denise Devine, Assistant City Clerk, explained that $2,000 was budgeted and amounts above that must be requested from the City Manager, who would look at the entire City budget to see if there were savings that could go toward the additional expenses.

Mrs. Sadusky agreed that sending one (1) person might be a good approach.

Responding to Ms. Smith regarding the current status of registration and payment, Mrs. McDowell stated that Ms. Smith and Mr. Henderson were previously registered and payment had been made. Based on Mrs. Sadusky's expression of interest in attending, she was registered earlier in the day but payment had not been made pending the Commission's recommendation. Mrs. McDowell advised members that there was plenty of time to obtain a refund for any cancellations.

Ms. Smith felt that if a person is sent and becomes certified, that person must be available as a mediator if needed. She indicated that she would love to attend; however, she may not always be immediately accessible or available to serve as a mediator and felt it was important that there be another DHRC mediator who would be available.

Mr. Roach felt that the need for mediation would not be spontaneous and could be scheduled with the individual who was trained.

Mr. McGiffin was unsure that the DHRC members would be the mediators; however, he felt that an understanding of what a mediator could do, when a mediator is appropriate, and who in the community could possibly mediate would be a valuable skill set, and this would be the value of the training.

Mr. Roach stated that if the DHRC would not be professional mediators, there was no need to spend $800 to go to mediation training and be certified. He noted that enrichment training was less expensive than mediation training and suggested that perhaps a local resident who works in mediation may be able to provide the knowledge base needed. Mr. Roach questioned why the funds would be paid to provide certification that will not be used. He indicated that he would agree with sending one (1) person to the training but did not believe that three (3) people should be sent.

Ms. Stewart stated that perhaps one (1) individual could attend and report back to the group, and this item could be put in next year's budget. She suggested that this type of training might be obtained in the City of Dover and Dover managers could be brought in. Ms. Stewart expressed her opinion that University of Delaware does a phenomenal job with training and that the cost was reasonable compared to what might be charged by another non-profit entity doing this type of training.

Mrs. McDowell noted that this training would also be offered in the spring, so members could choose to wait until then and see what the other options would be.

Mr. Roach noted that the DHRC was just now developing the survey to obtain information about the overall feeling of the community and working on the TED talk project and may not be able to utilize the training until spring.

Mrs. Sadusky stated that she liked the idea of bringing one (1) person in to train all members and perhaps this could be covered in a workshop.

In response to Ms. Smith, Ms. Devine stated that the deadline for cancelling registrations would be 15 days prior to October 6, 2015, which would be September 15, 2015.

Ms. Smith suggested that a member be tasked with researching if there was someone else available to provide mediation training. Mr. Roach suggested that all members commit to researching this.

Ms. Stewart questioned if mediation training or conflict resolution training was desired, noting that the State of Delaware offers inexpensive training. She suggested reaching out to a State of Delaware trainer in conflict resolution, noting that this would not be nearly as in depth as the training being considered. Ms. Stewart

reiterated the value of the four (4) day training session because a lot of in-depth information would be provided, and it was her feeling that similar training could not be found that was more affordable.

Mrs. McDowell stated that the IPA had indicated that the training would ideally be provided at their site since the training set-up is room specific. They allow 12 attendees and like to have a diverse group. Mrs. McDowell stated that the IPA could not offer training in Dover until Spring 2016 and the cost would be $650 per person and an additional $1,000 for the trainer.

Ms. Smith noted that the cost would be over $5,000 for attendees plus an additional $1,000 for the trainer.

Mr. Roach indicated that he would like to send one (1) person to the IPA mediation training and table looking for another training provider until the spring. He noted that budgeted funds were available and should be spent.

Ms. Tolliver suggested that an alternate attendee also be selected.

The Commission recommended that Ms. Smith attend mediation training, with Commissioner Henderson being the alternate.

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

Ms. Tolliver noted that there is a $75 substitution fee. Responding, Ms. Devine stated that there would be no fee if the substitution was made less than 15 days in advance of the training.

Community Development Opportunities

Meeting with Capital School District Superintendent Dr. Dan Shelton

Chairwoman Smith advised members that a glitch prevented her and Commissioner Henderson from meeting with Dr. Dan Shelton, Capital School District Superintendent. In response to Mr. Roach, Ms. Smith stated that they were trying to reschedule this meeting.

Update on Commissioners' Tasks

Submission of Bios and Photos and Status of Website

Members reviewed the DHRC webpage on the City of Dover website, including member profiles with photos, contact information, and bios. Ms. Denise Devine, Assistant City Clerk, noted that members' badge photos were used for those who did not provide photos and that the information could be updated as members provide additional input. The DHRC 2015-2018 Strategic Plan was also included on the page.

Ms. Smith expressed her wish that members share in their bios the reasons why they decided to serve on the Commission in order to personalize, humanize, and connect them with the audience and asked that this be added.

Submission of Suggested Names and Bios for Commission Vacancies (First and Second Council Districts) and In-House Retreat

In response to Mr. McGiffin regarding the process for appointing new members, Ms. Devine stated that suggestions for members would be sent to the Council President and would then go forward to Council for consideration.

Ms. Smith stated that she had received one (1) name for the First District vacancy on the DHRC and one (1) for the Second District. She indicated that she would not move forward immediately and planned to call and meet with these individuals, noting the importance of having the skill sets at the table that would allow the Commission to move forward.

Ms. Smith stated that an in-house retreat would help members understand the skill sets and passions of DHRC members and how they wished to use them. She indicated that she wanted to speak to prospective members to find out what their strengths were, noting that a bio does not do that, although the bios she read were those of powerful people who would add value. Ms. Smith stated that if members felt the need to move forward and submit the bios to the Council President, she would do this; however, she felt that the planned in-house retreat would provide a clear understanding of what the DHRC has, how it can be used, and who could be brought to the table to add value.

Mr. Henderson questioned who the prospective members were, noting that members may have different impressions of the individuals.

Ms. Smith felt that prospective members should be invited to attend a DHRC meeting so that they would know what the Commission does, how it is done, and what they are committing to. She felt it important to have members who are engaged and passionate.

Mrs. Traci McDowell, City Clerk, reminded members that when selecting members for the First District or Second District, the respective City Council representatives and Council President must also concur. She suggested not waiting too long since the Council President could be contacted by someone expressing interest at any time and the item might then be placed on the City Council agenda.

Ms. Smith stated her desire to schedule an in-house retreat next month rather than a meeting and expressed the need to regroup to find out who members are and how to move the DHRC's agenda forward.

Mr. Roach felt that if there were people who were willing to volunteer for the Commission they should not have to prove themselves, since the current members did not have to do this. He noted that only two (2) applications had been received, one (1) for the First District and one (1) in the Second, and did not feel the screening process was necessary or that there was any point in delaying. Mr. Roach noted that if an in-house retreat were held before the appointments were made, it would not be possible to get to know the new members at the retreat. He felt there was a need to move forward and suggested that the in-house retreat could be a welcoming event for new members.

Ms. Smith questioned why there were only two (2) applications and whether the community's diversity was represented on the Commission, noting that there were two (2) white women, two (2) black women, one (1) white male, and two (2) black males. She asked if members had done the work to make sure that the DHRC was diverse and represented the community, noting that their role is to be diverse, get along, and respect people of different backgrounds. Ms. Smith questioned how the DHRC could reach out and bring others in to be part of the process, such as the Hispanic and the gay/lesbian communities.

Ms. Stewart stated the challenge of finding people from the districts from which representatives were being sought and also had time to serve. She indicated that she had recommended someone for the Commission that she thought would be great.

Mr. Roach stated his belief that the spirit of the DHRC's role was to be understanding and accepting of different cultures; however, it would be difficult to cover all categories of people on the Commission. He felt that the Commission should be appreciative of people that volunteer and want to be part of the DHRC, although he stated he would love to have diversity. Although the Commission may not have every culture or race represented, he believed that members could respect and understand what they were supposed to do for those different cultures.

Ms. Smith questioned if members wanted to move forward with the two (2) applications that had been submitted rather than looking for more diversity.

Ms. Stewart stated that she wanted to move forward with the recommendations since members were asked at a previous meeting to find candidates and this had occurred, and there was one (1) recommendation from each of the districts that had vacancies. She noted that the appointments had to go through the Council approval process and that other interested candidates could continue to apply.

The Commission recommended acceptance of the two (2) volunteers to fill the vacancies in the First and Second Districts.

Ms. Smith indicated that she would like to see more diversity.

City of Dover Police Department Ride Along Program, Citizens Police Academy, and Survey

Members were provided information regarding the City of Dover Police Department's Ride Along Program and the Citizen's Police Academy and Ms. Smith expressed appreciation to Mrs. Sadusky for researching these programs.

State Human Relations Commission Meeting of August 13, 2015

Ms. Smith asked if members had attended the State Human Relations Commission meeting on August 13, 2015 and no members present had attended.

Dissemination of Information

No information was provided regarding this item.

Acknowledgment and Good-Bye to Commissioner Eugene Ruane

Ms. Smith noted that members had previously discussed acknowledging the service of former Commissioner Eugene Ruane prior to his move to California; however, no decision was made on how this was to be done.

Ms. Devine stated that Council recognizes outgoing members; however, she had contacted Mr. Ruane and determined that, although he appreciated the thought, he did not wish to attend a Council meeting to be recognized for his service since he was busy making preparations for his move. A Certificate of Recognition was mailed to Mr. Ruane.

Noting Mr. Ruane's significant contribution to the Commission, Mr. Roach suggested that at least a card be sent to Mr. Ruane.

Mrs. McDowell stated that members had previously mentioned the possibility of a goodbye video, noting that such a video could be posted on the DHRC's webpage if desired.

Mr. Roach suggested that a group video be taken at the next meeting for this purpose.

Ms. Smith indicated that a card and goodbye video would be prepared at the next meeting.

City and Community Concerns - Downtown Properties and Violations

Ms. Smith advised members that the City was working to revitalize the downtown Dover area and asking residents to bring their properties up to code. She indicated that of the approximately 390 properties in the area, a little less than 10% were owned by the same individual and there was a question as to whether that individual was getting the same treatment as others. Ms. Smith stated that she did not know the answer; however, there were resources to direct people to in reference to these issues, including: 1) Mrs. Ann Marie Townshend, Director of Planning and Community Development; 2) resolution conflict within the City; and 3) the State Human Relations Commission (SHRC), if a party felt that they were being discriminated

against. Ms. Smith questioned what the DHRC could do in terms of a fourth step and asked if it would support the goals of the City to have a DHRC forum and invite the National Council on Life and Labor Research (NCALL), as well as City staff, to talk about available resources. Ms. Smith stated that the City could also explain the program and discuss if everyone was being treated fairly.

Mrs. Traci McDowell, City Clerk, stated that NCALL had attended the City's department head meeting earlier in the day and was in partnership with the City's Planning Department for the Downtown Development District (DDD). She felt it was an excellent idea for NCALL to attend a DHRC meeting to discuss the DDD. She noted that Mrs. Townshend was scheduled to give a presentation on the dangerous building process at the Safety Advisory and Transportation Committee meeting scheduled for September 14, 2015 at 4:00 p.m. in the Council Chambers. Mrs. McDowell advised members that this was an open meeting and it might be beneficial for members to come and learn about the process.

Ms. Smith felt that social media should be the next frontier for the DHRC, stating that there was no current means of getting information out to engage people and let them know what is going on. Responding, Mrs. McDowell advised members that the City of Dover has a Facebook page and indicated that if she is sent information she can post it.

With respect to the Education Committee, Ms. Smith stated that members had discussed the possibility of offering four (4) training sessions in a year and questioned if a session regarding the grants and resources available to help with downtown properties would be of interest.

Mr. Roach stated that the City of Dover made a great effort to communicate with the downtown area, especially with regard to the DDD, noting that there had been many meetings, including information sessions about tapping into grant money. He stated that this had been discussed at City Council meetings as well.

Mrs. McDowell stated that, in addition, the City of Dover Planning Department attended a meeting with the State of Delaware on August 17, 2015 to talk about grants available and program changes.

Ms. Devine noted that a presentation had been provided regarding the DDD incentives during the DHRC meeting of March 10, 2015.

Ms. Smith indicated that this educational project could be accomplished by dedicating a meeting to letting people know what the resources are.

Mr. Roach stated that the next couple of meetings were already set, noting the planned in-house retreat, as well as the development of the survey that would be discussed at the next two (2) meetings. He felt it important to concentrate on getting

the survey done since the goal was to see where the City is. In his opinion, there were enough entities in the City focused on the DDD issue.

As a citizen, Ms. Tolliver stated that a human relations commission deals with housing and discrimination issues and remedies for citizens who feel they are being targeted or treated unfairly. She felt it important to let the public know that the DHRC exists and is partnering with the SHRC, so they have an avenue to have their concerns addressed.

Mr. Roach felt that this would relate to getting the Commission's name out through social media.

In response to Mr. Roach regarding suggestions on getting the Commission's name out, Ms. Tolliver suggested utilizing the 211 Helpline. She felt that people should know the processes, for example, whether to give information directly to the SHRC or talk to someone from the DHRC first. Ms. Tolliver felt that citizens needed to know that they are not standing alone. Responding to Ms. Smith, Mrs. Tolliver indicated that the general public needs to know; for example, that employment discrimination complaints go to the Department of Labor but housing concerns are a human relations commission issue. Mrs. McDowell clarified that housing is not a DHRC issue.

Ms. Devine stated that the State handles some of these concerns and the Department of Housing and Urban Development also responds to some complaints, such as those regarding the Delaware State Housing Authority or Dover Housing Authority. Mrs. McDowell noted that this would apply to Section 8 housing as well.

Ms. Devine explained that the SHRC would handle such concerns and if such a complaint came to the City, it would be referred to the SHRC. Ms. Smith stated that people would not be turned away but directed to the SHRC.

Ms. Tolliver stated that the DHRC has a governance piece but also provides services to the community in specific areas, such as public accommodations, housing, etc. and felt the public needed to know they were here, available, and could address those concerns. Ms. Smith reiterated Ms. Tolliver's idea that one (1) way to make people aware would be the 211 Helpline and that this could be put on a future agenda.

By consent agenda, Mr. Lewis moved for acceptance of the Dover Human Relations Commission Report of August 25, 2015. The motion was seconded by Mr. Anderson and carried by a unanimous roll call vote.

DOVER HUMAN RELATIONS COMMISSION REPORT - SEPTEMBER 29, 2015

The Dover Human Relations Commission met on September 29, 2015 with Chairman Smith presiding.

Meet and Greet with Council President Slavin

Chairwoman Smith advised members that she met with Council President Slavin approximately two (2) months ago and he had expressed a desire to come and speak to members.

Council President Slavin expressed thanks to members for their service and stated his personal and professional support for the Commission. He indicated that he was encouraged by the new charter of the organization and its leadership, direction, and energy. Mr. Slavin indicated that he would like to see the DHRC, as an independent body, create a vision for how it should operate, noting that City Council should maintain an arm's length distance from this and would rely on the DHRC for advice and counsel. He felt that there was an opportunity for the DHRC to be proactive and promote a dialogue in the community about some of the key issues being faced. Mr. Slavin informed members that the previous way of doing business for the DHRC was to perform an intake of complaints, and there had been some confusion about what the State Human Relations Commission (SHRC) covered versus the DHRC. The Commission had been re-chartered to clear this up. He advised members that the SHRC had the professional capacity to deal with complaints.

Mr. McGiffin noted that the State also had the legal authority to handle complaints.

Mr. Slavin shared his observations regarding areas where he felt the DHRC could be helpful, noting the importance of dialogue that pierces through to root causes. For example, he stated that a 21-year-old man was recently shot by the police and the reaction from the community was heard, noticed, and received. Mr. Slavin stated his wish not to bypass the fact that someone was shot; however, felt that there was a conversation that all should be having about not letting this type of incident become the new normal in our society. He felt it was frightening that a 21-year-old had no hope and was left to engage in criminal activities and that this should be questioned, noting that somewhere along the line, the community lost that young man. Mr. Slavin expressed his opinion that this type of problem was not the strong suit for City government and was the reason for the existence of the DHRC. He explained that City government is good at delivering services but is not engineered to solve these types of problems alone and is part of a rich fabric that must be created. Mr. Slavin advised members that this dialogue should be in play in meetings like the current DHRC meeting, but also in churches, in living rooms, fraternal organizations, barber shops, and grocery stores.

Mr. Slavin expressed worry that society in Dover was very fragile right now and possibly only one (1) or two (2) or two episodes away from a reaction that might be worse than the last one, noting that the potential for emotions to flare up was very high. He stated that there was an incident at the University of Delaware during the past week that elicited a huge response in terms of news and social media reporting. Mr. Slavin commented that there was a recent Facebook scam that everyone bought into, noting that existing technology enables this sort of information. Mr. Slavin

suggested that this technological grapevine could provide an advantage to the DHRC in getting the facts out and encouraged the DHRC to use social media avenues.

Mr. McGiffin stated that former First District Commissioner Eugene Ruane had brought forward the idea that the DHRC should find out where the City, as an organization, was with respect to issues of diversity, which would improve the DHRC's credibility. Mr. Ruane had envisioned a large research project involving interviews and surveys of City staff and then a compilation and analysis of the resulting data and a report. Mr. McGiffin explained that Mr. Ruane had left the area and that he was now managing this project, which he thought should be scaled down a bit. He had spoken with Mr. Scott Koenig, City Manager, and Mr. Kirby Hudson, Assistant City Manager, and had their support in conducting interviews with key staff people and preparing an online survey with the help of Mr. Andy Siegel, Director of Information Technology. This would be an audit to determine where those who work for the City think that the City is on a variety of diversity issues. Council representatives would also be consulted. Mr. McGiffin stated that he wanted to inform Mr. Slavin about the status of this project, noting that the next steps would be to put the existing survey in electronic form for use online and then to schedule interviews. Mr. McGiffin expressed his opinion that it would be a good idea to know where the City organization stood first, stating that leading by example would improve credibility when looking elsewhere. Mr. Slavin stated that he thought this was a good project.

Noting Mr. Slavin's previous comment regarding the desire that a 21-year-old carrying a gun was not perceived as the new normal, Ms. Smith questioned how Mr. Slavin would suggest framing the DHRC's support or partnership with the other organizations he had mentioned, i.e., churches, barber shops, and fraternities, in order for young people to be educated and successful in life, versus ending up feeling hopeless.

Responding, Mr. Slavin related an anecdote whereby a good friend who works with youth in the community showed him pictures of two (2) 18-year-olds who had been arrested. This individual stated that these kids were in his program at the Boys and Girls Club but he lost them at age 12 because it was no longer "cool" to go to the club. Mr. Slavin expressed his opinion that there was nothing to fill the gap that exists for kids who are older than eight (8) or nine (9) years old. He noted that sometimes the solutions are not large and global but are a matter of programs for a specific age group. Mr. Slavin stated that he did not want to make this approach big or unattainable. He noted that the City was working with the National Council on Life and Labor Research (NCALL) on the Restoring Central Delaware Initiative that was focused on housing and physical improvements. He questioned if the City could tap into some of the energy in that initiative to also restore faith in society and some of the intangible things that were wanted.

Mr. Slavin encouraged partnering with the Dover Public Library, noting that they had been wonderful in looking at non-traditional ways to bring a wider audience into the library or going out to that audience. He mentioned that some college campuses hold programs where all incoming freshman read a book that is incorporated in all of their classes, whether in science, literature, or art history. Mr. Slavin questioned if one (1) book or one (1) dialogue experience could be held that would trigger a series of conversations. He noted that the Dover Public Library had offered a program on the civil rights movement that culminated with an event at the Schwartz Center for the Arts. A documentary was shown, and there were speakers and freedom writers in attendance. He stated that this was a wonderful event and the Schwarz Center was filled with attendees.

Ms. Smith stated that the Boys and Girls Club, along with the YMCA, might be resources to tap into and partner with. Mr. Slavin advised members that the YMCA had built a new gymnasium, resulting in more middle through high school kids using the YMCA and its attached gym.

Mr. Roach stated that there were a lot of resources for the "haves" and not the "have-nots", noting that many kids would love to use the YMCA but do not have a membership and cannot pay the $10 fee to get in. He stated that he often talks to kids aged 12 to 17 who are being lost because there is nothing for them to do.

Ms. Smith expressed her opinion that a lot of human behavior results from what people are exposed to, how they are educated, what expectations are laid out before them, and how they are held to these expectations. She questioned if it would be effective to create different expectations and put systems in place to place people on a path to success, versus assuming that they would rebel. Ms. Smith felt the challenge was to determine how to educate, empower, and inspire the new generation, noting that hope must be restored and that comes through education.

Mr. Roach noted that segregation in 2015 is different from in the 1960's and that problems that used to start at age 16 now start in the fourth grade. He stated that fourth graders have older brothers who they look up to, and they need education on different options. Mr. Roach advised members that it is difficult even for adults to understand long-term gratification and kids may be persuaded to participate in illegal activity to get money for things that they long for. He emphasized the importance of "reach one, teach one" and building relationships. He stated the importance of giving kids something tangible that they can reach for, since they do not understand the concept of getting an education to be successful. Mr. Roach informed members that he explains to them that they should not take the easy, quick route by making money illegally, that can be taken away from them, rather than the slower course of earning money by working.

Mr. Roach's suggestion was to make it personal, stating that every adult in the City should find one (1) child to eat lunch with twice per week and give them something they can work toward, which might change the entire life of a child. He noted that

impoverished kids may not have anyone there for them and their parents may have their own issues. He felt that human relations should be put into play by forming relationships with those outside one's circle.

Ms. Smith agreed with Mr. Roach and felt that members should brainstorm how to go about doing this and engaging the community. She indicated that the library was a resource and noted that the Delaware State Police targets a low-income audience and stated her intention to invite them to come in and discuss their strategies. Mr. McGiffin reminded members that the Police Department was interested in revitalizing the Police Athletic League and in actively reaching out into the community.

Ms. Traci McDowell, City Clerk, advised members that a discussion about reactivating the Police Athletic League (PAL) was on the agenda for the Parks, Recreation, and Community Enhancement Committee meeting scheduled for October 12, 2015 at 3:30 p.m. in the Council Chambers.

Mr. Roach stated that the John W. Pitts Center was great when it first opened up, but there were incidents where kids got into fights and were put on six (6) months' probation. He disagreed with some of the structural changes that were made at this facility, noting that the open gym schedules were not conducive to kids' availability; therefore, this resource was not being used. Mr. Roach expressed his opinion that those who created the problems should be punished rather than throwing away the offerings. He noted that kids behave badly because they are bored, and felt that if they were given something that they wanted to do, the would stay out of trouble.

Ms. Smith stated that there are programs in major cities in New York and New Jersey where schools take inner city kids from conditions that are worse than those in Dover and create expectations for them, and they end up graduating from high school and going to college to become judges, lawyers, and teachers. She indicated that this could be done, but it must be a joint effort.

Mr. Roach expressed his opinion that, in Dover, everyone is not affected enough to want to make a change. He felt that if the problems on Reed and Queen Streets were occurring in Fox Hall and Wild Quail, these neighborhoods would stand up and do something about them. Mr. Roach believed that those dealing with kids sometimes do not care and reiterated that relationships and rapport must be built with the community and kids. He questioned why people would feel comfortable talking to the DHRC, not knowing who they are, stating that the Commission must make people comfortable. He noted that bonds must be built using things people care about, such as Facebook, Twitter, Snapchat, etc.

Acknowledging that there was a historical perspective, Mr. Roach advised members that it was easier to get a gun today than it was in 1960 and kids were fighting over drugs to get money to buy name brand shoes. Mr. Roach felt that until kids are shown that they are loved and respected, they will not change. He indicated that

some of the kids he tried to mentor in high school were stealing, robbing, smoking weed. They do not feel that going to school is important and it is hard to break that mindset.

Ms. Smith expressed the desire to revisit this conversation, stating that this may relate to the TED talk project that members discussed during their meeting of August 25, 2015.

Update on Commissioners' Tasks - Acknowledgment and Goodbye to Commissioner Eugene Ruane

Mr. Roach advised members that he had a card for members to sign and send to former Commissioner Eugene Ruane and questioned if it should be sent to former members of the Commission.

After further discussion, members agreed to sign the card tonight and provide it to the Clerk's Office.

Current and former Commissioners would be advised by the Clerk's Office that the card was available in the Clerk's Office for a week, should they wish to stop in and sign it before it is mailed.

Discussion - Future Meeting Dates

Ms. Smith advised members that meetings were scheduled for October 27, 2015 and November 17, 2015 and questioned if members were feeling overwhelmed by monthly meetings.

Mr. Henderson felt that monthly meetings should be continued for the immediate future until members get to know one another and crystallize their direction. He stated that it would be helpful to obtain the meeting minutes.

The Committee agreed to continue the monthly meetings.

Mr. McGiffin advised members that the Government Policies, Programs, and Practices (GPPP) Committee's interview/survey document to measure the workforce's perceptions of diversity in the workforce had been completed by himself and Mr. Roach and suggested that it be placed on the next agenda. Once this was approved, he stated that he would schedule related interviews.

By consent agenda, Mr. Lewis moved for acceptance of the Dover Human Relations Commission Report of September 29, 2015. The motion was seconded by Mr. Anderson and carried by a unanimous roll call vote.

DOVER HUMAN RELATIONS COMMISSION REPORT - OCTOBER 27, 2015

The Dover Human Relations Commission met on October 27, 2015 with Chairwoman Smith presiding.

DHRC Committee Updates

Government Policy, Programs, and Practices Committee

City of Dover Diversity Questionnaire

Mr. McGiffin explained that the Government Policy, Programs, and Practices (GPPP) Committee was charged with examining the City's policies, programs, and practices through the lens of diversity to try to recognize the things that the City does well, identify those things that the City could use help with, and advise Council on how to proceed. He indicated that former Chair Eugene Ruane had researched this project and a questionnaire had been developed to survey staff in this regard. Mr. McGiffin requested members' permission to use this questionnaire as a starting point, stating that if members approved the survey instrument, he would schedule interviews with key staff, including the City Manager, Council President, and some of the department heads. An online survey device, such as SurveyMonkey, would also be utilized, with the assistance of Mr. Andy Siegel, IT Director. Mr. McGiffin explained that data would then be collected and reviewed.

Mr. McGiffin stated that he would like to have additional members on the GPPP Committee, noting that at this time he was the only member. He advised that Mr. Roach had assisted in the development of the diversity survey document but had not joined the Committee at this point.

Responding to Mr. Henderson regarding the need for additional members on the Committee, Mr. McGiffin stated that he would like to have three (3) members.

Mr. Henderson volunteered to serve on the GPPP Committee.

Mr. McGiffin indicated that he would like to have two (2) members to conduct the interviews. He noted that he had time available in December to work on this project and hoped to coordinate interviews during that time.

Referring to the General Questions in the memorandum from Mr. McGiffin RE: Diversity Research Project, Ms. Smith questioned the use of the word "value" in Question #2. In addition, she questioned how "cultural competency" would be measured and what barometer would be used.

Mr. Henderson suggested pluralizing the word "value" and stated his opinion that "cultural competency" was trying to convey the concept of sensitivity to the backgrounds of others.

Mr. McGiffin stated that cultural competency was broader than this, but that sensitivity was part of it.

Ms. Smith felt that every person would measure this differently and questioned what barometer would be used to measure respondents' feelings regarding whether diversity and cultural competency are promoted by the City.

Mr. McGiffin stated that the survey would have a graded scale that is positive on one end, negative on the other, and neutral in the middle, and respondents would be asked if they somewhat agree, agree, somewhat disagree, disagree, or have no opinion. The resulting metric would indicate how many respondents answered in particular ways. Mr. McGiffin explained that it may not be known whether respondents understand the term cultural competency; however, when interviews are conducted, more detailed information would be obtained.

Ms. Smith questioned the intent of the latter portion of Question #3, which addressed why and how the City promotes diversity. Responding, Mr. McGiffin indicated that this type of question would not necessarily be included in the online survey because it would require a narrative, although it may be incorporated if an online narrative response is possible. He stated that he hoped to receive unexpected responses, noting that the more that could be learned, the better members could understand what is going on and find ways to address issues.

In response to Ms. Smith as to whether this portion of Question #3 would be included in the online survey, Mr. McGiffin stated that it would not be phrased in the same way; however, he might still be looking for some input, although he was unsure how to do this through the online survey. He noted that members could approve the document for purposes of the interviews and request him to come back with a draft of the online survey.

Ms. Smith felt that this would be helpful, expressing her opinion that the questions provided an opportunity for follow-up during a face-to-face interview; however, she felt that there were uncertainties for those completing an online survey. Mr. McGiffin stated that Ms. Smith would receive a draft.

Responding to Mrs. Sadusky, Mr. McGiffin stated that a written survey would not be distributed to all employees since he believed there would be a minimal return. The questionnaire would be used as a basis for the interviews. He was unsure how many questions would be included in the online survey.

Mrs. Sadusky stated that she was unsure of the exact definition of cultural competency and suggested that a definition be included for the purposes of the interview.

Mr. McGiffin stated that it may be useful to know if interviewees do not know what cultural competency is. He stated that interviewees would not be given the questions in writing but would be asked them verbally.

Ms. Smith noted that people may have different thoughts about what diversity is in terms of race, sexual preference, or religion. She questioned if the goal was to know if people felt comfortable in the workplace. Responding, Mr. McGiffin stated that this was among the things that he thought would be learned; however, a deeper understanding was being sought of how the City approaches issues of diversity, not only in terms of action but attitude, and how important issues of diversity are to the decision makers and employees.

Ms. Smith stated that, if possible, she would like to sit in on some of the interviews. She agreed with the approach of asking questions verbally versus in writing to obtain a spontaneous response.

In regard to the number of people who would be conducting interviews, Mr. McGiffin explained that he did not want to conduct interviews by himself because he did not trust his own perceptions completely since his expectations may affect what he hears. Another interviewer would allow for two (2) perspectives, which would increase confidence in the accuracy of recorded results. Mr. McGiffin felt that three (3) interviewers would begin to sound like an inquisition and may not encourage open conversation.

Ms. Smith concurred, stating that if one (1) of the interviewers were unable to attend, she would like to be a part of the process to observe, if not as someone asking questions.

Mr. McGiffin stated that he could come up with a schedule for interviews, try to attend all of them himself, and allow Commissioners to sign up to attend as well. To the extent possible, interviews would be held during the workday, but he believed that some would be held after the workday. Mr. McGiffin indicated that he would ask the Clerk's Office staff to publish the schedule and Commissioners could then let him know when they are available.

The Commission recommended acceptance of the survey as written for the City staff, with a new draft to be provided for the online survey.

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

Community Engagement Committee (Roach)

Mr. Roach stated that a community outreach event had been held in downtown Dover by the City Police Department and the National Association for the Advancement of Colored People (NAACP) on October 8, 2015. Turnout was good and the event was reported in the newspapers.

Mr. Roach indicated that he had been in communication with a couple of police officers regarding an incident that had occurred with a young man with whom Mr. Roach was acquainted. Mr. Roach also advised members that there had been

another incident at Delaware State University (DSU) where a young man who was intoxicated hit his vehicle's gas pedal, rather than the brakes. His car was in reverse and hit seven (7) people, wedging one (1) young lady between the door and a tree. This occurred on Saturday, October 24, 2015, and all on-campus events were canceled because of this. Mr. Roach planned to go to DSU to see what would be happening in this regard.

Mr. Roach stated that construction of the new Boys and Girls Club was going well. He would be touring the building soon and would discuss the transition to the new facility and transportation. He indicated that there had been discussion about whether a non-profit group would be willing to take over the existing Boys and Girls Club building so that it would not have to be shut down.

Education Committee (Henderson)

Mr. Henderson advised members that the State Human Relations Commission (SHRC) was planning a series of films to be shown State-wide on various topics of interest to residents of Delaware. As part of this initiative, a film entitled "Cracking the Codes," would be shown on December 8, 2015 from 5:00 pm to 8:00 p.m. at the Dover Public Library. Mr. Henderson stated that members of the DHRC were invited to attend.

Ms. Denise Devine, Assistant City Clerk, advised members that library staff were working with the State Human Relations Commission (SHRC) on this project.

Ms. Smith questioned if there was a place for the DHRC to be a part of this panel or process. She felt that the DHRC should be represented and endorse this program as part of its education goals and that it would be a good chance for the DHRC to partner, serve on the panel, promote, or sponsor the event. Ms. Smith indicated that she had been in communication with the SHRC about partnering on projects and this might be an opportunity to forge that relationship, as well as build their relationship with the community. Responding, Mr. Henderson stated that he would follow up and let members know if a there was a need for a related meeting before the event.

Ms. Smith moved to approach and have conversation with the SHRC around what role the DHRC could can play in sponsoring, being a part of, or promoting the event. The motion failed for lack of a second.

Ms. Smith questioned if the event was being sponsored by the SHRC and hosted by the Dover Public Library and suggested that Mr. Henderson reach out to either Ms. Romona Fullman, Director of the Division of Human Relations, or Mr. Calvin Christopher, Chair of the SHRC.

Mrs. Sadusky suggested that members brainstorm to identify those people or organizations in the community that members would want to ensure receive a personal invitation or letter, such as schools and principals. Mr. Henderson suggested contacting ministerial associations. Ms. Griffith mentioned the Delaware

Commission for Women. Ms. Smith suggested the Interdenominational Ministerial Alliance, the Capital School District Superintendent, various fraternity groups, and social work departments of local colleges as possibilities. Mr. Henderson stated that he would first find out what the distribution had been as well as the locations of all the events being offered. He indicated that he would contact the SHRC on October 28, 2015.

Mr. Henderson advised members that he was registered to attend a symposium at Arsht Hall, 2700 Pennsylvania Avenue, Wilmington on October 28, 2015 from 6:30 to 8:00 p.m. Dr. Andrew Sandoval-Strausz would be speaking on American and Hispanic culture and Mr. Henderson offered to bring information back.

TED Talk Meeting with Dan Young

Mr. Henderson stated that he had spoken to Dr. Dan Young, curator for TEDx at Wilmington University, who indicated that he would have information related to holding a TED talk event in Dover by the end of the week.

Meeting with Capital School District Superintendent Dr. Dan Shelton

Mr. Henderson advised members that he and Ms. Smith had met with Dr. Dan Shelton, the new Superintendent of the Capital School District. He indicated that Dr. Shelton is a very candid, approachable man who wants to work with the DHRC and with children from elementary school through high school to help them achieve positive results as graduates, and future shareholders in the City. He was also very much interested in students obtaining jobs and staying in the community.

Mr. Henderson stated that Dr. Shelton indicated that 60% of Dover High School students are African American and 30% Caucasian. He had also advised that the school had a tremendous rate of students who apply for college. Dr. Shelton had come from a much larger school district in Wilmington but liked Dover and his focus was to become a part of the community and make the community a positive one. Mr. Henderson felt that Dr. Shelton was committed to keeping kids engaged and competitive and that the DHRC should hold further discussions with him, noting that Dr. Shelton wants to stay engaged with the DHRC and discuss how he and the DHRC can help each other.

Ms. Smith stated that Dr. Shelton was very enthusiastic and positive and had a lot of good statistical data. She expressed concern regarding the positive statistics for the number of students applying for college versus a statement that had been made by the Chief of Police that many young people cannot be hired because they have a police record by age 13. Ms. Smith indicated that there was a gap somewhere and questioned how it could be filled. She stated that she had asked Dr. Shelton what was being done for elementary school students, who tend to do okay, to prepare them for middle school, where they often get into trouble. His response was that the District works on the students' mind set and offers a training program in this regard. He indicated that Mr. Malik Muhammad had been brought on board with the District and was involved in this program.

Ms. Smith had advised Dr. Shelton that there may not currently be a solution; however, something must be tried. She had indicated that there was a commitment to engage students around their educational experience, but felt there also needed to be a commitment to engage parents around their child's educational experience. Dr. Shelton had explained that the Capital School District provides Scholastic Aptitude Tests (SATs) for free, as well as online training. He had expressed his opinion that the digital divide was not that large anymore because kids have telephones; however, Ms. Smith shared with him that her parents were high school drop outs, so they did not know about SATs. Even though the training exists, it may not mean anything for certain classes or groups of people.

Mr. Henderson suggested that the Community Engagement Committee could let kids and parents know that SAT preparation is available and free.

Ms. Griffith advised members that she has children who were attending or had graduated from Dover High School and she concurred with Dr. Shelton that a lot of information was provided by the school; however, she felt that parents also need to be involved. Ms. Griffith indicated that Comcast has a program whereby students who qualify for free lunches can have a low-cost computer, stating her belief that the cost was approximately $100, and this was advertised on television. Ms. Griffith felt that the school was doing a good job of communicating; however, she noted that not many parents attended parents' night at Dover High School.

Ms. Smith stated that a part of the DHRC's role is to fill the gap and to assist the community in decreasing crime, increasing employment, and creating hope for the City. Ms. Smith stated that her role in the meeting with the Superintendent was to challenge and question him and to bring to life this piece of hopelessness. She questioned what could be done to reach those students who fall through the cracks and do not have parental involvement.

Ms. Griffith advised members that she had talked to Secretary Collins at the Department of Technology about bringing in young people for a week or so on an unpaid basis, perhaps give them lunch, and have them learn about technology. She felt there should be more community involvement, noting that she encourages others to mentor young men at the high school who have no one to look up to and nothing to look forward to. Ms. Griffith indicated that she had grown up homeless, attending seven (7) or eight (8) different schools, and stated that young people needed positive people in their lives. She indicated that, in June, she participated in the Code Purple program, staying overnight at a homeless shelter, and found there were homeless young people there who were not in school.

Ms. Smith stated that members could continue to brainstorm ideas to close the gap between parental involvement and disengagement, which she felt was the key.

Mrs. Sadusky asked if members knew what was happening with the former Dover High School gym and whether it would be torn down. Responding, Mr. Roach stated his belief that everything would be torn down. He indicated that the athletic fields were still intact. Mr. Roach stated his belief that these fields were all that would be kept by the District and offered to look into it.

Ms. Devine stated her belief that during the Parks, Recreation, and Community Enhancement Committee meeting of October 12, 2015, Councilman Lewis had asked about this and City staff was going to contact the District to find out specifically who was using the fields and the tracks. She indicate her belief that all of the buildings had been torn down at this point. Ms. Devine stated that she thought that continued use of the buildings on the old site was not permitted as part of the arrangements for building the new Dover High School.

Mrs. Sadusky felt it was too bad that they had to tear down a perfectly good gym that could have been used by youth in the community. Mr. Roach stated his belief that this was needed to finance the new Dover High School and that the Capital School District would find a way to make some money from the former property.

Communications Committee

Ms. Smith reminded members that former Commissioner Stewart had served on the Communications Committee and that the Committee had nothing to report at this time.

Election of Committee Chairs

Government Policy, Programs, and Practices Committee

Ms. Devine advised members that Mr. McGiffin had indicated that he was interested in serving as Chair of the Government Policy, Programs, and Practices (GPPP) Committee unless someone else was interested.

Ms. Smith asked if anyone else would like to serve as Chair of the GPPP Committee, and no members responded.

The Commission nominated Mr. McGiffin to serve as Chair of the Government Policy, Programs, and Practices (GPPP) Committee.

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

Communications Committee

Ms. Smith advised members that the Communications Committee was responsible for putting together a strategic plan on how to communicate the things that the DHRC was doing and requested a volunteer to serve as chair.

Mr. Roach indicated that no members were currently serving on this committee and Ms. Griffith volunteered to serve as Chair.

The Commission nominated Ms. Griffith to serve as Chair of the Communications Committee.

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

Ms. Devine advised members that the DHRC now had a webpage on the City of Dover website that included the DHRC 2015-2018 Strategic Plan. She offered to make sure that Ms. Griffith received the Strategic Plan, noting that it contained information about the Communications Committee.

Ms. Smith stated the need to make sure that people know that Ms. Griffith and Ms. Bogle have been appointed to the Commission and that this be conveyed to the newspaper, along with photos, and that photos and short bios be provided to the City Clerk's Office. She noted that the bio should answer the question of why members were serving on the DHRC.

Ms. Smith asked if any other members would like to serve with Commissioner Griffith. She noted that members would support Ms. Griffith if she needed help.

Ms. Devine stated that any correspondence should be sent through the City Clerk's Office, who could ensure that all members receive it. She explained that this would avoid a serial meeting or violations of the Freedom of Information Act (FOIA).

Old Business

City of Dover Police Department Ride Along Program and Citizen's Police Academy

Mrs. Sadusky stated that she and another individual had scheduled an evening to participate in the Police Department Ride Along Program on a Saturday night but were sent home because there was a fight, and they were told that it was not a good time to participate. She had not called to reschedule but planned to do so.

Mrs. Sadusky stated that she had asked about the Citizen's Police Academy and Sergeant Glenn Virdin indicated that the Academy had not been set up at this time.

Mrs. Sadusky stated that she was serving on the Education Committee.

Mr. Roach stated that Ms. Smith and Mr. Henderson were serving on the Education Committee, Mr. McGiffin on the GPPP Committee, and himself and Ms. Hicks on the Community Engagement Committee. Ms. Devine advised members that correspondence was received earlier in the day indicating that Ms. Hicks had resigned from the DHRC.

Update - Four-Day Basic Mediation Training Conducted by the University of Delaware Institute for Public Administration - School of Public Policy and Administration

Ms. Smith advised members that she attended the four (4) day mediation training and received a certificate. She indicated that she would provide an informational session to share what she had learned and felt that this training would be valuable for other members who wish to experience it. She felt that this was a skill set that is learned by doing. Ms. Smith stated her belief that the training would be offered again in the Spring.

Responding to Mr. Henderson, Ms. Smith stated that she felt the training was worthwhile. She indicated that the approach was very deliberate and intentional, and that the mediation process involves active listening and helping people to come up with their own conclusions, which is different from her experience as a results-oriented coach. Ms. Smith explained that in mediation training, the process belongs to the parties involved, who may or not agree, and the mediator just listens and is removed from results. She noted that the investment that the City made in her would not be in vain and that she would be volunteering with the Delaware Criminal Justice Council and sit in on three (3) sessions before she can actually do a mediation.

DHRC Vacancies

Ms. Smith reminded members that there were two (2) vacancies on the Commission. She welcomed Ms. Griffith and thanked her for joining the DHRC, noting that her appointment was confirmed by Council on October 26, 2015. Ms. Smith stated that Ms. Griffith had filled the First District seat vacated by Mr. Cecil Wilson. She advised members that Ms. Diane Bogle would be taking the seat vacated by Mr. Eugene Ruane in the Second District.

At Ms. Smith's request, Ms. Griffith introduced herself and advised members that she came to Dover as a result of her military service and was originally from Charlotte. She indicated that she had been with the State of Delaware for over 16 years and for approximately four-and-one-half years had been employed as a Senior Legislative Analyst at Legislative Hall. Prior to that, she worked at the Delaware Department of Transportation as a Legislative Projects Manager. Ms. Griffith stated that she was serving on the Delaware Commission for Women, the Delaware Professional Regulation Board, and the Wesley College Alumni Board of Directors. She stated that she had been married for 22 years and has two (2) children.

Ms. Smith reminded members that there were vacancies in the Third and Fourth Districts for seats vacated by Ms. Courtney Stewart and Ms. Jane Hicks, respectively. She stated that they could make recommendations for the appointment of new members; however, appointments would ultimately be up to Council. Ms. Smith advised members that Mr. Fred Neil and Mr. Scott Cole were the Council representatives for the Third District and Mr. David Anderson and Mr. Roy Sudler represented the Fourth Council District. She suggested that members appeal to them if they had any recommendations.

Follow Up - Meet and Greet with Council President Timothy Slavin

Ms. Smith questioned members regarding their perceptions and opinions regarding the meet and greet session with Council President Tim Slavin during the DHRC meeting of September 29, 2015.

Mr. Henderson stated that Mr. Slavin had charged the DHRC with helping Council to have better eyes and ears. He had offered a series of challenges in terms of things going on in the City and how the Commission could better help Council by finding out information and funneling it to back to them. Mr. Henderson felt that Mr. Slavin would listen and also follow through.

Mr. Roach expressed his opinion that his taking the time to come and speak to the DHRC reflected that Mr. Slavin was invested in what the Commission is charged to do. Mr. Roach, who represents the Fourth District, indicated that he also tries to communicate with Mr. Sudler and Mr. Anderson, the Fourth District Council Representatives.

Ms. Smith reminded members that Mr. Slavin had expressed his hope that young people carrying guns would not be the new normal and that the City and Commission would do what it takes to ensure that future generations would not believe this was the norm. He had stated that the charge to the DHRC would be to offer hope, compassion, understanding, and engagement.

Mrs. Sadusky advised members that she volunteers in the Alternatives to Violence Program in the prisons and questioned if this program could be offered to teens in the community, noting that those men who go through the program find it very helpful. She offered to find out if the program could be brought to the middle school or high school in the summer. Mrs. Sadusky stated her belief that it was a six (6) weekend program.

Ms. Smith felt that this was a great idea and suggested that Mrs. Sadusky also coordinate a time and date for someone to come in and explain the program to the DHRC so they can make a better decision.

Ms. Smith expressed her opinion that the DHRC needed to know where they would make an impact and what they would be known for. She noted that several projects had been discussed, such as the Alternatives to Violence Program, the diversity study, and the TED talk. Ms. Smith questioned what the DHRC would be known for, noting that they could support other organizations, but she felt it important to create a brand, since this is the way that "buzz" is created, which creates a following. She questioned what one (1) thing they would focus on, work hard on, and be known for. For example, she stated that if the focus would be on supporting the police and dealing with related issues, there should be a strategic plan to do this.

New Business

Reach One, Teach One Challenge (Roach)

Mr. Roach stated that he would like to work on issuing a personal challenge to City of Dover employees to "Reach one, Teach One." He explained that there are mentoring programs in the Capital School District and City of Dover and suggested that everyone take the time to reach out to one (1) child. He mentioned the need to reach kids in the 13-to-18-year-old age group. Mr. Roach suggested that employees would be challenged to go to one (1) of the schools and volunteer, perhaps by taking 30 minutes at lunch to show a child that the employee cares about him or her. He stated the possibility of also reaching out to other organizations so that there would be a pool of mentors for any child in the Capital School District who needs a mentor.

Ms. Devine stated that she mentors at South Dover Elementary School, as does Ms. Traci McDowell, City Clerk, and that the City Manager had previously put out an invitation for employees to mentor and would probably be willing to do this again. She indicated that there is a need for mentors, especially for students above the elementary school level, and there is currently a waiting list with over 80 children at William Henry Middle School; therefore, the need was great.

Mr. Roach stated that, in terms of accountability, it would be desired for everyone to do this, noting that children need someone to look up to since their role models are those who are selling drugs and shooting guns.

Mr. Henderson stated that he had been involved in the Read-Aloud Program and that there are many children who are not exposed to books. He advised members that this is an opportunity to touch lives, noting that the children involved want to learn, read, and be more educated. Mr. Henderson indicated that the program is sponsored by the Corporate Kids Learning Center near the Blue Hen Mall, and the headquarters is located at Treadway Towers. He explained that volunteers must be certified, and this certification is retained once achieved. He stated that preschoolers aged three (3), four (4), and five (5) are in the program.

Mr. Roach stated that it would not matter in which program mentors serve; however, he noted that the DHRC was trying to build a relationship with the Capital School District and felt that the District's mentoring program would be a good bridge for this relationship.

Ms. Smith questioned what this effort would look like in terms of engaging people. Responding, Mr. Roach stated that it could be as simple as drafting an email to City Council. Council could then make an announcement about the challenge and the DHRC could ask to have a draft read at a Council meeting and dispersed to the different departments. Mr. Roach suggested that volunteers could be asked to send pictures of their mentees, noting that a waiver may be needed. He stated that the results would be tangible and measurable and Dr. Dan Shelton, Superintendent, Capital School District, could track the participants from the Reach One, Teach One

Challenge. The challenge would continue to be pushed to new employees and those who did not have the time to participate the first time around.

Ms. Smith questioned what the legal implications were in terms of parental permission or other issues with respect to working with underage kids. Responding, Mr. Roach stated that the Capital School District has a standard volunteer packet and manages the liability issues.

Ms. Devine advised members that a company called "Connecting Generations" receives applications for the Capital School District and does background checks. Four (4) hours of free training are provided at various locations after the background check is passed, and this training is available online. Ms. Devine stated that this organization could track how many people from the City of Dover sign up, noting that if a large enough group of employees signs up, Connecting Generations may come to the City and conduct the training. She noted that volunteers can indicate the organization that they are from, as well as the grade level and school where they would like to mentor. Ms. Devine advised members that if the DHRC was interested in the mentoring project, they would made a recommendation to Council, which would be included in the DHRC meeting minutes. Council would consider the recommendation and, if they approve it, members could move forward, possibly working with the City Manager to get word out about the challenge.

The Commission recommended that Council consider having a "Reach One, Teach One Challenge" for the City of Dover.

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

City Police and National Association for the Advancement of Colored People (NAACP) Community Outreach Event of October 8, 2015

Ms. Smith stated that she had attended the Community Outreach event, which she indicated was incredible, noting that there was music, basketball, football, and dancing and pizza, soda, and chicken wings were served. She applauded the organizers, noting that the Police Department did an amazing job, taking money out of their budget for the event and setting up tables. The NAACP was responsible for bringing in people. Ms. Smith stated that the event was like a huge block party. She mentioned that Councilmen Anderson and Sudler had attended.

Ms. Joyce Wilson, 500 Persimmon Tree Lane, stated that she came to the DHRC meeting to listen and see how things were going, noting that she found it interesting and was sure she would come back. She thanked members for allowing her to sit in. Ms. Wilson indicated that she works at the Early College High School and expressed her belief that discipline was needed for ninth and tenth graders and she was interested in seeing how some of the DHRC programs go, especially with regard to the police. Ms. Wilson advised members that she would like to see something like

a "Scared Straight" program. She stated that the Early College High School was a good program that allows students to graduate from high school with an Associate's Degree.

By consent agenda, Mr. Lewis moved for acceptance of the Dover Human Relations Commission Report of October 27, 2015. The motion was seconded by Mr. Anderson and carried by a unanimous roll call vote.

DOVER HUMAN RELATIONS COMMISSION REPORT - NOVEMBER 17, 2015

The Dover Human Relations Commission met on November 17, 2015 with Chairwoman Smith presiding.

DHRC Committee Updates

Community Engagement Committee (Roach)

No report was provided by the Community Engagement Committee.

Education Committee (Henderson)

TED Talk Meeting with Dan Young

Mr. Henderson advised members that he had been unable to get in touch with Dr. Dan Young, Curator of TEDx at Wilmington University, who had been having health issues, but planned to get up with him regarding the TED talk.

State Human Relations Commission Film Series/Discussion Initiative

During the DHRC meeting of October 27, 2015, Mr. Henderson had offered to contact the State Human Relations Commission (SHRC) to obtain information on their planned film series/discussion initiative.

During the DHRC meeting of November 17, 2015, Mr. Henderson advised members that he had contacted the SHRC, who had provided him with a flyer extending an invitation to the community to attend the Free Film and Discussion Series offered by the Delaware State Human Relations Commission/Division of Human Relations. He explained that the first film, "Cracking the Code," would be held at the Dover Public Library on December 8, 2015 from 5:30 to 8:00 p.m. Mr. Henderson felt that the DHRC should push this event to get people involved and aware and get some type of dialog going. He explained that the flyer listed other film and discussion events that would take place at other locations.

Ms. Smith questioned if Mr. Henderson was able to ask Ms. Romona Fullman, Director of the Delaware Division of Human Relations, about whether the DHRC could partner in this event and in what way. Responding, Mr. Henderson stated that Ms. Fullman was extremely enthusiastic about this and the DHRC was invited to do anything they could. He had advised Ms. Fullman that the DHRC could publicize

the event and make sure it got out into the community. Mr. Henderson stated that the Dover Public Library was also very enthusiastic about the event.

Mrs. Sadusky noted that the DRHC was listed as a partner in the flyer. Ms. Smith stated that the DHRC would need to discuss what they needed to do in order to live up to their partnership. Ms. Griffith offered to contact Ms. Fullman to discuss this project on November 18, 2015.

Ms. Smith stated the need to find out what had been done already and to follow up with churches and schools, noting that Mr. Henderson had a relationship with the Capital School District superintendent. She questioned how the DHRC could do its part in engaging people around the event at the Dover Public Library.

Mr. Henderson stated the need to market the event. He indicated that he would reach out to the churches, noting that he would make it known at the Interdenominational Ministerial Association (IMA) Conference on Saturday, November, 21, 2015.

Ms. Smith questioned if the DHRC should make copies of the flyer for distribution.

Mr. Henderson and Ms. Griffith offered to work together on this. Ms. Griffith offered to post it on a bulletin board at Legislative Hall and other locations.

Ms. Smith requested, as a plan was put together in the next three (3) weeks to promote the event, that actions be documented in order to follow up with the SHRC and let them know what the DHRC's efforts were and how the SHRC was supported. She suggested that members vote on a suggested budget to purchase envelopes and mail flyers.

Ms. Griffith suggested the possibility of having the SHRC provide funds for distributing the information, noting that they usually have such funds in their budget and staff who can perform the work. Ms. Griffith offered to find out from Ms. Fullman which contacts the SHRC already had and if the event had been posted in *The Dover Post* or otherwise advertised.

Ms. Smith requested that Ms. Griffith email her a copy of the flyer so that she could post it on her Facebook page. She stated that she was not sure if other members were on Facebook and suggested that they promote the event to encourage people to come.

Ms. Smith suggested asking the City to post the event daily on their website and Facebook page, either from the current time until the event is held or for the seven (7) days leading up to the event.

Ms. Denise Devine, Assistant City Clerk, stated that the flyer indicated that the Dover Public Library was also a partner, and they may already be promoting the event. She was unsure about the City of Dover Facebook page. Ms. Devine explained that the library sends out a newsletter quite often.

Mr. Henderson and Ms. Bogle offered to work with Ms. Griffith on promoting the event.

Mr. Henderson moved to recommend becoming a partner for the free film and discussion series, specifically for the December 8th event to be held at the Dover Public Library, "Cracking the Codes," seconded by Ms. Griffith.

Mr. Henderson suggested that the DHRC also partner on the other upcoming films in the series as they come out.

Ms. Smith questioned if the other events would be held in Dover. Responding, Ms. Griffith stated that these types of series are typically held in each county.

Ms. Smith stated that the DHRC might have to be careful about getting into other people's territory, and Mr. Henderson concurred.

Ms. Smith advised members that they were voting on partnering with the Delaware Human Relations Commission on the December 8th event to be held at the Dover Public Library, as well as all of the upcoming films that will be held in the Dover community.

The Commission recommended partnering with the Delaware Human Relations Commission on the December 8th event to be held at the Dover Public Library, as well as all of the upcoming films that will be held in the Dover community.

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

The Commission recommended that the City post the event on its Facebook page, website events page, and Twitter account, if available.

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

Ms. Smith stated that she would also like to vote on a budget for the event, noting that members would not be meeting again before it is held. Ms. Smith questioned whether $100 or $150 would be appropriate.

Ms. Griffith stated that she did not believe the amount should be much since the SHRC had a big budget and recommended a maximum of $100. She noted that the SHRC budget includes money to do different things, such as providing food for events. She indicated that the SHRC receives grants and has resources.

Ms. Smith expressed the need to be fair by taking on some of the financial burden and at least offering to do some of the work. She suggested finding out how the SHRC would like the DHRC to support them. She felt that if the DHRC established a suggested budget, members would not have to meet again to try to get their budget straight.

Ms. Griffith expressed her feeling that $100 would be appreciated.

Ms. Smith stated that the DHRC has to report to City Council what they do with their budget and if not utilized, these funds may be lost. She felt it important to find constructive and valuable ways to use these dollars.

The Commission recommended approval of a suggested budget of $150 for Ms. Griffith to have the flexibility of using, if necessary, for this particular event as the DHRC partners with the SHRC.

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

Ms. Griffith stated that she had been looking at the City of Dover Facebook page and that events were listed on it. In addition, she indicated that events are posted on the City of Dover website and the City also has a Twitter account. *[City Clerk's Office Note: Subsequent to the meeting, it was determined that the City of Dover does not have an active Twitter account.]*

Ms. Smith requested that Ms. Griffith keep her informed on where the DHRC is in terms of the partnership and what the expectation is in terms of support. She offered to personally support the Communications Committee on this event in any way that she could. In addition, Ms. Smith indicated that she was curious as to whether one (1) of the DHRC Commissioners could serve on the discussion panel for the event if there was space available and, if so, what type of background would be sought. Responding, Ms. Griffith indicated that she would inquire about this from Ms. Fullman on the following day.

Communications Committee (Griffith)

Press Release on New Commission Members

Ms. Griffith stated that she had not sent out a press release regarding the appointment of the two (2) new commissioners.

Ms. Devine stated that no press releases had been issued in regard to previous members' appointments, other than a press release when Ms. Smith became the DHRC Chair, and indicated that she was unsure whether members planned to put something out about the whole Commission or what their thoughts were for a press release.

Ms. Smith stated her recollection that *The Dover Post* ran an article when former Commissioner Cecil Wilson was appointed and they called and interviewed her at that time.

Responding, Ms. Devine stated her recollection that Mr. Jeff Brown, reporter for *The Dover Post*, had attended the first meeting after the DHRC was re-established and did a story about it, but the City of Dover did not issue a press release.

Ms. Smith suggested that once the other two (2) vacant seats on the DHRC are filled, a press release could be done providing an update on what the DHRC had done throughout the year and what 2016 would look like.

Submission of Bios and Photos for Website

Ms. Griffith advised members that her bio and picture had been posted to the City website and she would be obtaining information from Ms. Bogle for the website.

Old Business

Community Involvement - Public Relations Initiative

Ms. Smith advised Ms. Griffith that the DHRC had come up with a public relations idea to develop a card containing a photo of the commissioners, as well as a list of their names and districts, and include a message saying, "Congratulations. We're proud of you." This would be sent to individuals identified in the newspaper to let them know that the Commission exists and is aware that they exist. Ms. Smith stated this had not yet been done because there had not been a full Commission, noting that two (2) vacancies remained. She expressed her hope that Mr. Carlos Holmes, Delaware State University, could take the picture and that this could be done during FY 2016.

Ms. Smith also advised members that the Inner City Cultural League's Sankofa Cultural Arts Center, a project of Mr. Reuben Salters, former City Council Fourth District Representative, would be dedicated on Friday, November 20, 2015 at 7:00 p.m. She stated that children could be brought to the Center from 10:00 a.m. to 2:00 p.m., and there would be a related gala, with business attire, on Saturday, November 21, 2015. Ms. Smith encouraged members to attend.

Update - Four-Day Basic Mediation Training Conducted by the University of Delaware Institute for Public Administration - School of Public Policy and Administration

Ms. Smith advised Ms. Griffith and Ms. Bogle that she had attended a four (4) day mediation training and that she would be sharing what she learned when the two (2) vacant DHRC seats are filled. Ms. Smith indicated that this would not be "training." She would offer the information and process that was shared with her, but the training comes through experience.

City of Dover Police Department Ride Along Program and Citizens' Police Academy

Ms. Smith advised members that she had received an email from the City of Dover Police Department advising her that the Citizens' Police Academy would probably start around February. She indicated that this would be placed on the subsequent agenda for follow-up.

Commissioners Smith, Henderson, Roach, Bogle, and Sadusky expressed their interest in participating in the Ride Along. Ms. Smith advised members to reach out to the Dover Police Department at any time to schedule and Mrs. Sadusky provided contact information.

In House Retreat

Ms. Smith reminded members that it had been decided that the DHRC had a lot of resources around the table in terms of its membership; however, these resources were unknown, as were the interests of the various members, and this was the purpose of the planned retreat. Ms. Smith stated that members had voted to postpone the retreat until all new members were onboard.

Ms. Roach questioned if members were talking about going away for a retreat and Ms. Smith and Mr. Henderson indicated that they were.

Ms. Smith stated that the retreat would be budgeted in the current fiscal year, rather than the next fiscal year.

DHRC Vacancies (Third and Fourth Districts

Ms. Smith reminded members that there were vacancies in the Third and Fourth Council Districts, noting that she had sent an email to Council President Slavin in this regard. She expressed her hope that these positions would be filled in January.

New Business

FY 2016/2017 Budget

Ms. Smith stated that there was currently a $2,000 budget and $725 was put into mediation training, with $1,275 remaining in the budget. She noted that the cards that would be sent out for community involvement/public relations would cost money. Ms. Smith stated that if she could not validate spending $2,000 in the current budget, she could not ask for another $2,000. She questioned what projects members thought the DHRC would like to work on. Ms. Smith was unsure if there would be costs related to the online survey being developed by the Government Policies, Programs, and Practices (GPPP) Committee.

Responding to Mrs. Sadusky, Ms. Smith explained that the funds for FY 16 must be spent by June 30, 2016. Funds for FY 17 must be requested and, after her experience this year asking for money, she stated the need to be very clear on where the $2,000 would be spent and how it would bring value to the City.

Ms. Denise Devine, Assistant City Clerk, explained that staff and Council's budgets are due by the end of November 2015. She advised members that the budget cycle would begin earlier this year, at Council's request, and they would be looking at the budget not long after the first of the year.

In response to Mrs. Sadusky regarding the timeline, Ms. Devine stated that staff would input the budget for the City Clerk's Office and for Council by the end of November. Figures from last year would be pulled forward and changes would be made from there. Ms. Devine requested a recommendation tonight for what the DHRC's budget would be for the next fiscal year.

Ms. Smith stated her belief that budget items would be partnerships, training, and public relations. She noted that the public relations cards could be created before July 1, 2015; however, postage would still have to be purchased.

Responding to Ms. Bogle, Ms. Smith explained that there were four (4) DHRC committees: GPPP, Community Engagement, Education, and Communications.

Ms. Devine explained that the DHRC webpage on the City of Dover website included the DHRC 2015-2018 Strategic Plan, which contained a list of the committees and their roles.

Ms. Smith stated that the Commission was trying to find its brand, footing, or legacy within the community in terms of educating and empowering all people to not allow themselves to be suppressed but to take ownership and become the people that they want to be. She felt that if this would be the DHRC's brand, this is what they would be about, although they could do other things. Ms. Smith felt that this would require putting dollars into having forums and discussions and bringing in speakers, as well as making sure that people are in the audience, which would cost money. She stated that the DHRC was now partnering with others and questioned how and when the DHRC could take a leadership role, what that leadership role would look like, and what the DHRC was talking about that people want to hear.

Ms. Griffith questioned if the DHRC had done anything in terms of community outreach, such as serving meals at the homeless shelter or volunteering with Habit for Humanity. Responding, Ms. Smith stated that this was a great idea and would be discussed under new business.

Ms. Smith asked members to think about what is important to them and what they would like the Commission to be known for.

Mr. Roach stated the importance of community engagement, noting that in his opinion that government policies and communication could be in place and the name could be buzzing, but if members were not engaged with the community and if the people they were trying to serve did not know who they were, it would be in vain. He stated that he would like to be involved in outreach and put funds toward a

DHRC Adopt a Family, buying Christmas gifts for a family and bringing the gifts personally to them, financing this through fundraisers or using budgeted funds. Mr. Roach felt that engagement was key since people would not attend forums if they were not engaged. He expressed his opinion that people would come to get a McDonald's gift card or something that benefits them but not for an education piece when they are in a difficult situation. Mr. Roach stated his belief that members have varied opinions and are diverse and may have difficulty finding one (1) common place to land.

Ms. Smith questioned what community events Mr. Roach would suggest that the DHRC participate in. Responding, he suggested reaching out to different churches and community programs and volunteering in areas where help is needed, such as serving in a soup kitchen.

Ms. Smith requested Mr. Roach to let members know specifically when and where they should do this, should the DHRC vote to do so. Responding, Mr. Roach offered to get a contact.

Mr. Henderson advised members that Calvary Baptist Church at Queen and Fulton Streets serves a Thanksgiving meal. Mr. Roach stated that this church feeds a Thanksgiving meal to those who come and delivers one to those who cannot.

Ms. Griffith noted that Interfaith Mission for Housing has a sign-up available on their website for the days when food can be provided and served and this may also be a possibility.

In regard to the FY 2016/2017 budget request, Ms. Smith indicated that she had put together a budget. Noting that members had talked about partnerships, training, public relations, and postage, she questioned if members wished to add anything else.

Mr. Roach stated that not many funds had been used in the current fiscal year and questioned if remaining funds would roll over or be returned and the DHRC would start with a whole new budget. Responding, Ms. Devine stated that funds that are not spent would be gone and the DHRC would submit specific line items for the budget for the next fiscal year.

Ms. Griffith suggested allocating funds to do a dinner at the homeless shelter or sponsoring a family. Responding, Mr. Roach noted that funds were available in the current budget and suggested that this topic be added to the next agenda under outreach.

Ms. Griffith expressed her desire to make sure that funds would not be reverting.

Mr. Roach stated his thought to ask for the same amount since he did not believe that the DHRC would be able to use all of the funding for the current fiscal year.

Ms. Smith noted that funds did not have to be spent until June 30, 2016 and she felt that this would occur.

Ms. Griffith felt that the same amount should be asked for and believed that it could be spent.

Mr. Roach felt that if the DHRC could show Council what was planned between now and June, they might be able to ask for more.

Ms. Smith stated that training was included for next year, as well as the cost of partnerships. She indicated that there could be a line item for outreach, which would include postage, cards, and community events.

Ms. Griffith stated that she could talk to Ms. Romona Fullman, Director of the Delaware Division of Human Relations, about what events were planned, noting that the DHRC could add to the SHRC's plan, as well as the Commission for Women's plan.

Ms. Devine reminded members that there had been discussion about sending another Commissioner to mediation training in the spring. She was unsure if the price would be the same or increase; however, $725 had already been spent for this.

Ms. Devine stated that if the DHRC wished to recommend a budget of $2,000, this could be submitted. She noted that it would be possible for members to change this after their next meeting if necessary. Although half of their current budget had not been spent, this could change by the end of the year. Ms. Devine reminded members that things could change and they could go back to the City Manager or Council to ask for more funds.

Ms. Smith indicated that the general consensus was to ask for $2,000 and not go above that.

Mr. Roach concurred at this point in time, noting it would difficult to ask for more since less than half of the budget was spent. He stated his recollection that the DHRC's initial request was for $5,000 and Council approved $2,000, noting that it was better to shoot high.

Ms. Smith indicated that she would like to ask for $5,000 and tell Council that the DHRC had planned to send additional members for training but opted not to do so at this time because it would have eaten up their budget. She stated that training, public relations, postage, and outreach could be included as line items, and community engagement and events could be listed under outreach.

In response to Ms. Devine, Ms. Smith confirmed that the budget amount would be $5,000 but specific amounts would not be set for the items that she mentioned.

The Commission requested $5,000 for the FY 2016/2017 budget for training, public relations, postage, and outreach, with community engagement and events to be listed under outreach.

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

Invitation for the DHRC to Participate in the Central Delaware National Association for the Advancement of Colored People (NAACP) 1st Annual Community, Family, and Fellowship Dinner/DHRC Logo

Ms. Smith reminded members that she had participated in a community outreach event that had been held by the City of Dover Police Department and the National Association for the Advancement of Colored People (NAACP) on October 8, 2015, which was held in the downtown area at the former Acme grocery store site and had been an amazing event. She indicated that she had been notified that the NAACP would be holding a 1st Annual Community, Family, and Fellowship Dinner on Monday, November 23, 2015 at Holy Trinity Church at 425 West Division Street, and volunteers were being sought. Because there had been no opportunity for the DHRC to get together and discuss this, Ms. Smith stated that her own business, "S. Renee's There is More Inside", would be partnering and was listed on the event flyer. She felt that it would be a huge opportunity for the DHRC to also partner and have their logo and presence there; however, she realized that the Commission did not have a logo. Ms. Smith expressed the need for members to be identifiable when going out and volunteering and suggested having matching T-shirts with the DHRC logo on the front and perhaps "We Believe in the City" on the back.

Ms. Griffith stated that they could also have name tags that would identify them.

Ms Devine stated that new members would be provided DHRC badges once their pictures were received. She was unsure if the Commission would like to purchase business cards for the new members or if they wanted to wait until the two (2) vacancies were filled since there would be a discount if more cards were purchased. She indicated that she could place this matter on the next agenda for discussion.

Ms. Smith stated her belief that a logo was needed and asked if Ms. Griffith could work on this.

Mr. Roach suggested that all members try to come up with a general concept, suggesting that the SHRC logo be adapted using the City's seal if the SHRC gave permission.

Ms. Smith stated that she could provide the name of someone who designs logos and could provide several samples. She indicated that this may cost $50 or $100; however, the DHRC has a budget to build its presence. Ms. Smith felt that she was not qualified to do this and did not like to step into territories where she is not qualified.

Mr. Roach felt that it would be a disservice to the new commissioners to wait until the next meeting to order business cards.

Ms. Smith advised members that she was not necessarily saying that the business cards should wait but was thinking about having the DHRC logo on the top of the cards. She felt that a designer should prepare the logo, and Ms. Griffith concurred, stating that the City should not mess with the State's logo.

Mr. Roach requested that he be provided the contact information for a designer and stated that he would provide a general idea of what the DHRC was looking for.

Ms. Smith suggested the designer be provided with the DHRC's mission and the feeling that they want to leave with people. They would be paid for their creativity in designing the logo.

Ms. Griffith requested that she and Ms. Bogle be provided badges for identification. Responding, Ms. Devine stated that she could obtain badges from Human Resources as soon as she receives photos and would notify members when they are available.

Ms. Smith stated that it would have cost from $150 to $300 for the DHRC to be a part of the NAACP 1st Annual Community, Family, and Fellowship Dinner, which would not have been costly and would have increased the DHRC's presence. However, she indicated that members could still volunteer to serve on the day of the event and she definitely planned to be there.

Ms. Griffith expressed her opinion that the DHRC needed to participate in more things like this as a commission, noting that their picture could be put in *The Dover Post* so people would know who they are.

Members discussed various options regarding obtaining T-shirts or polo shirts to identify them.

Ms. Devine noted that this item was not listed on the agenda. Ms. Smith stated that the DHRC was planning to do an event and members needed something that would make them identifiable for events like this.

In response to Mr. Roach, Ms. Devine explained that items could not be added to the agenda because the public had not been made aware of the item being discussed. She explained that the Freedom of Information Act (FOIA) specified that emergency items could be added up to six (6) hours before a meeting. Ms. Devine noted that the community was not being given the opportunity to talk about how the DHRC was spending money or provide input on the logo.

The Commission recommended that the DHRC participate in the NAACP 1st Annual Community, Family, Fellowship Dinner, which also involves the Dover Police

Department, the Interdenominational Ministerial Alliance, the Fraternal Order of Police, and S. Renee's There is More Inside.

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

Ms. Griffith and Mr. Roach stated that they planned to attend.

Ms. Devine reminded members that when four (4) or more members get together, the City can post a notice regarding a potential quorum. Members would not be in official session and could not take action, which could not occur outside of an official meeting. In addition, she stated that members could not call four (4) other members to discuss official business. Ms. Devine requested that if members receive notice of similar events and are looking for members to attend, this information should be sent to the Clerk's Office so that they can share it with all commissioners.

In response to Ms. Griffith, Ms. Devine confirmed that this would also apply to information she might wish to pass on from the Communications Committee. She explained that the Clerk's Office blind copies members on emails so that members do not "Reply All", which could result in an unintended meeting.

Ms. Smith questioned how much members would like to allocate for the logo and recommended not exceeding $100.

Mr. Roach suggested going to one of the colleges or high schools and offering a prize for the official DHRC logo. This would build a relationship with the school and possibly with the Capital School District Superintendent.

Ms. Smith questioned if this would be part of Community Engagement, and Mr. Roach stated that he felt that it would.

Ms. Devine stated that Council would have to approve this recommendation.

Ms. Bogle suggested that, rather than a contest, this could be a project for students at Delaware State University.

Ms. Devine advised members that the City of Dover has T-shirts and polo shirts with the City of Dover logo that are sold at the City's warehouse but was unsure of the price.

Mr. Henderson questioned if the DHRC's information could be added.

Mr. Roach felt that the Dover High School print shop could add this information in a short amount of time. This could be done for the short term until a logo is developed and approved by Council.

Responding to Ms. Smith, Ms. Devine stated that the DHRC could use shirts with the City of Dover logo since this is on the DHRC agendas, etc. She did not feel it would be a problem to add members' titles.

Ms. Smith questioned what the process would be for obtaining shirts with specific sizes from the City of Dover and getting them to Dover High School to have the names added. She also inquired if members were going too far off the agenda and if this would cause conflict.

Ms. Devine stated that if members wished to take a brief recess, she could find out this information.

Meeting recessed at 6:27 p.m. and reconvened at 6:33 p.m.

Ms. Devine advised members that, since they had decided to participate in the event, they could discuss and vote on whether or not they would like to get shirts under that topic. She advised members of the approximate cost of each shirt and offered to check the next day on how shirts could be obtained. Ms. Bogle noted that members could email her their sizes.

Ms. Bogle offered to coordinate with the Clerk's Office regarding obtaining the shirts and with Dover High on additional lettering for the shirts.

Ms. Devine advised members that they could discuss getting a logo and having a contest. Once the options were narrowed down or the group decided on a logo, this should be formally presented to Council before representing the City with the logo in public.

Mr. Henderson moved to purchase shirts from the City for each member and have them taken to Dover High School to have Commissioners' names put on them. The motion was seconded by Ms. Griffith.

Ms. Devine questioned if members would like the lettering to specify "DHRC" or "Dover Human Relations Commission."

After further discussion, Ms. Smith clarified that the motion was to purchase polo shirts from the City for each commissioner and have them taken to Dover High School to have "Dover Human Relations Commission" and the last name of each commissioner added.

Responding to Ms. Bogle, Ms. Smith stated that efforts would be made to have them done by Monday, November 23, 2015 if possible.

The Commission recommended purchasing polo shirts from the City for each Commissioner and have them taken to Dover High School to have "Dover Human Relations Commission" and the last name of each commissioner added.

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

Ms. Devine obtained sizes of members who were present and offered to contact members who were not there. Ms. Devine stated that there were different colors and members requested a darker color.

Mr. Roach moved to allow Ms. Bogle to work collaboratively with the City with latitude to obtain the shirts, regardless of the color, and choose the stitching based on her decision with Dover High School, seconded by Mr. Henderson.

Ms. Smith stated that white was not a choice since it would be hard to clean.

The Commission recommended allowing Ms. Bogle to work collaboratively with the City with latitude to obtain the shirts, regardless of the color, and choose the stitching based on her decision with Dover High School.

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

Mr. Henderson moved to recommend that Dover High School students be asked to create a logo for the Dover Human Relations Commission in exchange for a $50 gift certificate, seconded by Ms. Griffith.

In response to Mr. Henderson, Ms. Smith stated that the gift certificate would not have to be for any particular place but could be a gift card.

Mr. Roach suggested that the Community Engagement Committee solicit donations for prizes, for example, the winner could receive a $50 Visa Card, second place a gift card from Best Buy, and third place a card from TGIFriday's. He felt that the prize should be based on whatever donation the Commission was able to obtain.

Ms. Devine questioned if the full Commission would vote on the contest winner or who the judges would be. She stated that the DHRC would make a recommendation to Council regarding the logo contest and, if approved, the DHRC could work on the idea more at the next meeting.

Ms. Smith stated that once Council approves the contest, the DHRC could move forward, knowing that the logo would have to go back to Council for approval.

Responding to Mr. Henderson, Ms. Devine stated that DHRC items are typically on Council's consent agenda, but if someone wanted to discuss an item further with Council during the meeting, it could be removed from consent. She stated that when the logo goes to Council for approval, this would be a formal presentation and not on the consent agenda.

Mr. Roach stated that the contest winner could be brought in and recognized. He felt that DHRC members should be there as well.

The Commission recommended that Dover High School students be asked to create a logo for the Dover Human Relations Commission in exchange for a $50 gift certificate.

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

DHRC Webpage Photo Gallery

Ms. Smith advised members that if "Dover Human Relations Commission" is googled, a photo gallery appears that has outdated pictures. She suggested that the photo gallery be taken down completely or that the pictures be replaced with new ones.

Mr. Roach felt that these pictures should be taken down immediately since the Commissioners' new bios were on the website. He suggested that new pictures be taken to replace the old ones.

Ms. Devine explained that the DHRC photo gallery had been turned off and a Google search now indicates that the link is broken; however, the photo gallery would still show up on a Google search for the Dover Human Relations Commission. She noted that the DHRC's current webpage appears second on a Google search, but the old information appears first because it had been there for a long time. Ms. Devine advised members that if they click on their own links every day, this would cause this information to open up first in Google.

Mr. Roach moved to recommend taking photos of Commissioners at meetings and events and submit them. The motion failed for lack of a second.

Ms. Bogle indicated that she has a camera and liked to take photographs.

The Commission recommended beginning to take pictures of events that the Commission is having and for Diane Bogle to be the primary photographer for the photo gallery.

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

Scheduling of 2016 Meeting Dates

Ms. Smith questioned if members wished to hold a December meeting, noting that if they wished to vote on adopting a family, this would have to take place in the next two (2) or three (3) weeks.

After further discussion, Ms. Smith suggested meeting on Thursday, December 10, 2015. Ms. Denise Devine, Assistant City Clerk, indicated that she would have to check the availability of the meeting room.

Ms. Bogle questioned if members wished to adopt a family or if this would be determined at the time of the next meeting. Responding, Ms. Smith indicated that this would be determined during the next meeting since it was not on the current agenda. She encouraged members to email the City if they had other matters that they wanted to discuss so that they could be placed on the agenda.

Ms. Griffith stated that members could also consider adopting a senior citizen through the Department of Health and Human Services.

The Commission tentatively scheduled a meeting for December 10, 2015 at 5:15 p.m.

Ms. Devine stated that if December 10th date were not available, she would contact the Chair and members regarding an alternate date.

By consent agenda, Mr. Lewis moved for acceptance of the Dover Human Relations Commission Report of November 17, 2015. The motion was seconded by Mr. Anderson and carried by a unanimous roll call vote.

PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE REPORT - DECEMBER 14, 2015

The Parks, Recreation, and Community Enhancement Committee met on December 14, 2015 with Chairman Anderson presiding.

Review of Active Recreation Area Plan - The Grande, Building 4: Planned Neighborhood Design - Senior Citizen Housing Option (Planning Reference C-15-04)

Members were advised that The Grande, Building 4 project would be reviewed as a Conditional Use Site Plan to establish a Planned Neighborhood Design development of Senior Citizen Housing. The plan proposed construction of a four (4) story 62,240 S.F. apartment building consisting of 48 units (Building 4) and other associated site improvements to join the existing apartment complex, which consisted of three (3) apartment buildings now known as The Grande. With this project for a fourth building, the complex would consist of a total of 192 apartment units of Senior Citizen Housing.

Mrs. Dawn Melson-Williams, Principal Planner, advised members that use of the Planned Neighborhood Design Senior Citizen Housing option would obligate the developer in terms of the type of resident that would reside in the complex. Mrs. Melson-Williams advised members that the per dwelling unit calculation required 150 square feet of Active Recreation Area per dwelling unit by code, which would total approximately 28,800 square feet in this case. The three (3) areas that were highlighted as the Active Recreation Area would provide almost 22,000 square

feet in built amenities, resulting in a deficit. Mrs. Melson-Williams explained that the developer was seeking to resolve this by using a cash-in-lieu payment, which would be designated for the Parkland Reserve Fund, instead of constructing additional amenities. One (1) reason cited for utilizing this process was that there was not much green space left on the site for additional amenities. Mrs. Melson-Williams stated that staff had reviewed the Active Recreation Area plan and provided a series of comments and recommendations. Staff had also advised that the cash-in-lieu payment was one (1) of the options to resolve the square footage deficit and identified procedures and clarifications that would be necessary for the development plan. Mrs. Melson-Williams stated that the Active Recreation Area Plan was being brought to members for their review and comment, noting that their recommendation would be forwarded to the Planning Commission, who would meet later in the week to consider the plan as a whole for development of Building 4.

Noting that current development was geared toward senior citizens, Mayor Christiansen inquired if there were arrangements within the plan to accommodate families with children or singles if the property should change hands. Responding, Mrs. Melson-Williams stated that the three (3) current buildings were built as market-rate apartments; however, the developer had chosen to target the senior housing market. During the Summer of 2015, they took the step of placing deed restrictions in accordance with the Fair Housing Act at the federal level, which would require the head of household for at least 80% of the units to be aged 55 or over. Mrs. Melson-Williams indicated that the process that the project was currently moving through to construct Building 4 would specifically designate the entire project as a senior citizen housing project, which is for those aged 55 and over. Changing the designation would require removal of a deed restriction and could possibly involve some procedural issues related to compliance with the City's Zoning Ordinance, because the density that the developers were achieving was potentially only achievable as a senior housing project. Mrs. Melson-Williams stated that if steps were taken to make the complex non-senior housing, the City would have to go back through this process again. She indicated that, in terms of the recreation area, there was a variety of amenities that would probably appeal to a variety of residents should a change happen.

In response to Mayor Christiansen regarding the types of trees that would be included, Mrs. Melson-Williams advised members that there were existing trees throughout the project that ring the buildings on the outside between the buildings and the parking lot. In addition, trees had been planted in the central area around the stormwater management facility in the last five (5) years. She noted that there were tree planting requirements for the overall site, stating her belief that regulations required over 90 trees.

Responding to Mr. Caldwell, Mrs. Melson-Williams confirmed that at least one (1) member of the household must be aged at least 55 years, noting that the City's Zoning Ordinance requires this to utilize the senior citizen housing option type of project.

She explained that the ordinance refers only to the head of household and there were no other limitations on other members of that household.

Mr. Caldwell questioned if there was a detailed agreement with the Modern Maturity Center, which is adjacent to the project. In response, Mrs. Melson-Williams stated that there is a walking path between the apartment complex and the Modern Maturity Center that is wide enough for golf cart access between the two (2) facilities that the residents of this facility could take advantage of. The developer had indicated to the Planning Office that the annual membership fee to the Modern Maturity Center is paid as part of the lease agreement for each of the units. She noted that there may be other fees to utilize specialized amenities or meals at the Modern Maturity Center. As to whether individual residents would know what is in the agreement and what they can utilize, Mrs. Melson-Williams stated her belief that this was part of the lease document, which was not submitted to the Planning Office. She explained that staff had asked for this document if the developer was going to claim the Modern Maturity Center as part of the active recreation component to meet requirements; however, they were not resting on this as their Active Recreation Area.

Mr. Caldwell asked if staff had granted any exemptions in regard to Building 4 as far as recreational activity plans or if all requirements must be met, including the 28,800 square footage requirement. Responding, Mrs. Melson-Williams explained that the 28,800 square foot requirement must be met as demonstrated on the plan or by going through a different type of process. In this instance, the developer was looking to use a cash-in-lieu payment.

In response to Mr. Caldwell as to whether or not staff would accept the cash-in-lieu payment, Mrs. Melson-Williams advised members that this was one (1) of many options. Staff had received notice in writing earlier in the day that this was how the developer intended to solve the deficit.

Responding to Mr. Hosfelt, Mrs. Melson-Williams explained that the cash-in-lieu payment is based on a formula related to the appraisal for construction financing, and the City's code outlines what is utilized for that calculation. The number was unknown at this point because it would be calculated once the developer supplies the appraisal. Mrs. Melson-Williams explained that there are specific guidelines in the Zoning Ordinance that describe what that appraisal is.

Mrs. Horsey stated that she was intrigued by the option of inside recreation space and asked what could be put inside a building that might satisfy the requirement for active recreation. Responding, Mrs. Melson-Williams indicated that other projects had included indoor facilities that were most often part of a clubhouse facility. She explained that meeting room areas and fitness centers could have been options; however, the developer had not put this forward.

In response to Mrs. Horsey regarding the cash-in-lieu amount, Mrs. Melson-Williams reiterated that the appraisal was needed to calculate this amount and procedurally

there was a mechanism to report the amount of the payment to the Parks, Recreation, and Community Enhancement Committee and to the Planning Commission. She stated that this payment is an up front cost that must be made prior to receiving a Certificate of Occupancy, and in this case she felt that a building would probably not be started without this payment being made.

Mrs. Horsey questioned whether the current landscaping on the property was thriving now and if the landscaping that had been previously planted was up to what was required for the three (3) existing buildings. She noted that making sure that plant material thrives had been a problem over the years. Responding, Mrs. Melson-Williams advised that code requires plantings to survive one (1) year. She assured members that staff would confirm the plan meets the number of trees required and check the life expectancy of those trees, noting that required trees would be replaced if they die.

The Committee recommended approval of Staff's recommendations regarding the Active Recreation Area plan for The Grande Building 4 as a Planned Neighborhood Design for senior citizen housing option.

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

Review of Non-Conforming Uses

Mrs. Ann Marie Townshend, Director of Planning and Community Development, reviewed a presentation entitled, "Non-Conforming Uses" dated December 14, 2015. She explained that non-conforming uses are those uses that are not permitted under the provisions of Article 3 of the Zoning Ordinance, and some of these uses in the City predated a rezoning of the property, an amendment to the Zoning Ordinance text, or zoning altogether, since some of these properties dated from well back into the 1950s and1960s.

Mrs. Townshend reviewed the provisions of non-conforming uses set forth in Sections 1.1, 1.2, and 1.5 of Article 7. She advised members that Section 1.5 addressed objectionable uses and included provisions for continuing a non-conforming use a specified time period following the effective date of the ordinance, which grandfathered in certain things. She stated her belief that the ordinance became effective in 1976. Mrs. Townshend indicated that staff was working on clarifying some of the definitions. She felt that this was the most pertinent piece of this section of code as it related to some of the issues that had come up recently.

In regard to how staff enforces the sunsetting of non-conforming uses, Mrs. Townshend explained that before staff issues a license or permit, they make sure that the property has not been vacant for a year. Owners of non-conforming properties that have been registered as vacant for more than a year are notified that they must be restored to single-family homes. If there has been a fire, staff verifies that the repair cost does not exceed 75% of replacement value and checks for other

relevant criteria. She indicated that most of the non-conforming uses that staff had dealt with were in the downtown residential area. Mrs. Townshend noted that there was a provision in the Code that mentioned sunsetting non-conforming uses 20 years after the 1976 effective date of the ordinance; however, to her knowledge, there was no effort in 1996 or anytime thereafter to determine what uses should have been sunsetted at that time. Nothing had typically been done if there had been a non-conforming use and continuous existence.

Mrs. Townshend advised members that if staff were to move forward, significant research would be needed to determine code amendment dates, property rezonings, and non-conforming properties. She explained that staff would have to determine whether some of the non-conforming uses were truly non-conforming or if they would be considered legitimate conditional uses that would need to go through the Planning Commission.

Mrs. Townshend stated the need for consistency and for a change not to be implemented with one (1) or two (2) properties but based on an evaluation done across the City. If based on timing, she felt it would be appropriate to do this in the context of the City of Dover Comprehensive Plan with subsequent comprehensive rezoning. Mrs. Townshend also expressed concern regarding the unintended consequences of enforcement, noting that many non-conforming uses coexist without any issues at all. She explained, for instance, that some churches and funeral homes would be closed if staff was unable to determine that they had ever received conditional use approval. Mrs. Townshend questioned the ramifications for property owners who had been managing their property in accordance with other codes.

Mr. Hosfelt questioned the reason for the provision that a structure cannot be restored other than for a conforming use after damage from any cause exceeding 75%. Responding, Mrs. Townshend explained that this threshold was set at a particular point in time and explained that it was to protect both the homeowner and the insurance company, stating the desire not to put someone in an upside-down mortgage. Mrs. Townshend noted that she had spoken with Councilman Hutchison a number of times over the years about whether there was a need to look at the number of houses that had been converted to multi-family dwellings. She noted that there was a related provision in the code; however, questioned if a code amendment was needed so that there would be something more updated that would sunset things in a more transparent way, rather than taking a piece of code from 40 years ago and suddenly saying that it would be enforced.

Mr. Hosfelt questioned whether there was adequate time and staff to do the research that Mrs. Townshend had referred to. Responding, Mrs. Townshend stated that staff could fit it in; however, they would have to go through every use that is not permitted. She noted that most of these uses would be in residential zones, although there would be some in other zones as well. Mrs. Townshend indicated the probable need to come up with a Geographical Information Systems (GIS) tool.

In response to Mr. Hosfelt as to whether the locations of these properties were already known, Mrs. Townshend stated that staff knew where some of them were, but not on a grand scale. She felt it would be a significant undertaking to make sure that this was done in a fair way.

Mr. Hutchison noted that he and Mrs. Townshend had discussed many times that it was not permitted to convert a residence into an apartment in a residential area, noting that this could not be allowed to happen. Responding, Mrs. Townshend stated her belief that the issue of conversion was addressed in a code amendment adopted in 2003. She stated that one (1) possible approach would be to start marking 20 years from the date that this provision was adopted. Mrs. Townshend noted that the code referenced the effective date of the Article 7 ordinance. She indicated that her preference, in terms of non-conforming uses, would be to revisit this article of code to come up with a better process for addressing these situations, rather than trying to apply language that had been there for 40 years without really being used and applying it to current situations.

In response to Mr. Hosfelt, Mrs. Townshend stated that this was something that could be used to turn around properties that had been converted from single-family homes into apartment buildings. An option would be to amend Article 7 to include provisions that would apply to family structures that had previously been converted by a specific year. She noted that when "20 years from the effective date of this ordinance" is specified, it takes research to find the effective dates of the ordinance and its amendments.

Mrs. Horsey questioned if these provisions would prohibit a family from having a boarder or renting out a certain area of their dwelling. Responding, Mrs. Townshend stated that this situation is governed by a different section of Code, noting that currently the definition of family addresses this and it is stated that a family can have no more than one (1) boarder.

Mr. Anderson advised members that there was a club on North Kirkwood Street that was being rented out for activities and did not seem to fit in a residential area. He questioned if this would fall under the 20-year provision. Responding, Mrs. Townshend stated her belief that it would fall under the 20-year provision and that staff would need to determine how long it had been there. She indicated that if the City were to enforce non-conforming expirations, this must be done fairly across the board.

Mr. Anderson questioned if it would be fair to start enforcement in an area where there had been scores of neighborhood complaints. Mrs. Townshend agreed that this would be fair; however, she felt there was a need to amend the code to give the authority to address individual non-conforming uses, perhaps on the basis of an appeal by neighbors. If it was not desired to expire all non-conforming uses, she felt the code should be amended to provide a mechanism for holding a hearing, perhaps before the Board of Adjustment or the Planning Commission, to begin some type of

proceedings to expire a use. Mrs. Townshend noted that there were liquor stores in some residential zones that may not receive as many complaints as the property Mr. Anderson mentioned; however, she felt that residents may have an interest if they knew there was an opportunity to address them.

Mr. Anderson stated the need for mapping to find out what is non-conforming in the City to determine if there is an overall problem and to look at the complaints that had been received to see if they line up or not. He indicated that he was unsure if there was a need to develop new Code or to enforce the existing Code, noting that residents were specifically asking for enforcement.

Mrs. Townshend stated her opinion that a legal opinion should be obtained if the City were to take action specific to one (1) establishment that was generating complaints. She expressed the desire to make sure that the City did not put itself in a position to be challenged for targeting a specific location.

Mayor Christiansen concurred, expressing the need for maintenance of standards. He stated that the City would be putting itself in harm's way if it chose to look the other way on other non-conforming properties.

Mr. Anderson suggested starting by taking an inventory, and Mrs. Townshend agreed.

In response to Mr. Hutchison regarding the time required to address non-conforming uses in the whole City, Mrs. Townshend estimated that working with GIS staff to obtain an inventory would probably take a couple of months.

Mr. Hutchison asked if a case-by-case procedure could be put in place in the meantime. Responding, Mrs. Townshend reiterated that she would want a legal opinion if a case-by-case rather than across-the-board procedure were to be used so that there would not be an accusation of targeting any specific location. However, she noted, for instance, that if building code violations were being discussed and it was determined that a property had been vacant for more than a year, she would start the process of reaching out to the property owner, noting that staff had done this on a routine basis and would continue to do so.

Responding to Mr. Hutchison, Mrs. Townshend confirmed that there were many properties that had been converted to apartments and were still actively being used all over the downtown area, including the Downtown Development District (DDD) target area.

Mr. Anderson stated the desire to: 1) develop an inventory; 2) establish a resident appeals procedure; 3) establish a clear standard that everyone could understand and could be universally applied.

In response to Mr. Caldwell regarding whether a legal opinion was needed in regard to any approach taken, Mrs. Townshend advised members that staff typically works closely with the Deputy City Solicitor and gets his feedback when working on Code amendments that involve property rights and would do so in this case.

In view of the holiday schedule, Mr. Hosfelt suggested asking Mrs. Townshend to come back before the Committee in March to provide an idea of what the situation was City-wide.

Mr. Anderson felt that the issue regarding resident appeals concerned a lot of people in different areas of the City and should be part included, and stated that a March date seemed reasonable to him.

The Committee recommended that Staff be requested to prepare a residential appeal process and to also look at those properties within City limits that are clearly non-compliant with the uses for review by the Committee during their March meeting.

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

Mr. Kirby Hudson, Assistant City Manager, suggested implementing a color palette in the downtown area.

Concerns - Park Lighting (Kirkwood and Division Streets)

Mrs. Ann Marie Townshend, Director of Planning and Community Development, advised members that Police Chief Paul Bernat had contacted her and Mr. Harry Maloney, Electric Director, about lighting at the basketball court at Kirkwood and Division Streets. She indicated that the Electric Department had developed a cost estimate to replace this lighting, noting that existing lighting had not been used in over 20 years and was in very poor condition. Mrs. Townshend indicated that a design was being developed, lighting would be installed and, provided that all goes through, Police Chief Bernat had gotten money through bank settlement funds that would be used to pay for the improvements. She indicated that hopefully within the next few months there would be lighting on the basketball courts that would be set on a timer.

Mr. Anderson thanked the Police Department for working to find these funds.

Mrs. Townshend noted that Mr. Anderson and Mr. Sudler had mentioned the issue of fencing around the playground on Kirkwood Street. She noted that she had observed that this fencing was in poor condition. Staff had contacted the fencing company that the City has on contract on multiple occasions and they were supposed to provide an estimate but had not yet done so.

Mayor Christiansen suggested that a new fencing company be found. Responding, Mrs. Townshend stated her intention to look at other vendors on the State contract

to get estimates both to replace the damaged sections and to replace the entire fence. She noted that this could be done without bidding out the project. Mrs. Townshend expressed the desire to replace the entire fence around the playground with something a little more sturdy that would look very much the same.

In response to Mr. Anderson regarding what was needed, Mrs. Townshend stated that staff needed a contractor to look at what is there and provide options and quotes.

Mayor Christiansen questioned if a better grade of fence that would not be conducive to sitting or leaning on it should be used, perhaps with spikes or a rolled top. Responding, Mrs. Townshend indicated that she was unsure if spikes along the top were necessary. She stated that staff could look at the placement of benches to see if more benches should be added. Mrs. Townshend indicated that the fence did not look as though it had been vandalized but had received long-term wear.

The Committee recommended approval of Staff's recommendation regarding lighting and fencing at the Kirkwood and Division Street property.

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

Concerns - Availability of Soccer Fields

Mrs. Ann Marie Townshend, Director of Planning and Community Development, advised members that the Central Delaware Soccer Association (CDSA) started using the fields at Schutte Park in 1989 or 1990 at the invitation and request of the City and had used those fields since that time. She noted that the CDSA had grown and merged into Delaware Union a couple of years ago. During the last couple of years, there had been other programming on the fields at Schutte Park, including Delaware Diamond Girls Lacrosse in the spring and the City's field hockey program. Mrs. Townshend explained that when the City's Recreation Needs Assessment was done, members of the Committee and the public expressed the need to improve in providing affordable recreation to City residents, and soccer programming had been requested. The cost of Delaware Union's program had increased over time, with a current registration fee of $70, as well as a minimum fundraising charge and a requirement to pay for each participant's uniform jersey.

Mrs. Townshend advised members that staff had been hearing that people wanted a lower cost option for soccer. Mr. Steve Pickering, Sports Coordinator, advised her that he had been speaking to the YMCA, who was interested in a partnership with the City and that the City of Milford and City of Harrington had City recreation leagues with a $40 registration fee. Working with the YMCA and Holy Cross School, Mr. Pickering developed a soccer program for the City. In May 2015, staff let Delaware Union know that the City was going to start its own soccer program and would be using its fields at Schutte Park. Shortly after that, Mrs. Townshend met with Mr. Dan Simmons, Dover Recreational Vice President, Delaware Union, and it was determined that a portion of the Schutte Park fields would be available to

Delaware Union in the fall, where both the City's program and Delaware Union's program would be held. Mrs. Townshend stated that in November 2015, she was asked to attend a meeting because of Delaware Union's concern that they would not have a place to play if they did not play at Schutte Park. She subsequently met a number of times with Mr. Simmons in the hope that everyone would be able to use the fields. Mrs. Townshend followed up with Mr. Pickering, who expressed concerns about damaging the fields by trying to do too much in a small area.

Members were provided correspondence from Mrs. Townshend to the Committee dated December 14, 2015, RE: Schutte Park Fields. She reviewed the concerns and possible alternatives for accommodating both the Delaware Union and City of Dover soccer programs. Mrs. Townshend explained that she had spoken to Mr. Simmons the previous night but they were unable to meet earlier in the day and he had not yet seen these proposals.

In response to Mr. Hosfelt, Mrs. Townshend stated that the unimproved area of Schutte Park being discussed for Delaware Union's use was a triangular-shaped piece of property at the intersection of Hazlettville and Wyoming Mill Roads where the power lines come into the property. She indicated that this area was cut off from the rest of the park because of berming. Mrs. Townshend stated that there would be an issue with parking, it was not a convenient walk from the rest of the park, and there would be a need to provide some type of temporary access and allow parking on the grass on a temporary basis.

Mr. Hosfelt noted that the grass would not be there for long if parking was allowed on a temporary basis.

Mr. Hosfelt stated his understanding that everyone had been able to work together in the fall and questioned if this was because the size of the league diminishes in the fall. Responding, Mrs. Townshend explained that in the fall the southern field, near the Little League Park, was used; however, the Delaware Diamonds Girls Lacrosse program had reserved this area for the spring.

Mrs. Horsey commented that when her children went through CDSA their playing fields were at William Henry Middle School. Mr. Caldwell suggested that the fields at William Henry Middle School might be more beneficial to Delaware Union.

Responding to Mr. Hosfelt, Mr. Pickering confirmed that he had developed the City of Dover's soccer league during the fall of 2015 and stated that the fields had held up well so far because both areas in the park had been used. He explained that if the City ended up using only one (1) area, this would double the amount of use on each side of the park, and the City's league would be relegated to only half the fields that they had before. Mr. Pickering stated that there were over 200 City participants the very first year and expressed concern that fields would be taken away as the league was growing. He also felt that there would be confusion among the parents, who would be going to City staff with questions regarding both leagues, and staff would

not have answers regarding the Delaware Union league. Mr. Pickering felt that this would cause frustration for everyone, including the City's clients. He advised members that the City's programs had a good reputation in the community and feared this kind of confusion would hurt the City's program.

Mr. Anderson questioned the impact of extending the times and having leagues run in the morning and afternoon. Responding, Mr. Pickering stated that this would ease the problem of participants' centralizing. The City could use both field areas in the morning, and Delaware Union could use them in the afternoon, utilizing the City's goals that would already be set up. Mr. Pickering stated that the City had also offered Delaware Union use all day on Sunday. He noted that there would be a parking issue. Staff would not be able to provide inside programming in the Pitts Center itself because this would require parking for a third program.

Mr. Hutchison questioned if there was a problem with the fields before the City created a new soccer program and if locations other than Schutte Park had been looked at the for City's program. Responding, Mr. Pickering stated that the City of Dover had considered only Schutte Park since the City had no other fields that were large enough for the league. He indicated that Mallard Pond was not large enough, nor was Dover Park, which had only one (1) multi-purpose field.

Mr. Hutchison stated that there had been an effective soccer program for 25 years through the City's partnership or relationship with Delaware Union. Responding, Mr. Pickering stated that the City did not have a partnership with Delaware Union but rented fields to them. He advised members that the City now offered an alternative program at a third of Delaware Union's cost to its citizens. The City had reached out successfully, in accordance with its mission, to bring in kids that would not have played soccer if Delaware Union had been their only option because they would not have been able to afford it; however, having both leagues there at the same time on the same two (2) fields would make it overcrowded.

Mr. Hutchison reiterated his concern that the City had a relationship with a Delaware soccer program with over 500 kids and that displacing them was now being discussed so that the City could create a new program that had caused problems. Mrs. Townshend requested that any criticism regarding the decision to start a league be directed to herself, as Director of Parks and Recreation, rather than Mr. Pickering.

In response to Mr. Hutchison, Mr. Pickering reiterated that 200 kids participated in the first offering, not including children from Holy Cross and the YMCA.

Mr. Cole informed members that both of his children played in the City's soccer league and were athletically not ready to move onto the level of the Delaware Union, where his nephews play soccer. He stated that the City league was well run, affordable, and there were many diverse people playing in it. Mr. Cole felt that there must be give and take in any relationship and in negotiations. He felt that Options 1 and 2 included in the staff memorandum would not displace anyone in any way,

since Delaware Union would have access all day Sunday or Saturday after 1:00 p.m. He indicated that he had also personally been in contact with the Capital School District to facilitate interaction at William Henry Middle School so that both programs could be successful.

Mr. Dan Simmons, Dover Recreational Vice President, Delaware Union, stated that Mrs. Townshend had been great to work with and commended her and the City for allowing Delaware Union use of the fields this year, and for all of the support they had received over the last 25 years. He explained that he had been in his role for a year and was learning about the past. Mr. Simmons apologized if somebody's feelings somewhere had been rubbed the wrong way or if things had been taken for granted. He explained that their league was able to come to Schutte Park more than 20 years ago and run a program that many kids participated in, noting that the league had also played at William Henry Middle School. Mr. Simmons indicated that he was doing research to see if it was safe to play at William Henry and hoped to meet with the school principal to do a walk through, noting that it may be feasible to use the fields this spring.

Mr. Simmons stated that if their program was kicked out of Schutte Park, they would do something, noting this would be expensive. He advised members that he had heard several reasons for the City's program, including cost and competition. Mr. Simmons stated that if Delaware Union had to incur the expenses of another field, then they would try to offset this, hopefully through sponsorships or raising fees, which he felt would not help anyone. He felt that the history of the Delaware Union program and the success that the program and their participants had experienced boded very well for the City of Dover. He advised members that soccer programs are rising programs, since the kids in Dover High School's and Caesar Rodney High School's soccer program had come through CDSA.

Mr. Simmons explained that there was some contention about the Delaware Union/CDSA merger and a feeling that Delaware Union was no longer a local community. He stated that the purpose of the merger was strength in numbers and the goal was to provide better service. Mr. Simmons stated that Delaware Union pays referees and those of its coaches that are licensed, who go through national certifications so that they can teach other coaches and help teach players. He noted that they have Dr. Lew Atkinson on staff, who is with the national coaching team, and they do everything they can to help educate players and parents.

Responding to Mr. Anderson regarding the staff recommendations, Mr. Simmons indicated that Delaware Union had met with the Capital School District and was not able to say if this was a bad or good alternative, stating his hope that he and Mr. Toriano Giddens, Principal, William Henry Middle School, would be able to set something up. He indicated that Delaware Union would be amenable to extending their day at Schutte Park and would reschedule to make that arrangement work for their families. Mr. Simmons was unsure how starting at noon or 1:00 p.m. and playing games later in the day would benefit the families of these 400 plus kids, since

families are involved in other community or extracurricular activities. He felt this could potentially work if kids were allowed the opportunity to play in the morning on one weekend and a different time on the following weekend.

Due to time constraints, Mayor Christiansen recommended tabling this issue until a meeting could be held with Delaware Union.

Mr. Hosfelt agreed, provided that someone from the Committee would be involved in that meeting.

Mr. Hosfelt moved to defer this matter until the Committee's next meeting, scheduled in January, seconded by Mr. Anderson.

Mr. Anderson felt that everyone would like to resolve this in time for registration in January.

Mr. Simmons stated that he was flexible and Delaware Union was willing to do whatever was needed, noting that the organization had worked very well with the City throughout the last 25 years and wanted to do everything he could to continue this relationship. He requested the date and time in January when a meeting would be held.

The Committee deferred this matter until the Committee's next meeting, scheduled in January.

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

By consent agenda, Mr. Lewis moved for acceptance of the Parks, Recreation, and Community Enhancement Committee Report, seconded by Mr. Anderson and carried by a unanimous roll call vote.

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE REPORT - DECEMBER 14, 2015

The Legislative, Finance, and Administration Committee met on December 14, 2015 with Chairman Hare presiding.

Pilot Take Home Vehicle and Carryover Program

Police Chief Paul Bernat advised members that staff was requesting authorization to carry over five (5) marked police vehicles in order to give an enhanced perception of police presence in the City. He explained that staff was currently conducting a pilot program that allowed officers that live in City limits to take home older marked police vehicles, and three (3) officers were currently participating in the program. Chief Bernat stated that staff desired to strategically place the remaining two (2) marked vehicles throughout the City, and a marked police vehicle had also been placed on North State Street to help calm traffic speeds. In addition, he indicated that

marked cars were also being placed in front of various stores with a large number of incidences of shoplifting. Chief Bernat noted that three (3) older vehicles were sold at auction, offsetting the amount of money needed to proceed with this request, should it be approved by Council.

Responding to Mr. Hare, Chief Bernat stated that currently 13 members of the City of Dover Police Department live in City limits. A few officers elected not to take their work vehicles home, preferring to use their personal vehicles, and others already had take-home vehicles.

Responding to Mr. Shevock, Chief Bernat confirmed that the Police Department was authorized a certain number of vehicles in every budget and the request was to carry over five (5) additional vehicles.

Responding to Mr. Hare, Chief Bernat stated that the cost would not exceed $10,000.

Staff recommended authorizing the carryover of five (5) marked police vehicles for the Pilot Take Home Vehicle and Carryover Program.

The Committee recommended authorizing the carryover of five (5) marked police vehicles.

During the Council meeting, Councilman Hare, Chair of the Legislative, Finance, and Administration Committee, explained that the City has five (5) marked police cars that are slated to be sold and noted that the value of the police cars is very minimal. Mr. Hare advised that Police Chief Paul Bernat would like to make these vehicles available to officers who live in the City for take-home use. Chief Bernat believes that the program will provide community security by having marked patrol cars parked in the officer's driveways or in front of their houses. Mr. Hare noted that they would only be used for traveling back and forth to work.

Mr. Lewis asked how the program would save tax dollars. Responding, Chief Bernat stated that it would provide extra coverage in the communities. He noted that two (2) officers are participating in the take-home program and the remaining vehicles are being placed in high shoplifting areas and areas with high incidences of nuisance speeding or stop sign violations.

Responding to Mr. Lewis, Chief Bernat stated that the vehicles were not being utilized for regular police work. He also noted that the average value of the vehicles was approximately $5,800 each. Mr. Lewis asked if it would behoove the City to sell them to bring in income. Chief Bernat indicated that the vehicles would be worth more on the street giving the illusion of having a bigger police force.

Responding to Mr. Lewis, Chief Bernat stated that the program would not increase the City's liability.

Mr. Anderson moved to authorize the carryover of five (5) marked police vehicles for the Pilot Take Home Vehicle and Carryover Program, as recommended by the Committee. The motion was seconded by Mr. Lewis and unanimously carried.

Request for Extension - Banking and Cash Management Services Agreement

Mrs. Donna Mitchell, Controller/Treasurer, advised members that the City awarded a three (3) year contract for bank and cash management services to WSFS Bank in August 2012 and the Finance Department missed the expiration of this contract on August 2015; however, she noted that the contract stipulated that two (2) one (1) year mutually agreed upon extensions could be exercised. Mrs. Mitchell requested approval to extend the contract for one (1) year, stating that staff was in the process of working on a Request for Proposal (RFP) for banking and cash management services, with results to be presented to the Committee in July 2016.

Staff recommended authorizing the Controller/Treasurer to extend the WSFS Bank and Cash Management Services agreement through August 2016.

The Committee recommended approval of Staff's recommendation.

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

Request for Extension - ADP Time and Attendance, Payroll, and Human Resources ERP System Contract

Mrs. Donna Mitchell, Controller/Treasurer, advised members that the City's current contract with ADP would expire on July l, 2016 and, in light of the City's efforts to evaluate alternative Enterprise Resource Planning systems (ERP), staff requested authorization to negotiate an extension of the current contract through January 1, 2018. Mrs. Mitchell explained, based on conversations with other municipalities and consultants working on ERP projects, that a 24-month time frame was estimated from the date of contract award to full implementation. She indicated that in order to maintain the City's current processes through the evaluations and possible implementation of a new ERP system, staff believed the City should address this matter with ADP now.

Mrs. Mitchell stated that after attending a Government Finance Officers Association (GFOA) conference in June 2014, she learned that the City's current system was a legacy system that was being phased out. She informed members that web-based programs were becoming more widely used, therefore, the City could find itself with no longer having support for the current system in the near future. Mrs. Mitchell noted that two (2) of the City's current vendors that use the legacy systems had been bought out by other companies, and it was uncertain if they would continue to use those systems or move to the web-based programs. She explained she was requesting this extension to allow the City to plan ahead and be proactive so that when and if this change takes place, the City would be prepared internally with the Information Technology (IT), training, and the financial aspects to make the change.

Staff recommended authorizing the Controller/Treasurer to negotiate an extension of the current contract with ADP through January 1, 2018.

Responding to Mr. Sudler, Mrs. Mitchell stated that the cost to change from the current system to the web-based system was quoted at $1.9M and may vary depending on the version that the City converts to, how much history must be converted, etc. She indicated that it would be difficult to determine the cost before the City's needs are assessed. Mrs. Mitchell noted that a new system would be expensive but stated her hope that, if this change was needed, it could be included with the financing for other projects being discussed, such as the City's space needs and other Capital Improvement Projects. In addition, she noted that the City was currently paying approximately $320,000 per year for system maintenance costs and the quote for the maintenance for the new system was $264,000 per year.

Mr. Koenig expressed his support of the extension, explaining that this would be a major undertaking involving the complete financial system and affecting every part of the organization. He felt that providing time to become more familiar and to transition may allow time to find ways to offset the cost of making the change, noting that the $1.9M was not currently in the City's capital budget. Mr. Koenig noted that the City was studying new space for its facilities and stated that some of the related savings from staff and IT could possibly be used to offset the cost of this project. He indicated that the $1.9M was the system cost, but the net cost to the budget was undetermined at this time.

Mr. Shevock stated his concern regarding the possibility of the City having to pay for the maintenance fees plus the new system. Responding, Mrs. Mitchell explained that she was trying to time the change so that the maintenance on the old system would end before the new system is implemented.

Responding to Mr. Hare regarding the timeframe for assistance to be provided to Mrs. Mitchell on this matter from the City Manager's Office and IT Department, Mr. Koenig indicated that it was expected that IT staff would discuss this matter with Mrs. Mitchell within the next 30 days so that the RFP could be issued.

The Committee recommended authorization to negotiate an extension of the current contract with ADP until January 1, 2018.

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

Comprehensive Annual Financial Report (CAFR) for Fiscal year Ended June 30, 2015

Mrs. Donna Mitchell, Controller/Treasurer, advised members that the Comprehensive Annual Financial Report (CAFR) for the fiscal year ended June 30, 2015 had been completed. She stated that one (1) matter of significance, compared to the FY 2014 CAFR, was that the City was required to implement

Government Accounting Standards Board (GASB) Statement No. 68 – Accounting and Financial Reporting for Pensions, which required the City to record the unfunded liabilities for the City's two (2) defined benefit pension plans, as well as the City's prorated share of the State of Delaware - County and Municipal Firefighters and Police Pension Plan (a defined benefit cost-sharing plan). Mrs. Mitchell explained that this accounting change resulted in a negative Unrestricted Net Position for the Governmental Funds of $27.9M. She stated that the prior period adjustment to beginning balances of negative $22.1M for the General Fund and negative $14.2M for the Utilities were necessary to meet the requirements of the standard, stating the State of Delaware Plan was fully funded and did not increase the liability.

Responding to Mr. Hare regarding the carry over projects, Mr. Koenig explained that many unforeseen events could delay or derail a project from being completed as planned and require it to be carried over until the next budget year. Such events could include weather delays, change orders, litigation, lack of response from contractors, citizen complaints, or poor design. Mr. Koenig felt, however, that the City had made substantial improvements over the last couple of years in these areas and noted that staff continued to strive to improve even further.

The Committee recommended acceptance of the Comprehensive Annual Financial Report (CAFR) as presented.

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

Mr. Hare moved for acceptance of the Legislative, Finance, and Administration Committee Report, seconded by Mr. Anderson and unanimously carried.

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE REPORT - JANUARY 11, 2016

The Legislative, Finance, and Administration Committee met on January 11, 2016 with Chairman Hare presiding.

Except for the following time sensitive issue, the Legislative, Finance, and Administration Committee report from January 11, 2016 will be presented to Council during their Regular Meeting of January 25, 2016 for Council's review and consideration.

City of Dover Proposal for Usage of Bank Settlement Funds for Public Safety

Police Chief Paul Bernat advised members that last month the Police Department received $579,569 from bank settlement funds from the State Joint Finance Committee. He indicated that the Police Department was requesting to spend $105,569 of these funds to continue the Police Cadet Program until June 15, 2017, noting that the program was currently slated to end on February 15, 2015. Chief Bernat stated that $275,000 would be expended for overtime for uniformed foot patrols for one (1) year, which would allow for 4,800 hours of extra foot patrols

at an average overtime rate of $57.19, including Social Security, Medicare, and Workers' Compensation. He indicated that this would provide for two (2), two (2) man units to walk for four (4) hours, five (5) days per week for 52 weeks, leaving an extra 640 hours that could be used for officers to do community and special events. Chief Bernat stated that $170,000 would be spent on 14 additional downtown monitoring cameras and upgrades to enhance the camera monitoring system. He advised that $25,000 would be spent on building trust in the community through hosting community events such as basketball tournaments and movies at the Dover Police Department, which may include funds for music and food, DJ's, t-shirts, and supporting the police in the community. Chief Bernat indicated that the Department was able to secure an additional $4,000 to fix the basketball court lights at South Kirkwood and Division Streets, which would be set on a timer so that they would turn off, most likely at 10:00 p.m.

Staff recommended approval of the grant project as requested.

In regard to scheduling of the extra duty foot patrols, Mr. Shevock questioned if officers' schedules would overlap and if two (2) officers would work for five (5) days and the other two (2) would cover the weekend and the next three (3) days. Responding, Chief Bernat explained that the Department's Accreditation/Crime Analyst was currently using crime mapping to find hot spot locations and times, noting that these times were changing on a weekly basis. He indicated that the schedule may involve two (2) days in one (1) week and three (3) in another.

Responding to Mr. Sudler as to whether additional cadets would be obtained, Chief Bernat stated that there were currently nine (9) cadets, three (3) at the Dover Public Library that were being funded through the Library, and six (6) working throughout the City that would be maintained through these grant funds. He indicated that these funds would cover all cadet costs, except for the costs at the Library, noting that the City had not paid a penny for the Library cadets which were funded through grants.

In response to Mr. Sudler regarding whether expanding the Cadet Program had been considered, Chief Bernat indicated that the Department was happy with the existing program; however, if there were extra funds available in the future, this would be considered.

Mr. Sudler expressed his opinion that the cadets were doing a great job.

Mr. Anderson congratulated Chief Bernat and Mayor Christiansen on seizing the initiative to make sure that some of the money that was stolen from the community by ill-gotten banking practices was coming back to the community in a way that would benefit it, and he expressed his thanks.

Mayor Christiansen informed members that Senator Brian Bushweller was also very influential in helping Chief Bernat and him to put together a package that was marketable to the Joint Finance Committee. Mayor Christiansen stated that the City

had a Class A presentation when members of the Joint Finance Committee asked what the City's intentions and purposes were for the expenditure of these monies, and the City of Wilmington chose not to even show up.

Chief Bernat mentioned that Attorney General Matt Denn played a large part in requesting these funds for Dover and for Wilmington.

The Committee recommended approval of the grant project as requested.

Councilman Hare, the Chair of the Legislative Finance and Administration Committee, advised that the Police Department received $579,569 from bank settlement funds from the State Joint Finance Committee. He indicated that the Police Department was requesting to spend the funds as follows: $105,569 to continue the Police Cadet Program until June 15, 2017; $275,000 for overtime for uniformed foot patrols for one (1) year; $170,000 for 14 additional downtown monitoring cameras and upgrades to enhance the camera monitoring system; $25,000 for hosting community events such as basketball tournaments and movies at the Dover Police Department; and $4,000 to fix the basketball court lights at South Kirkwood and Division Streets.

Mr. Neil asked if this money would be replacing money that is in the budget. Responding, Chief Bernat stated that these items were not budgeted for and this one-time funding is providing police coverage, camera coverage, and discretionary money to bring the community together.

Mr. Sudler moved for approval of the grant project, as recommended by the Committee. The motion was seconded by Mr. Hare and carried by a unanimous roll call vote.

MONTHLY REPORTS - NOVEMBER 2015

By motion of Mr. Lewis, seconded by Mr. Anderson, 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
Police Chief's Report

EVALUATION OF BIDS - DIRECTIONAL BORING CONTRACT

Mr. Scott Koenig, City Manager, advised that the Electric Department maintains blanket contracts to support both capital projects, as well as maintenance operations when necessary. He noted that this was a time and materials contract that was put out using the City's Contract and Procurement Manager. Mr. Koenig advised that three (3) bids were received and were run through a pricing scenario that would be typical for this type of work.

Staff recommended awarding the blanket Directional Boring Contract to the lowest bidder with no minimums, Joseph R. Smith Inc., for three (3) years with a City option to extend it an additional two (2) years (five (5) years total) as per the pricing included in the bid submittal.

Mr. Hosfelt moved for approval of Staff's recommendation, seconded by Mr. Neil and carried by a unanimous roll call vote.

EVALUATION OF BIDS - FIBER OPTIC SYSTEMS MAINTENANCE CONTRACT

Mr. Scott Koenig, City Manager, advised that the Fiber Optic Systems Maintenance Contract supports both electric and public works operations related to the maintenance of the fiber optic system, including splicing, terminating, and supplying and installing related equipment. He noted that this is a time and materials contract. Mr. Koenig advised that only one (1) bid was received from KCI Communications, which is the City's current contractor.

Staff recommended awarding a three (3) year Fiber Optic Systems Maintenance Contract to KCI Communications Infrastructure, as per the pricing included in the bid submittal.

Mr. Neil moved for approval of Staff's recommendation, seconded by Mr. Anderson and carried by a unanimous roll call vote.

EVALUATION OF BIDS - LANDSCAPING SERVICES CONTRACT

Mr. Scott Koenig, City Manager, advised that the Landscaping Services Contract supports the City's efforts to improve projects and clean up the private property when City work crews disturb yards or landscaped areas. He noted that two (2) bids were received and run through the pricing scenario. Mr. Koenig advised that the estimated amount of work will exceed $25,000 per year; however, it is based on the number of projects and/or emergencies necessary to maintain or improve the system.

Staff recommended awarding the blanket Landscaping Services Contract to the lowest bidder with no minimums, Joseph R. Smith Inc. for three (3) years with a City option to extend it an additional two (2) years (five (5) years total) as per the pricing included in the bid submittal.

Mr. Hare asked Mr. Koenig how much work above $25,000 per year he expected and if there was a point that he would not exceed. Responding, Mr. Koenig stated that the contract was for time and materials and the amount would be based on the number of jobs that are necessary to repair. He noted that it could be ten (10) jobs one year and 30 jobs the next year and the amount of money associated with the repair should never exceed the amount of the total budget for either capital or maintenance projects.

Mr. Koenig explained that if the work involves dropping overhead lines underground in a subdivision, there are various time and material contracts associated with that job such as boring, connection of lines, and yard repairs. He noted that the total project may be $100,000 with $50,000 worth of boring and $10,000 worth of yard repairs. Mr. Koenig advised that the purpose of this request was for Council to authorize this vendor for that type of work with the notification that more than $25,000 is likely to be spent per year on this type of work.

Responding to Mr. Hare, Mr. Koenig stated that the spending is capped by the budget. Mr. Neil stated that he concurred with Mr. Hare's concerns. Mr. Koenig stated that it could be limited to $100,000 to alleviate Council's concerns.

Mr. Hare asked if it would be beneficial to table this item until the next meeting to have Mr. Koenig present the figures with a maximum amount. Responding, Mr. Koenig stated that this is a routine contract and Staff's recommendation would not change.

Mr. Anderson clarified that the projects are approved for a budgeted amount which includes landscaping and this contract is to find the lowest bidder to perform the work that has already been approved. He stated that the notice is to let Council know that it is coming under certain bidding rules and the cumulative work is going to exceed $25,000. Mr. Koenig agreed with Mr. Anderson's clarification and noted that there are a number of projects and/or system upgrades outlined in the budget document and each of those projects is broken down into various work components. He stated that these blanket contracts support those various work components and they may do $23,000 worth of landscaping in FY16 and $45,000 worth in FY17. In FY18, it could be $80,000, depending on what is required to finish the projects. Mr. Koenig stated that he could only estimate based on spending for past projects and he was only authorized to administratively amend project budgets up to certain amounts without Council approval.

Mr. Hosfelt moved for approval of Staff's recommendation to award the blanket Landscaping Services Contract to the lowest bidder with no minimums, Joseph R. Smith Inc. for three (3) years with a City option to extend it an additional two (2) years (five (5) years total) as per the pricing included in the bid submittal. The motion was seconded by Mr. Anderson and carried by a unanimous roll call vote.

EVALUATION OF BIDS - RETREAT PUMP STATION REPLACEMENT

Mr. Koenig, City Manager, advised that Staff was proposing to replace the waste water pumping station in the Retreat Subdivision located on Pine Valley Road, east of Medina Court. He noted that it was installed in 1980 and has performed past its estimated service life. Mr. Koenig stated that the replacement will improve the system by expanding the flow capacity, structural integrity, and the pump efficiencies at the station.

Mr. Koenig advised that this project was originally bid in October of 2015 and one (1) bid from Brandywine Construction Company was received for approximately $450,000, which was roughly $100,000 over budget, including paving of the driveway into the station. The bid was rejected and a second rounds for bids were opened on December 17, 2015, again resulting in one (1) bid from Brandywine Construction Company, at roughly $90,000 over budget.

Mr. Koenig stated that Staff was proposing to move forward with a base bid of $440,000, plus the alternative paving option, for a total cost of $447,500. He noted that the bid received from Brandywine Construction met all of the specifications and requirements, as well as qualifications for the project. Mr. Koenig advised that Staff was requesting to move money from the Inflow and Infiltration (I&I) project to balance the Retreat pump station project budget, and proceed with construction. He noted that the pump station replacement is currently a higher priority than the pending I&I projects.

Staff recommended awarding the contract to Brandywine Construction Company, Inc. for the City of Dover Retreat Pump Station Replacement Project, Bid #16-0022PW, for the amount of $447,500.

Responding to Mr. Anderson, Mr. Koenig stated that the only impact to the I&I project will be the amount of money that will not be dedicated to underground pipe replacement. He noted that diverting money from the I&I project would not violate any permits. Mr. Koenig stated that it would also create additional flow from the City to Kent County and there would be a cost associated with the treatment in Kent County. He noted that those costs would be recovered under the I&I component of the City's monthly bill.

Responding to Mr. Anderson regarding the original estimates, Mr. Koenig stated that he did not know what was driving the budget on this project; however, the fact that it was bid twice with only one (1) bidder each time tells him that the activity level for this type of work is fairly robust.

Mr. Neil moved for approval of Staff's recommendation to award the contract to Brandywine Construction Company, Inc. for the City of Dover Retreat Pump Station Replacement Project, Bid #16-0022PW, for the amount of $447,500. The motion was seconded by Mr. Anderson and carried by a unanimous roll call vote.

EVALUATION OF BIDS - UNDERGROUND LINE WORK

Mr. Scott Koenig, City Manager, advised that this time and materials contract was for underground line work, both in emergency situations and as required. He noted that four (4) bids were received and all the bids were complete as submitted. Mr. Koenig stated that the bids were run through a labor pricing scenario and Joseph R. Smith was the lowest cost provider based on the pricing scenario.

Staff recommended awarding the blanket Underground Line Work Services Contract to the lowest bidder with no minimums, Joseph R. Smith Inc. for three (3) years with a City option to extend it an additional two (2) years (five (5) years total) as per the pricing included in the bid submittal.

Mr. Neil moved for approval of Staff's recommendation, seconded by Mr. Cole and carried by a unanimous roll call vote.

RATIFICATION OF ACTION - EARLY CLOSING ON DECEMBER 24, 2015

Mr. Scott Koenig, City Manager, stated that Staff had anticipated that Council would consider an early closing for December 24, 2015 during their first meeting of December. He noted that, due to circumstances surrounding that meeting, the early closing was not considered. Mr. Koenig advised that he, as the Chief Administrative Officer with control over the regular City buildings, discussed the possibility of an early closing with Mayor Christiansen, as the Chief Executive Officer with control over the police department and economic development office.

Mr. Koenig stated that, based on the State of Delaware issuing a full holiday and the Federal government closing for half a day on December 24, 2015, he and Mayor Christiansen recommended closing City offices at noon on Christmas Eve. In order to avoid setting a precedent regarding a holiday on December 24th, it was termed "an early closing."

Mr. Koenig requested ratification, for the record, of the early closing of City offices on December 24, 2015.

Council President Slavin clarified that the State holiday was not planned in advance.

Mr. Neil moved to ratify the early closing of City offices on December 24, 2015, seconded by Mr. Anderson.

Mr. Anderson expressed concern with the potential for holiday creep, noting that time off should be negotiated in the contracts.

Mr. Sudler asked if the early closing would have any bearing on labor agreement negotiations and if it would be an issue with non-bargaining employees. Responding, Mr. Koenig stated that they specifically called it an early closing instead of a holiday because they did not want to get into the contractual issues associated with the discussion of holidays or non-holidays.

The motion to ratify the early closing of City offices on December 24, 2015 was carried with Mr. Anderson voting no.

AUTHORIZATION TO CREATE BUSINESS RETENTION RATE SCHEDULE

Mr. Koenig reminded members of their discussions regarding the potential creation of a business retention/economic development rate. He noted that this rate was developed by the City's rate consultant at Burns & McDonnell over several months.

Mr. Koenig stated that the purpose of the rate schedule is to allow qualified customers to receive a reduced electric rate for a limited two (2) year period when serious threats to business are apparent and opportunities to maintain employment, and potentially increase employment, can be demonstrated by the entity requesting the rate. He noted that this is a very tailored business retention rate in that the customer must have a load of at least five (5) megawatts, and only 10 megawatts in the entire system can qualify for this rate at one time. Mr. Koenig advised that the rate would be for a single 2-year term and the estimated economic value of the incentive would be between $700,000 and $800,000 over a 2-year period, depending upon the actual electrical consumption.

Mr. Koenig advised that the second page of the Business Retention Rate Schedule (BR) had been revised by striking "electric department" and inserting "City Manager".

Staff recommended authorization to create the Business Retention Rate Schedule (BR), as presented.

Mr. Hare moved for approval of Staff's recommendation, seconded by Mr. Hutchison and carried by a unanimous roll call vote.

APPOINTMENT OF DELAWARE MUNICIPAL ELECTRIC CORPORATION (DEMEC) DIRECTOR AND ALTERNATE DIRECTOR (SCOTT D. KOENIG AND DONNA S. MITCHELL)

By consent agenda, Mr. Lewis moved to appoint Mr. Scott Koenig and Mrs. Donna S. Mitchell to serve as Delaware Municipal Electric Corporation (DEMEC) Director and Alternate Director, respectively. The motion was seconded by Mr. Anderson and carried by a unanimous roll call vote.

APPOINTMENT RECOMMENDED BY COUNCIL PRESIDENT SLAVIN - DOVER HUMAN RELATIONS COMMISSION - WANDA JEAN MULLEN - THIRD DISTRICT REPRESENTATIVE (TO FILL THE UNEXPIRED TERM OF COURTNEY STEWART - TERM TO EXPIRE FEBRUARY 2017)

Council President Slavin recommended the appointment of Ms. Wanda Jean Mullen to serve as the Third District representative on the Dover Human Relations Commission, to fill the unexpired term of Courtney Stewart, with a term to expire February 2017.

By consent agenda, Mr. Lewis moved for approval of the appointment of Ms. Mullen as recommended by Council President Slavin. The motion was seconded by Mr. Anderson and carried by a unanimous roll call vote.

APPOINTMENT RECOMMENDED BY MAYOR CHRISTIANSEN - PUBLIC ADVISORY COMMITTEE OF THE DOVER-KENT COUNTY METROPOLITAN PLANNING ORGANIZATION (MPO) - JOHN S. GRADY (TO FILL THE EXPIRED TERM OF JAMES P. WEBSTER - TERM TO EXPIRE JULY 2017)

Mayor Christiansen requested the appointment of John S. Grady to the Public Advisory Committee of the Dover-Kent County Metropolitan Planning Organization (MPO), to fill the expired term of James P. Webster, with a term to expire July 2017.

By consent agenda, Mr. Lewis moved for approval of the appointment of John S. Grady to the Public Advisory Committee of the Dover-Kent County Metropolitan Planning Organization (MPO) for a term to expire July 2017, as recommended by Mayor Christiansen. The motion was seconded by Mr. Anderson and carried by a unanimous roll call vote.

COUNCIL MEMBERS' ANNOUNCEMENTS

Council President Slavin congratulated Ms. Wanda Jean Mullen on her appointment as a Third District Representative to the Dover Human Relations Commission and thanked her for accepting that position. He also thanked, and requested the City Manager to extend his thanks, to the electric crew workers who had to deal with a very large electric outage the previous night. Mr. Slavin noted that the outage lasted almost 12 hours, beginning at 6:30 p.m. and ending at 6:30 a.m. On behalf of his constituents, Mr. Slavin expressed appreciation for their impressive dedication.

Mr. Anderson thanked the Dover Police Department for putting an end to the one-man property crime spree with their very quick response. He also reminded members to save the date, Saturday, February 4, 2016, for the annual chili cook-off to benefit a local charity or two (2), including Veterans Outreach.

Mr. Sudler reminded everyone of the Martin Luther King prayer breakfast that the Alpha Phi Fraternity, Inc. would be hosting at the Modern Maturity Center at 7:00 a.m. on January 18, 2016.

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

Meeting adjourned at 9:22 p.m.

TRACI A. McDOWELL
CITY CLERK

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

ROBIN R. CHRISTIANSEN
MAYOR

/TM
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PROCLAMATION

WHEREAS, *Dr. Carter G. Woodson, the son of former slaves and a Harvard University scholar, noticed that black history was largely ignored or misrepresented in American History. Determined that the rich heritage of black Americans would not be forgotten, he founded the Association for the Study of African American Life and History in 1915 and organized the first celebration of Negro History Week in 1926. Black History Month became Dr. Woodson's legacy and is celebrated each February throughout the United States; and*

WHEREAS, *the Association for the Study of African American Life and History has selected "Hallowed Grounds: Sites of African American Memories" as the 2016 National Black History Month theme; and*

WHEREAS, *the small State of Delaware has played a big part in the lives of African Americans seeking freedom, and the greater Dover area is the setting of many stories that demonstrate the courage of the men and women who sought to break the shackles of slavery and fought with fortitude for equal citizenship. Some of these notable sites include the First State Heritage Park, the Harriet Tubman Underground Railroad Byway, the John Dickinson Plantation, and the Camden Friends Meetinghouse.*

NOW, THEREFORE, I, ROBIN R. CHRISTIANSEN, MAYOR OF THE CITY OF DOVER, DELAWARE *do hereby proclaim February 2016 as*

BLACK HISTORY MONTH

in the City of Dover and urge all citizens to visit and learn about the local, state, and national sites that reflect the rich history of African Americans.

Robin R. Christiansen
Mayor

ACTION FORM

PROCEEDING: City Council
DEPARTMENT OF ORIGIN: Planning & Inspections **DATE SUBMITTED**: 1-19-2016
PREPARED BY: Ann Marie Townshend, AICP, Director of Planning and Community Development
SUBJECT: 53 S New St, Dover, Delaware – Violation of Dangerous Building Ordinance
REFERENCE : Chapter 22, Article XI – Dangerous Buildings, Sec. 22-388 – Emergency Cases Case # 16-77
RELATED PROJECT: N/A
APPROVALS: N/A
EXHIBITS: PowerPoint Presentation and File Photos to be presented at the Council meeting.
EXPENDITURE REQUIRED: Preliminary estimate is $20,000 – $25,000 **AMOUNT BUDGETED**: $150.000.00 Budgeted for all demolitions Citywide in the FY-2015 Budget; As of January 19, 2016, there is $39,426.89 remaining in the line item. **FUNDING SOURCE (Dept./Page in CIP & Budget)**: 110-1600-534-30-33.
TIMETABLE: As soon as possible.
RECOMMENDED ACTION: 1. Declare this building and all accessory structures on this property dangerous. 2. Order the property demolished or repaired by **February 10, 2016** by the owner or equity owner at their own risk. 3. Order the Building Inspector to cause the demolition of the structures if not completed by the owner **within 10 days of the date established by City Council**. 4. Order the City Manager with the assistance of the City Solicitor to cause the cost of demolition to be charged against the land on which the building exists as a municipal lien or cause such cost to be added to the tax duplicate as an assessment, or to be levied as a special tax, or to be recovered in a suit at law against the owner.

BACKGROUND AND ANALYSIS

The property is owned by Sieken Investments LLC. The property is a two-story wood-framed single family home. On the night of January 14, 2016, the dwelling caught fire causing extreme damage to the structure. The structure was condemned by the City Fire Marshal's Office as unfit for human occupancy and ordered boarded. Currently the structure sits vacant, with no utilities and boarded. The building was found to be unsecured due to a board being removed on Tuesday, January 19, 2016, and City staff subsequently rescured the building. The building is located in a neighborhood of small lots and is located close to the building next to it. The fire on the subject building caused damage to the siding of the neighboring structure. Based on the current condition of the subject structure and its proximity to the adjacent structure "…it reasonably appears that there is an immediate danger to the life or safety of any person, unless a dangerous building is immediately repaired, vacated and closed, or demolished…" (Del Code, Chapter 22, §22-388). Therefore, staff is bringing this building forward under the Emergency Cases provision of the Dangerous Building Ordinance.

PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE

The Parks, Recreation, and Community Enhancement Committee meeting was held on January 11, 2016, at 3:30 p.m. with Chairman Anderson presiding. Members present were Mr. Hosfelt, Mr. Caldwell, and Mrs. Horsey (arrived at 3:35 p.m.). Mr. Lewis was absent. Members of Council present were Mr. Cole (arrived at 3:35 p.m.) and Mr. Hutchison. Mayor Christiansen was also present (departed at 3:34 p.m.).

AGENDA ADDITIONS/DELETIONS

By unanimous consent, the agenda was amended to consider Item #2, Proposed Recreation Center - Dover Park, prior to Item #1, Availability of Soccer Fields.

Proposed Recreation Center - Dover Park

Mayor Christiansen advised members that, for the last year or so, constituents and some civic associations on the east side of the City had expressed the need for a recreation facility since the facility at Dover Park had been torn down. He stated that, with the renewed emphasis on community policing and outreach by the Dover Police Department and the suggestion of possible funding for the construction of such a facility by Attorney General Matt Denn, he felt the time was right to consider looking at constructing a facility at Dover Park similar to the current facility at Schutte Park. Mayor Christiansen expressed his view that such a facility would offer a venue to begin renewing the Police Athletic League (PAL) program that had been very successful in the Dover community. In addition, he suggested that the Martin Luther King Jr. Educational Community Center, headed by Dr. Gus Walker, could also be located at this facility, which would allow this organization to fulfill its mission of mentoring and tutoring at-risk students and youth. Mayor Christiansen felt that the facility could also be a home for another successful program that had been fostered by former Mayor, Council President, and Councilwoman Beverly Williams.

Mayor Christiansen requested that members recommend to Council that monies currently set aside for a possible splash park at Dover Park be expended for the construction of a new multi-purpose, year-round recreation center at this location, noting that a splash park would be used for only a few months during the year. He advised members that he intended to make an application to Attorney General Denn for at least $1M from bank settlement funds that the Attorney General had available and would like the Committee's blessing.

Mrs. Beverly Williams, former City Councilwoman and current Executive Director of Aid in Dover, Inc., 20 Gleneagles Court, introduced her colleague, Mr. Mark Harmon, 731 West Division Street. She informed members that in late 2013, the Criminal Justice Council (CJC) awarded Aid in Dover, Inc. a one (1) year Title 5 grant, which led Aid in Dover, Inc. to ask their federally funded program to allow them to continue their Hot Shots basketball program, which served 450 kids, the majority of whom were boys, and brought 570 referrals. Mrs. Williams explained that they partnered with local leagues, churches, schools, and volunteers. She stated that Mr. Harmon started each session with a presentation to the kids about a life skill, such as appropriate behaviors and reactions to conflict, competition, failure, or success, which was followed by basketball drills conducted by volunteer coaches that reinforced the presentation. Kids then went into open competition. Mrs. Williams indicated that this was the most successful program ever run by Aid in

Dover, Inc. She stated that she attempted to sustain the program, went into partnership with the City of Dover and rented the Schutte Park gym, and funding was found through the MetLife Foundation. Mrs. Williams advised that the MetLife Foundation requires enormous collaborations with partnerships, so she went to the Mayor and Chief of Police to garnish their application with City of Dover and Police Department involvement. She indicated that she had already talked to Mr. Christian Kervick, Director, CJC, about the institution of a PAL program. Mrs. Williams stated that their program was very successful and brought out kids, parents, and guardians, noting that many of these parents were single moms and some were single dads. She indicated that Aid in Dover, Inc. learned that the old programs they were used to running were not what kids wanted, and the blend of skills and recreation proved to be very successful.

Noting that a lot of kids in the area had gotten involved in violence, Mr. Harmon stated that the Aid in Dover, Inc. program included kids from different gangs, and there was no trouble since they were able to diffuse things very quickly and these kids were able to play together. There was less violence and participation in negative activities among 12-to-18-year-olds than had been seen in the past. Mr. Harmon indicated that the youth responded very well and he felt it would be great to continue to provide a place where they can remain safe in an instructive environment.

Mrs. Williams explained that the CJC requires providers to demonstrate impact and meet performance objectives. She noted that through the course of this program 94% of the children had increased knowledge of teamwork, cooperation, collaboration and confidence, and appropriate responses to anger, frustration, disappointment and success.

Mr. Anderson stated his belief that a PAL facility was needed, noting that he was never happy about the neglect of the building at Dover Park but felt that maybe something better could come out of it. He questioned how much funding had been set aside for a recreation building at Dover Park. Responding, Mrs. Ann Marie Townshend, Director of Planning and Community Development, indicated that the funding set aside was not specific to a building but was for something at Dover Park. The intent was to start with a park master plan to lay out all of the improvements that came from the City's Recreation Needs Assessment. Mrs. Townshend stated that $180,000 was designated for the Dover Park but was unable to recall the amount for the splash pad.

Mr. Anderson stated his recollection that the total funding was approximately $300,000.

Mrs. Townshend advised members that Mrs. Donna Mitchell, Controller/Treasurer, had made her aware in the past that the capital plan exceeds what is available in the Parkland Reserve Fund, so while things may be in the capital plan, it would not necessarily mean that the money was there and available.

Mr. Anderson indicated that, even with the grant, less than $1.5M would be available and questioned what type of footprint was being discussed for the facility. Responding, Mrs. Williams indicated that her only knowledge was the Mayor's comment about the funding from the Attorney General. The funds she had mentioned from MetLife were operational money and not for construction.

Mr. Anderson noted that once a building was obtained, operation would be one (1) of the big costs.

Mrs. Williams stated that she was looking at MetLife funds because she felt that the last thing the City needed was another expenditure. She stated the need to get this underwritten through corporate or donor funds.

Responding to Mr. Anderson regarding the footprint that was being discussed, Mrs. Williams stated her thought that it would be identical to Schutte Park. She indicated that when Aid in Dover, Inc. ran their program at Schutte Park both gyms were needed due to the heavy response.

Mr. Hutchison asked if staff had been able to assess what the real needs would be if recreation were expanded and if this could be accomplished with the current workforce. Responding, Mrs. Townshend stated that this could definitely not be done with the current force, explaining that when Schutte Park was built, it was staffed with two (2) full-time staff and some part-time staff. She stated that the Parks Department currently had a full-time staff of five (5), noting that there were previously six (6) when the Department was under the direction of Mr. Zach Carter. Mrs. Townshend explained that several staff members perform duties out of the office, for instance, while running an after-school program or managing the sports program. There were challenges when Schutte Park opened in 2008 because there were two (2) staff members based at Schutte Park and three (3) at Dover Park, which led to occasions when there was only (1) person at a facility, creating a safety concern. Staff at Dover Park had kept the door locked at times when one (1) person was there alone. Mrs. Townshend indicated that facilities cannot be staffed with part-time staff or volunteers because there is a safety issue. Although there might be enough people to get the work done, there would not be enough to make sure the facilities are staffed at an appropriate level.

Mr. Hutchison questioned whether staff had a good understanding of what the churches, YMCA, Kent County Levy Court, etc., were providing that would tie into the City's programs. Responding, Mrs. Townshend stated that staff did have a good understanding of the other programs; however, the effect that the Kent County Recreation Center being built would have on indoor space demands was unknown. She noted that this very large facility would open within 12 months and she was unsure how this would play into supply and demand.

Mr. Hosfelt asked if part of the increased manpower approved for the Police Department was to support bringing the PAL initiative back. He inquired if the position in the Police Department would be a full-time position and if this person would be available to help support the building if constructed. Responding, Deputy Police Chief Marvin Mailey stated that the Police Department planned to assign a part-time Special Unit officer to this for 2016, noting that this position was advertised today. He indicated that the long-term plan was to make it a full-time position.

Mrs. Williams advised members that the Hot Shots program was not for those kids who were going to the Boys and Girls Club, the YMCA, or official, established recreation programs. She stated that Aid in Dover, Inc., with forethought and intent, sought kids who were at extreme risk, which was a large number of the kids that were served. These children were not attending regular programs since those programs had fees attached, which these children could not afford.

Mrs. Horsey stated that anything that could be done to get Dover Park up and running again would be a good thing, noting that the new Kent County Recreation Center being constructed on New Burton Road was on the west side of town. She expressed the need to keep a focus on the east side.

Mrs. Williams stated that the programs that were partnering with Kent County were originally for at-risk kids but evolved into something else. She indicated that there was definitely a need for programs for at-risk kids, stating her view that money would be spent either on recreation programs or in law enforcement or jail sentences.

Mr. Anderson stated that the Committee had been holding up on strategic planning while waiting for information on this matter and indicated the need for a decision.

Mr. Hosfelt expressed his feeling that members all liked what they were hearing, but he did not know if there was anything to endorse or move on to Council. He expressed his support for what had been discussed.

Mr. Anderson felt that basic information regarding the footprint options and costs were needed. He stated that a place to start would be to have staff investigate this and bring back a broad cost estimate.

Mr. Hosfelt stated he would be willing to endorse this, but felt that more must be heard from Mayor Christiansen and Attorney General Denn to know if money would be committed.

Mrs. Townshend asked, if this matter were to be referred to staff, that it be clear which staff it is referred to, noting that to date she and the City Manager had not been involved at all. She was unsure whether the Parks Department staff should develop estimates for something when they were not part of the discussion.

Mr. Hosfelt suggested that the matter be referred back to the Mayor for more information, noting that this would give him the opportunity to speak with staff, and when the Mayor had more of a viable plan it could be brought back for consideration.

Mr. Anderson moved to refer this matter to the Mayor and staff to collaborate to form a more concrete proposal with cost estimates by the Committee's March meeting.

In response to Mr. Caldwell, Mr. Anderson clarified that the staff he was referring to was the Parks and Recreation Department and the City Manager's designee.

Mr. Hosfelt stated that he could not second the motion because he felt there was no way to come up with a concept and estimates by March. He indicated that he would like to hear more from the Mayor. Mr. Hosfelt felt that it would be unfair to refer the matter to staff without anything concrete to support the proposal and with staff not having been contacted or involved in the conversations to this point.

Mr. Anderson noted that this was not a hidden issue but had been part of a conversation for four (4) months and had been delayed on the Committee agenda.

Mr. Hosfelt recalled a conversation about a splash pad, indicating that this was the first he had heard of PAL going into a new building at Dover Park. He expressed his opinion that there was a lot more to this than making a motion to put it back on staff at this time.

The motion to refer this matter to the Mayor and staff to collaborate to form a more concrete proposal with cost estimates by the Committee's March meeting failed for lack of a second.

Mr. Hosfelt moved to refer the proposal back to the Mayor for more information, seconded by Mrs. Horsey and carried by a vote of three (3) yes (Hosfelt, Caldwell, and Horsey), one (1) no (Anderson), and one (1) absent (Lewis).

Availability of Soccer Fields

During the Parks, Recreation, and Community Enhancement Committee meeting of December 14, 2015, members considered the availability of soccer fields and deferred this item until the Committee's next meeting, scheduled in January.

Mrs. Ann Marie Townshend, Director of Planning and Community Development, stated that she had sent emails to Delaware Union and had received a response this morning indicating that they wanted to have a follow-up meeting. She advised members that she did inform Delaware Union that this item was on the Committee's agenda for consideration today for an update.

Responding to Mr. Hosfelt, Mrs. Townshend advised members that registration for the City's soccer program would be sent out at the end of January and Delaware Union had advised that they usually begin registration at the beginning of January; however, they indicated during the December 14, 2015 meeting that they would wait on what the City came up with.

Mr. Hosfelt offered to help in any way possible. Mrs. Townshend noted that the last Committee meeting was held on December 14, 2015 and schools were closed for the holidays the following week. She stated that Mr. Dan Simmons, Dover Recreational Vice President, Delaware Union, had indicated that he would be meeting with Mr. Toriano Giddens, Principal, William Henry Middle School, and she suspected that he was not able to do this before the holidays, which might have caused the delay.

Ms. Judy Shade, Membership Director at the Dover YMCA, advised members that the YMCA had collaborated with the City of Dover on other ventures, but this had been their first undertaking to join their fall soccer program with the City of Dover because they were able to use Schutte Park and the City's field. Ms. Shade indicated that it had been an incredible season that allowed Holy Cross School parents and families, Dover YMCA families, and City of Dover residents to come together. There were 87 children from the Dover YMCA who participated, and she estimated that 85% - 90% were City residents. Ms. Shade stated that some participants had not been on Schutte Park fields previously and were thrilled, impressed, and had a great time, and she hoped this collaboration would

continue for the spring. Ms. Shade stated her understanding that many people look at the YMCA as a membership organization; however, she informed members that the YMCA is a not-for-profit organization that offers $300,000 per year in scholarship funds to families in need. She indicated that it was a great partnership and would hate to see it dissolve.

In response to Mr. Hosfelt as to whether a decision was needed today, Mrs. Townshend stated that, absent any motion, staff would move forward, but she was unsure what Delaware Union's plans were. She stated her concern that moving forward without a decision would create more chaos. Mrs. Townshend indicated that this matter could be pushed to next month, keeping in mind that when the Committee makes a recommendation it is not final until the next Council meeting, so this would cause a delay until the end of February for something that typically starts in March. Alternatively, she stated that if it was known that Delaware Union would be there and have an answer, perhaps a special meeting could be added to the January 26, 2016 Council Committee of the Whole agenda.

Mr. Anderson stated that this matter would now come under staff's discretion and that staff had the authority to negotiate and make a decision, and Mrs. Townshend concurred. Mr. Anderson indicated that this item was placed on the agenda because Delaware Union had a concern and wanted the matter discussed and that had been accomplished. He noted that it was rushed because the City was told that a decision must be made by the beginning of January; however, if there was no input from Delaware Union, he suggested that nothing needed to be done, other than to ask staff to do their best.

Mr. Hosfelt stated that he concurred with Mr. Anderson's comments.

Lighting and Security at the Hamlet Park

Mrs. Ann Marie Townshend, Director of Planning and Community Development, advised members that meetings had been held with Mr. Anderson, Mr. Sudler, the Mayor, and residents of the Hamlet, who expressed concern about the shopping center and the increase in criminal activity in their neighborhood, particularly related to Hamlet Park. She stated that she and Lieutenant Christopher Hermance from the Police Department had recently visited the park. Mrs. Townshend indicated that people were using the park for activities that were not desired there and there was discussion about using lighting to discourage poor behavior. She advised members that Hamlet Park fronts on the road but is very deep, and people are doing things that are hidden by the playground, which is toward the front. She noted that lighting the area would make it harder to hide. Mrs. Townshend explained that if lighting were installed, it would be around the playground area, which would be a minor capital project that would have to be included for the next fiscal year.

Citizen Suggestions

Downtown American Flag Project, June Myers

Mr. Anderson stated that Ms. June Myers was very excited about a mission to encourage a more patriotic display downtown and flying more flags on Loockerman Street, particularly during the patriotic holiday season from Memorial Day through Independence Day. Mr. Anderson stated that he was unsure if there were associated regulatory issues.

Mr. Hosfelt moved for adjournment, seconded by Mr. Caldwell and unanimously carried.

Meeting adjourned at 4:11 p.m.

David L. Anderson
Chairman

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LEGISLATIVE, FINANCE AND ADMINISTRATION COMMITTEE

The Legislative, Finance, and Administration Committee meeting was held on January 11, 2016, at 6:00 p.m. with Chairman Hare presiding. Members present were Mr. Cole, Mr. Sudler, and Mr. Shevock. Ms. Maucher was absent. Members of Council present were Mr. Anderson, Mr. Hosfelt, Mr. Hutchison, and Mr. Slavin. Mayor Christiansen was also present.

AGENDA ADDITIONS/DELETIONS

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

City of Dover Proposal for Usage of Bank Settlement Funds for Public Safety

Police Chief Paul Bernat advised members that last month the Police Department received $579,569 from bank settlement funds from the State Joint Finance Committee. He indicated that the Police Department was requesting to spend $105,569 of these funds to continue the Police Cadet Program until June 15, 2017, noting that the program was currently slated to end on February 15, 2015. Chief Bernat stated that $275,000 would be expended for overtime for uniformed foot patrols for one (1) year, which would allow for 4,800 hours of extra foot patrols at an average overtime rate of $57.19, including Social Security, Medicare, and Workers' Compensation. He indicated that this would provide for two (2), two (2) man units to walk for four (4) hours, five (5) days per week for 52 weeks, leaving an extra 640 hours that could be used for officers to do community and special events. Chief Bernat stated that $170,000 would be spent on 14 additional downtown monitoring cameras and upgrades to enhance the camera monitoring system. He advised that $25,000 would be spent on building trust in the community through hosting community events such as basketball tournaments and movies at the Dover Police Department, which may include funds for music and food, DJ's, t-shirts, and supporting the police in the community. Chief Bernat indicated that the Department was able to secure an additional $4,000 to fix the basketball court lights at South Kirkwood and Division Streets, which would be set on a timer so that they would turn off, most likely at 10:00 p.m.

Staff recommended approval of the grant project as requested.

In regard to scheduling of the extra duty foot patrols, Mr. Shevock questioned if officers' schedules would overlap and if two (2) officers would work for five (5) days and the other two (2) would cover the weekend and the next three (3) days. Responding, Chief Bernat explained that the Department's Accreditation/Crime Analyst was currently using crime mapping to find hot spot locations and times, noting that these times were changing on a weekly basis. He indicated that the schedule may involve two (2) days in one (1) week and three (3) in another.

Responding to Mr. Sudler as to whether additional cadets would be obtained, Chief Bernat stated that there were currently nine (9) cadets, three (3) at the Dover Public Library that were being funded through the Library, and six (6) working throughout the City that would be maintained through these grant funds. He indicated that these funds would cover all cadet costs, except for the costs at the Library, noting that the City had not paid a penny for the Library cadets which were funded through grants.

In response to Mr. Sudler regarding whether expanding the Cadet Program had been considered, Chief Bernat indicated that the Department was happy with the existing program; however, if there were extra funds available in the future, this would be considered.

Mr. Sudler expressed his opinion that the cadets were doing a great job.

Mr. Anderson congratulated Chief Bernat and Mayor Christiansen on seizing the initiative to make sure that some of the money that was stolen from the community by ill-gotten banking practices was coming back to the community in a way that would benefit it, and he expressed his thanks.

Mayor Christiansen informed members that Senator Brian Bushweller was also very influential in helping Chief Bernat and him to put together a package that was marketable to the Joint Finance Committee. Mayor Christiansen stated that the City had a Class A presentation when members of the Joint Finance Committee asked what the City's intentions and purposes were for the expenditure of these monies, and the City of Wilmington chose not to even show up.

Chief Bernat mentioned that Attorney General Matt Denn played a large part in requesting these funds for Dover and for Wilmington.

Mr. Sudler moved to recommend approval of the grant project as requested, seconded by Mr. Cole and unanimously carried. (*Due to time constraints, this matter has been placed on the Council agenda for the meeting being held later in the evening.*)

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:, Paragraph (d) - Keeping Domestic Animals

Mrs. Ann Marie Townshend, Director of Planning and Community Development, advised members that there had been complaints from constituents about chickens in residential neighborhoods and the associated odors and nuisance that they create for neighboring properties. She was requested by members of Council to draft an ordinance that would restrict the keeping of chickens in residential zones. Mrs. Townshend indicated that the ordinance would allow approximately one (1) year, until March 2017, to come into compliance. She advised members that the proposed ordinance would amend the Zoning Ordinance; therefore, it would be referred to the Planning Commission, which would make a recommendation to City Council following a public hearing.

In response to Mr. Sudler, Mrs. Townshend indicated that the complaints had been received from the southern end of the City; however, she noted that the Zoning Ordinance must be consistent across all areas.

Responding to Mr. Shevock regarding animals that would be included, Mrs. Townshend indicated that the ordinance stated fowl, which would include turkeys, ducks, and other types of birds.

Noting that dogs were currently included in the ordinance, Mr. Shevock questioned if cats were addressed. Responding, Mrs. Townshend stated that the number of cats was not regulated, noting

that a draft amendment was brought forward several years ago that would have addressed both chickens and cats, but it did not move forward. Mrs. Townshend informed members that the scope of what she was asked to prepare did not include cats.

Mr. Anderson asked whether birds that are kept inside, such as parakeets and canaries, would be covered. Responding, Mrs. Townshend stated that a definition for fowl had not been drafted and staff was in the process of developing an amendment to the full definitions article; however, she stated that staff could amend this ordinance to include a definition.

Mr. Anderson stated that this ordinance concerned him for a lot of reasons. He indicated that the proposed amendment may not be a problem for homeowners, since it might not be known if they have fowl; however, it would matter to individuals who rent, since they are subject to rental inspections. Mr. Anderson also expressed concerns about those who are interested in organic eggs, particularly with the new movement toward healthier living and survival, and about the Asian community that would be affected by this amendment. He did not think the amendment was a good move, but at the very least he hoped it would be defined well enough to allow people to keep their canaries.

Mayor Christiansen indicated that a gentleman living on Queen Street several years ago had homing pigeons and requested that this be taken into consideration, noting that these birds were kept caged and were a hobby or sporting animal. He understood the concern about having chickens running around yards, but noted that these pigeons were caged and well maintained.

Mrs. Townshend, referring to the Merriam-Webster Dictionary, stated that a simple definition such as "a bird that is raised for food including chickens, turkeys, and ducks" could be added. She indicated that if the ordinance was referred to Council, staff could make sure this was included at the first reading.

Mr. Hare suggested that the ordinance could be changed to state "chickens, turkeys, and ducks." Responding, Mrs. Townshend stated that her concern was that anything omitted from the definition could cause problems, for example, she asked whether the definition should include emus. Mr. Hare felt that anything kept in the house, in a cage, as a pet would be exempt, and Mrs. Townshend reiterated that a definition could be provided if the ordinance was referred to Council for a first reading.

Mr. Sudler asked if the complaints were related to farmers or homeowners raising organic produce and if staff had reviewed environmental issues of air sanitation in regard to chicken coops. Responding, Mrs. Townshend indicated that the complaints were generated specifically in regard to chickens being kept on residential lots by neighbors of those keeping chickens, and the complaints were about odors.

Responding to Mr. Sudler as to whether code enforcement staff had gone to these homes to ask whether chickens were being sold or consumed, Mrs. Townshend indicated that staff had been to at least one (1) of the homes where there was a complaint but had not asked about what they were doing with the chickens. She noted that there was a growing movement of people who have

chickens that produce eggs, explaining that it would be one (1) thing if the chickens were kept on a one (1) or two (2) acre lot; however, some of these lots are less than a quarter of an acre and penned chickens can be very close to neighbors.

Mr. Sudler suggested, if fowl were allowed, that the language specify the distance between dwellings that would be permissible.

Mr. Hare stated that he used to live one (1) door down from someone with a mobile chicken coop that was moved to different locations on the property, and on warm days there was a smell. He indicated that last August he visited another location with two (2) inspectors, the smell was almost to the point of being nauseating, and the neighbor living behind the property could not sit out in her yard. Mr. Hare felt that a residential neighborhood was not for raising chickens. He felt that if there was a one (1) acre lot, restrictions could be placed, but with a lot that was not even a quarter acre with houses possibly 30 feet apart, the mosquitoes and smell could present problems. Mr. Hare questioned if members would want this next door to them.

Ms. Janet Sibbald, Crossgates, stated that there were chickens in a backyard in her neighborhood and people were complaining and concerned that this would continue to be popular if allowed. She stated that there were health concerns about the smell and stated her understanding that when chickens are present there can be more rats, mice, and other problems. Ms. Sibbald felt that those who want chickens can live in Kent County, where this is allowed because there are larger properties that are not encroaching on neighbors. She expressed the desire to keep the City of Dover clean and neat and have people want to come live here. Ms. Sibbald did not think a chicken coop next door would entice new people into the neighborhood.

Ms. Sandy Kinkus, 365 Fiddlers Green, agreed with Ms. Sibbald. Ms. Kinkus also questioned why the number of cats allowed could not be included in the ordinance. Responding, Mrs. Townshend stated that cats could be included; however, this was not in the scope of what was requested. She stated that when a request to limit the number of cats was brought forward several years ago, a limit of (5) was suggested. Ms. Kinkus felt that having five (5) indoor cats should be up to the homeowner, but she had recently heard of a situation where there were eight (8) cats that were running in the neighborhood. She believed this was more of an issue than dogs because dogs are usually on leashes and rarely run loose. Ms. Kinkus stated that it would have to be determined if it were house cats or outside cats; however, she felt that cats should be included while this ordinance was being considered.

Ms. Sibbald stated that there had been a problem with cats in her neighborhood, noting that the City had been dealing with a house on Blue Beach Drive since the 1990s. She stated that the City had to go in and clean this house and there were cats. Ms. Sibbald indicated that other areas in the City had problems with a lot of cats, noting that even indoor cats were getting out in the neighborhood. Although there was not currently a concern about too many cats in that particular house on Blue Beach Drive, it had been an ongoing, yearly expense for the City of Dover to attempt to keep the house presentable from the outside. Ms. Sibbald stated that the quantity of cats was a big problem. She was unsure how many cats would be acceptable, but she felt that a little more room was needed in neighborhoods the size of Crossgates, where residents live cheek by jowl.

Mr. Ed Hannigan, 344 Fiddlers Green, informed members that he lives next door to an existing problem where chickens are located. He indicated that he did not have an ax to grind with anybody but wanted to have a considerate neighbor. Mr. Hannigan questioned if members would want to buy his home if he were to sell it. He stated that he and Ms. Kinkus had lived in this neighborhood for more than 40 years and people had invested a lot in homes that they would not be able to get their money back if there were 20 chickens and goats next door.

Mr. Sudler moved that chicken coops in the City of Dover not be permissible due to air sanitation and environmental hazards and issues.

Mr. Cole questioned whether there would be a definition, noting that it would be an issue moving forward. Responding, Mr. Sudler stated that he was thinking about chickens at present, since this was the main concern brought forward, noting that other concerns could be presented. He indicated that he was familiar with the smell of chickens in his community, did not like it, and was speaking on behalf of chicken coops not being permissible in the City. Mr. Sudler agreed to a friendly amendment to include chickens, turkeys, ducks, etc.

Mrs. Townshend suggested that the motion be amended to endorse the draft ordinance and request that staff develop an amendment that defines fowl, as discussed, prior to the first reading.

Mr. Shevock questioned if there were goats on the property and Mrs. Townshend indicated that there were not goats present. She indicated that only domestic animals were permitted in residential zones and the problem was that the current code specifically allows up to 25 fowl. Mrs. Townshend explained that in most cases a chicken would not be considered a domestic animal, with domestic animal meaning a kind of pet; however, the current Code specifically allows fowl.

Ms. Sibbald questioned the provision that would allow the owner to keep fowl until March 15, 2017, stating this would be more than a year. She requested that the neighborhood not have to live through the summer with this problem, stating that the fowl could be out of there by June.

Mr. Hutchison suggested that residents be required to remove fowl three (3) months from the time the ordinance is passed.

Mr. Sudler stated that he was open to accepting an amendment to the motion. Responding, Mr. Hare stated that the motion was to amend 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.

In response to Mr. Shevock, Mr. Sudler confirmed that the motion was to have staff redraft the ordinance and bring it back to the Committee.

Mr. Shevock seconded the motion.

Responding to Mr. Hare, Mrs. Townshend advised members that the requested amendments could be made prior to first reading.

Mr. Slavin clarified that the provision for compliance within 90 days of passage referred to passage by Council. He noted that after going through first and second reading of the ordinance, it would probably take effect no more than six (6) months from today but possibly before this.

The motion to recommend 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 was unanimously carried.

By unanimous consent, the meeting adjourned at 6:30 p.m.

William F. Hare
Chairman

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CITY OF DOVER
FISCAL YEAR JULY 1, 2015 TO JUNE 30, 2016
QUARTERLY REVENUE REPORT
As of December 2015

				50.0%			
	GENERAL FUND	**FY16 BUDGET**	**YTD REVENUES**	**% BUDGET RECEIVED**	**COMMENTS**	**FY15 REVENUES**	**FY14 REVENUES**
1	Property Taxes	$ 12,495,500	$ 12,408,100	99.3%		$ 10,841,200	$ 10,777,800
2	Payment In Lieu of Taxes	398,700	379,700	95.2%		335,500	316,700
3	Transfer from Electric Fund	10,000,000	5,833,300	58.3%		10,000,000	8,000,000
4	Intrafund Service Receipts Electric	3,738,500	1,693,400	45.3%		3,478,800	3,427,300
5	Transfer from Transfer Tax Fund	1,340,000	1,608,100	120.0%		1,713,800	1,544,100
6	Business Licenses	1,425,000	1,457,300	102.3%		1,403,100	1,494,300
7	Intrafund Service Receipts Water/Wastewater	1,492,700	662,400	44.4%		1,341,600	1,218,900
8	Sanitation Fees	2,580,000	1,270,500	49.2%		2,578,900	2,595,600
9	Permits & Other Licenses	1,436,300	645,100	44.9%		1,490,200	1,597,300
10	Transfer from Municipal Street Aid Fund	564,200	336,600	59.7%		664,300	664,900
11	Fines & Police Revenue	702,300	346,700	49.4%		666,700	653,600
12	Police Extra Duty Fees	533,000	226,100	42.4%		503,000	562,900
13	Transfer from Police Grant Funds	74,400	27,000	36.3%		127,100	80,200
14	Court of Chancery Fees	1,065,100	470,900	44.2%	Thru November	1,118,700	1,034,500
15	Transfer from Water/Wastewater Fund	850,000	425,000	50.0%		500,000	500,000
16	Transfer from Contingency	-	-	0.0%		50,000	250,000
17	Transfer from Civil Traffic Penalties Fund	450,000	218,800	48.6%	Thru November	495,200	357,500
18	Library Revenues & County Reciprocal Pymt	522,000	200,900	38.5%		480,800	498,600
19	Franchise Fees	672,300	168,600	25.1%	Q1 franchise fees	683,400	648,300
20	General Fund Grant Receipts	673,500	8,900	1.3%	Offset by transfer to Police Pension Trust	733,900	571,000
21	Recreation Revenue	149,000	80,800	54.2%		149,300	151,900
22	Other Miscellaneous Receipts	129,600	82,700	63.8%		257,500	175,500
23	Interest Income	35,000	39,000	111.4%		35,100	34,500
24	2014 Bond Proceeds (Refinance 2003 Bonds)	-	-	0.0%		475,000	-
	TOTALS	$ 41,327,100	$ 28,589,900	69.2%		$ 40,123,100	$ 37,155,400
	Final Budget					**$ 39,795,600**	**$ 37,127,200**

CITY OF DOVER
FISCAL YEAR JULY 1, 2015 TO JUNE 30, 2016
QUARTERLY REVENUE REPORT
As of December 2015

				50.0%			
	WATER/WASTEWATER FUND	**FY16 BUDGET**	**YTD REVENUES**	**% BUDGET RECEIVED**	**COMMENTS**	**FY15 REVENUES**	**FY14 REVENUES**
1	Water Fees	$ 6,200,000	$ 2,838,400	45.8%		$ 4,889,000	$ 4,459,800
2	Wastewater Fees	3,728,000	1,972,000	52.9%		3,735,900	3,562,400
3	Wastewater Adjustment Fees - County Trtmt	3,026,500	1,554,000	51.3%		2,952,900	2,930,300
4	Groundwater Inflow Adjustment	1,864,300	994,300	53.3%		1,831,800	1,316,200
5	Water Impact Fees	250,000	139,200	55.7%		536,900	252,200
6	Wastewater Impact Fees	250,000	122,000	48.8%		482,200	230,200
7	Water Tank Space Leasing	341,900	155,500	45.5%		344,800	360,300
8	Interest Income	3,000	100	3.3%	Thru December	2,300	3,616
9	Other Miscellaneous Revenues	64,000	30,900	48.3%		75,000	61,300
	TOTALS	$ 15,727,700	$ 7,806,400	49.6%		$ 14,850,800	$ 13,176,316
	Final Budget					**$ 14,386,300**	**$ 13,023,500**

				50.0%			
	ELECTRIC REVENUE FUND	**FY16 BUDGET**	**YTD REVENUES**	**% BUDGET RECEIVED**	**COMMENTS**	**FY15 REVENUES**	**FY14 REVENUES**
1	Sales to Customers	$ 78,279,200	$ 41,333,000	52.8%		$ 77,011,700	$ 76,928,300
3	Utility Tax	1,281,100	694,500	54.2%		1,266,900	1,259,000
4	Transfer from Rate Stabilization Reserve	3,000,000	750,000	25.0%		3,000,000	7,000,000
5	Miscellaneous Revenue	927,800	633,300	68.3%		1,389,400	906,400
6	Interest Income	47,900	10,700	22.3%	Thru December	21,200	10,500
7	Intrafund Service Fees - Water/Wastewater	-	-	0.0%		-	130,800
	TOTALS	$ 83,536,000	$ 43,421,500	52.0%		$ 82,689,200	$ 86,235,000
	Final Budget					**$ 81,766,000**	**$ 88,283,600**

COMMITTEE ACTION FORM

PROCEEDING: City Council	**AGENDA ITEM NO.:**
DEPARTMENT OF ORIGIN: Electric Department	**DATE SUBMITTED**: 01/08/2016
PREPARED BY: Paul Waddell, Engineering & Systems Operations Superintendent	
SUBJECT: Evaluation of Bid #16-0023EL, Master Electrician	
REFERENCE: N/A	
RELATED PROJECT: N/A	
APPROVALS: Electric Director, City Manager, Controller	
EXHIBITS: N/A	
EXPENDITURE REQUIRED: As Required	**AMOUNT BUDGETED**: N/A
FUNDING SOURCE (Dept./Page in CIP & Budget): Possibly all "Contractual Services" operation budgets such as 480-8200-562-30-31 (Electric T&D); 480-8300-563-30-31 (Electric Eng.); 412-6900-569-30-31 (W/WW); or CIP project funding if applicable. Expenditures for these services over the last 5 years have totaled $43,548.	
TIMETABLE: Contract to be issued upon final approval.	
RECOMMENDED ACTION: Staff recommends awarding a blanket Master Electrician Services Contract to the lowest bidder with no minimums, DeVary Electric for three (3) years with the option to extend for an additional two (2) years (five (5) years total) as per the pricing included in the bid submittal. The optional two (2) years extension will be at the discretion of the Electric Director.	

BACKGROUND AND ANALYSIS

The Electric Department maintains blanket contracts with potential contractors to ensure that the bidding rules are adhered to for any contractors that might be hired to perform work for the Public Works & Electric Departments. These contracts are valued using "time and material" estimates. This bid is for master electrician services to include conversion from 100 Amp to 200 Amp residential services, emergency situations and as required by work load.

Bids were solicited and advertised according to City Policy by the City's Contract and Procurement Manager under Bid #16-0023EL and the City received bids from two (2) vendors. Both bids were complete and the potential vendors were deemed to be capable and competent; therefore, pricing was the determining factor in bid award. The primary function of this contract is to provide conversion of electrical services from 100 to 200 Amps and associated tasks. Each bidder's proposed rates were used in this evaluation. DeVary Electric had the lowest total average conversion cost by 284% and the labor rates for eight (8) hours were approximately 27% lower. Because the evaluation criteria was the total cost of conversion and an additional consideration of eight (8) hours of labor for an Electrician and Helper, the staff is recommending that the contract be awarded to the lowest bidder, DeVary Electric.

The following table is a summary of the scenario pricing:

Bidder	Service Conversion*	8 Hours Labor*
DeVary	**$364.47**	**$766.24**
White Marsh Env Services	$1,035.28	$976.86

*Rates were averaged across 5 years of pricing figures provided by each company.

Annual expenditure for these services may exceed $25,000; therefore, staff is seeking Councils endorsement of the recommendation.

City of Dover
Bid Tabulation

Bid Number 16-0023EL
Master Electrician Contract

	DeVary Electric 3 Forrest Hills Ct. Dover, DE 19904					White Marsh Environmental Systems, Inc. Ray Ebaugh 1100 South Little Creek Rd Dover, DE 19901 800-523-7224 302-734-7500 Fax 302-734-9525 www.tuiwater.com														
Position	1st Year	2nd Year	3rd Year	4th Year	5th Year	1st Year	2nd Year	3rd Year	4th Year	5th Year	1st Year	2nd Year	3rd Year	4th Year	5th Year	1st Year	2nd Year	3rd Year	4th Year	5th Year
Electrician	$57.43	$60.30	$62.71	$65.21	$67.81	$60.00	$61.80	$63.65	$65.56	$67.53										
Helper	$35.00	$35.00	$36.75	$36.75	$36.75	$55.00	$56.65	$58.35	$60.10	$61.90										
Common Labor	N/A	N/A	N/A	N/A	N/A	$35.00	$36.05	$37.13	$38.25	$39.39										
Overtime Rate %	1.5%					132%														
Electrician						$480.00	$494.40	$509.23	$524.51	$540.24										
Helper						$330.00	$339.90	$350.10	$360.60	$371.42										
Common Labor						$70.00	$72.10	$74.26	$76.49	$78.79										
10' Service Cable						$30.00	$30.90	$31.83	$32.78	$33.77										
Meter Pan						$65.00	$66.95	$68.96	$71.03	$73.16										
Rate Increase							$1.03	$1.03	$1.03	$1.03										
Total Cost	$340.00	$357.00	$374.85	$393.60	$413.28	$975.00	$1,004.25	$1,034.38	$1,065.41	$1,097.38	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00

COMMITTEE ACTION FORM

PROCEEDING: City Council	**AGENDA ITEM NO.:**
DEPARTMENT OF ORIGIN: Electric Department	**DATE SUBMITTED**: 01/08/2016
PREPARED BY: Paul Waddell, Engineering & Systems Operations Superintendent	
SUBJECT: Evaluation of Bid #16-0024EL, Environmental Services	
REFERENCE: N/A	
RELATED PROJECT: N/A	
APPROVALS: Electric Director, City Manager, Controller	
EXHIBITS: N/A	
EXPENDITURE REQUIRED: As Required	**AMOUNT BUDGETED**: N/A
FUNDING SOURCE (Dept./Page in CIP & Budget): Possibly all "Environmental Expenses" operation budgets such as 480-8200-562-30-43 (Electric T&D); 480-8300-563-30-43 (Electric Eng.); 412-6900-569-30-31 (W/WW); or CIP project funding if applicable.	
TIMETABLE: Contract to be issued upon final approval.	
RECOMMENDED ACTION: Staff recommends awarding a blanket Environmental Services contract to Compliance Environmental, Inc. with no minimum amounts. The initial period of the contract will be three (3) years with an option to extend the contract for an additional two (2) years (five (5) years total) as per the pricing included in the submission.	

BACKGROUND AND ANALYSIS

The Electric Department maintains blanket contracts with potential contractors to ensure that the bidding rules are adhered to for any contractors that might be hired to perform work for the Public Works, Electric, and Planning & Inspections Departments. These services are priced using a "time and material" approach. This bid is for Environmental Services work both in normal and/or emergency situations and as required by work load. These services may include cleanup activities, soil sampling, asbestos sampling, bid specifications, assistance in environmental compliance with numerous agencies and assistance in disposal, collection and shipment of hazardous wastes.

Bids were solicited and advertised in accordance with City policy by the City's Contract and Procurement Manager under Bid #16-0024EL. The City received bids from two (2) companies. Both of the bids were complete and the potential vendors were deemed to be capable and competent. Staff used work experience, emergency response time, total cost, geographical location, staff experience and training records as criteria for evaluating the submissions. Compliance Environmental has more experience in the field and was determined to be more experienced in environmental activities related to the electrical and public works arenas. Both companies expressed ability to meet the 2-hour response time request. Compliance Environmental, Inc. is a local company with an office in Dover while Envirotech is based in Milton, DE but serve clients in Dover. Compliance Environmental, Inc. produced verification of more certifications in areas related to our operations in the City. Because of these items, the staff is recommending that the contract be awarded to the most suitable submission as evaluated, Compliance Environmental, Incorporated.

These services have routinely exceeded $25,000 per year; therefore, authorization by City Council is required.

DEPARTMENT OF POLICE

Paul M. Bernat
Chief of Police
F.B.I.N.A.

400 South Queen Street
Dover, Delaware 19904
302-736-7111
Fax: 302-672-1842

December 31, 2015

Ms. Traci McDowell
City Clerk
Dover City Hall
P.O. Box 475
Dover, DE 19903

Dear Traci:

The Police Pension Board term of Retired Captain John Sigler will expire on January 31, 2016. Pursuant to Section 18-47 of the pension plan, a request for nominations was posted with an announcement of election to fill the vacancy on December 18, 2015. One nomination was received, therefore, no election will be held.

I hereby nominate Retired Captain John Sigler to serve a three-year term on the Pension Board, commencing February 1, 2016 and ending January 31, 2019, subject to confirmation of a voting majority of City Council.

If you need additional information, please call me at (302) 736-7100.

Sincerely,

Paul M. Bernat

Paul M. Bernat
Chief of Police

PMB/rmr

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**

Draft

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~~.

(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-First Reading.wpd

SYNOPSIS

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

(SPONSORS: HARE, HUTCHISON, AND COLE)

Actions History

01/25/2016 - Scheduled for First Reading - City Council

01/11/2016 - Introduced - Legislative, Finance, and Administration Committee

Draft

PROPOSED AMENDMENTS TO THE *2008 COMPREHENSIVE PLAN*
First Reading before the
Dover City Council
January 25, 2016

Proposed Amendments to the
2008 Comprehensive Plan:

A. Request for a 37.2 parcel located on the west side of New Burton Road and west of the railroad corridor to revise the Land Use Classification from Residential Low Density to Industrial and Public Utilities on Map 12-1: Land Development Plan Map. Property Address: 37.2 Acres New Burton Road and 1436 New Burton Road. This is associated with rezoning application Z-16-02.

B. Request for a parcel located on the west side of South State Street south of Gooden Avenue to revise the Land Use Classification from Residential Medium Density to Office and Office Parks on Map 12-1: Land Development Plan Map. Property Address: 834 South State Street. This is associated with rezoning application Z-16-03.

C. Request for properties owned by Dover International Speedway Inc. located east of Delaware Route 1 on the north side and south side of Persimmon Tree Lane to revise the Land Use Classification from Active Agriculture to Commercial. Property Addresses: 75 Pit Stop Lane and 599 Persimmon Tree Lane. This amendment is proposed to facilitate the consistent zoning of the Woodlands Area, which is the location of Firefly and Big Barrel music festivals.

Ordinance Number: #2016-02

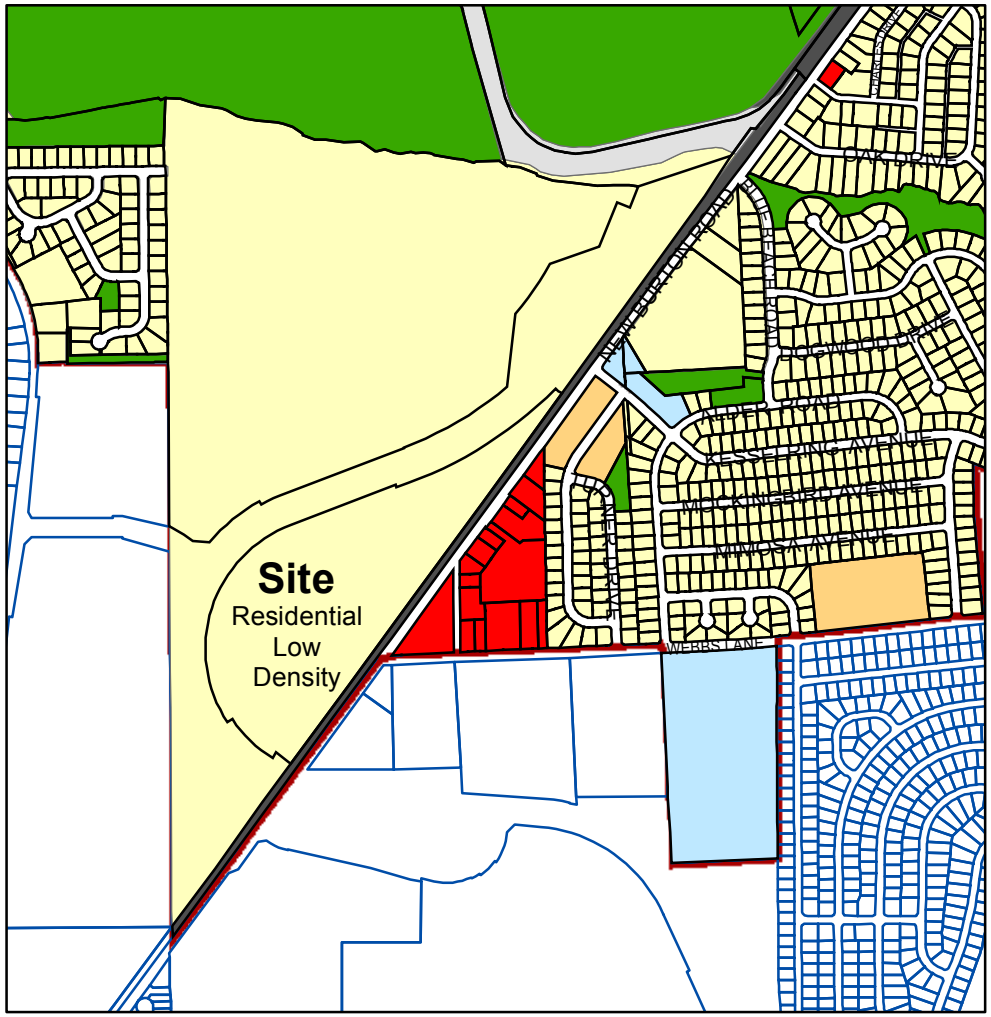
File Number: MI-16-01

City of Dover

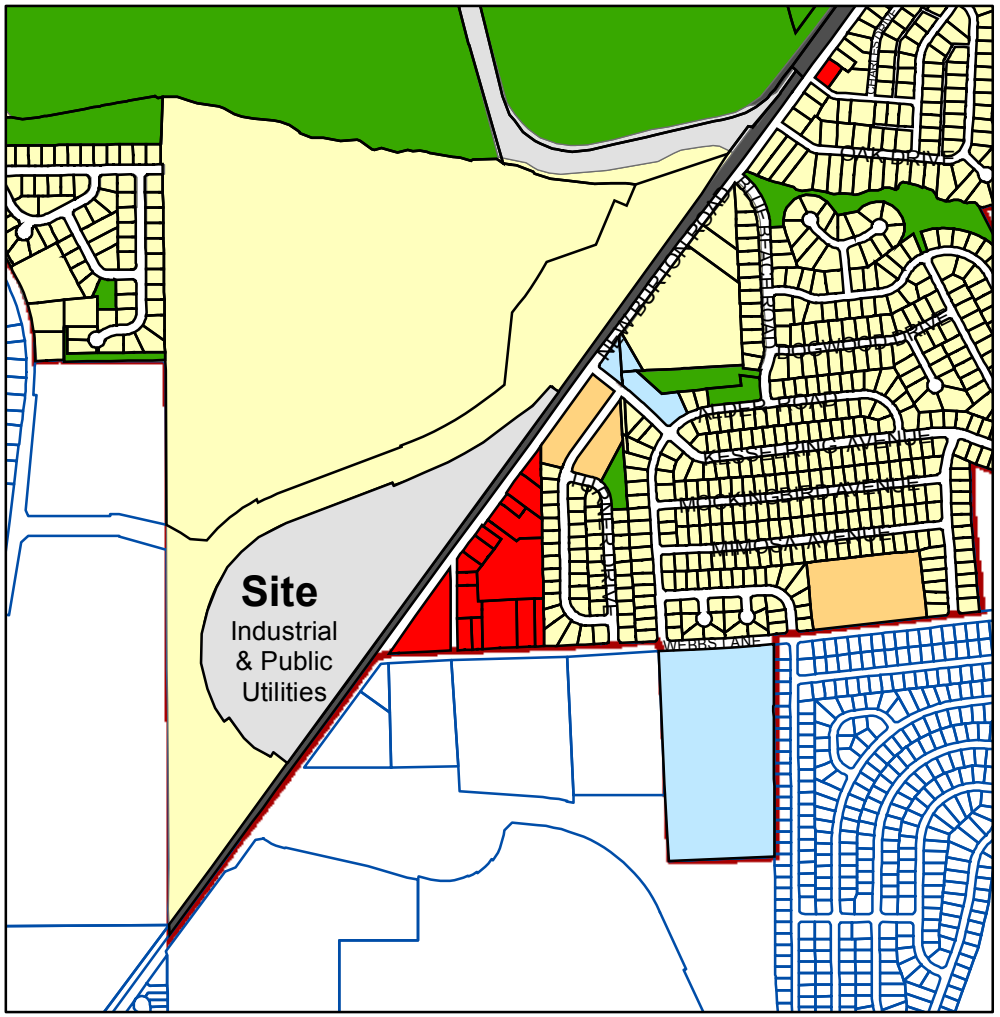
Department of Planning & Inspections

2016 Comprehensive Plan Amendment

Current Designation



Proposed Designation



Plan Title: Lands of Kesselring Company LLC
Location: 1436 New Burton Road
Plan Type: Comprehensive Plan Amendment
Tax Parcel: ED05-085.00-01-07.00-000 and ED05-085.00-01-07.00-001
Current Land Use: Residential Low Density
Proposed Land Use: Industrial & Public Utilities
Owners: Kesselring Company LLC c/o Doris K. Taylor
Date: 12/31/2015

N W E S

0 487.5 975 1,950 Feet

Legend

- Dover Boundary
- Dover Parcels

Land Use Classifications

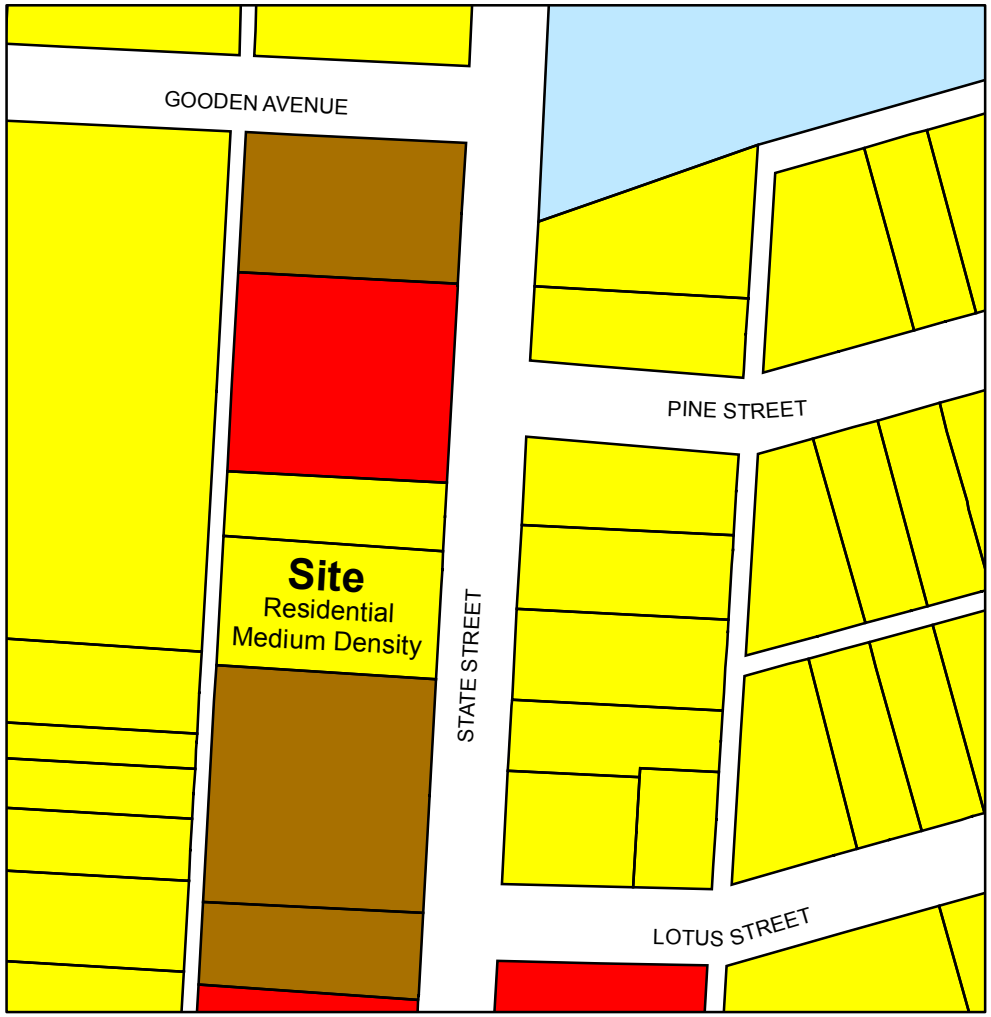
- Active Agriculture
- Commercial
- DoverAFB
- Industrial and Public Utilities
- Institutional
- Mixed Use
- Office
- Open Space, Conservation, Recreation
- Residential High Density
- Residential Low Density
- Residential Medium Density
- Train Track
- Water

City of Dover

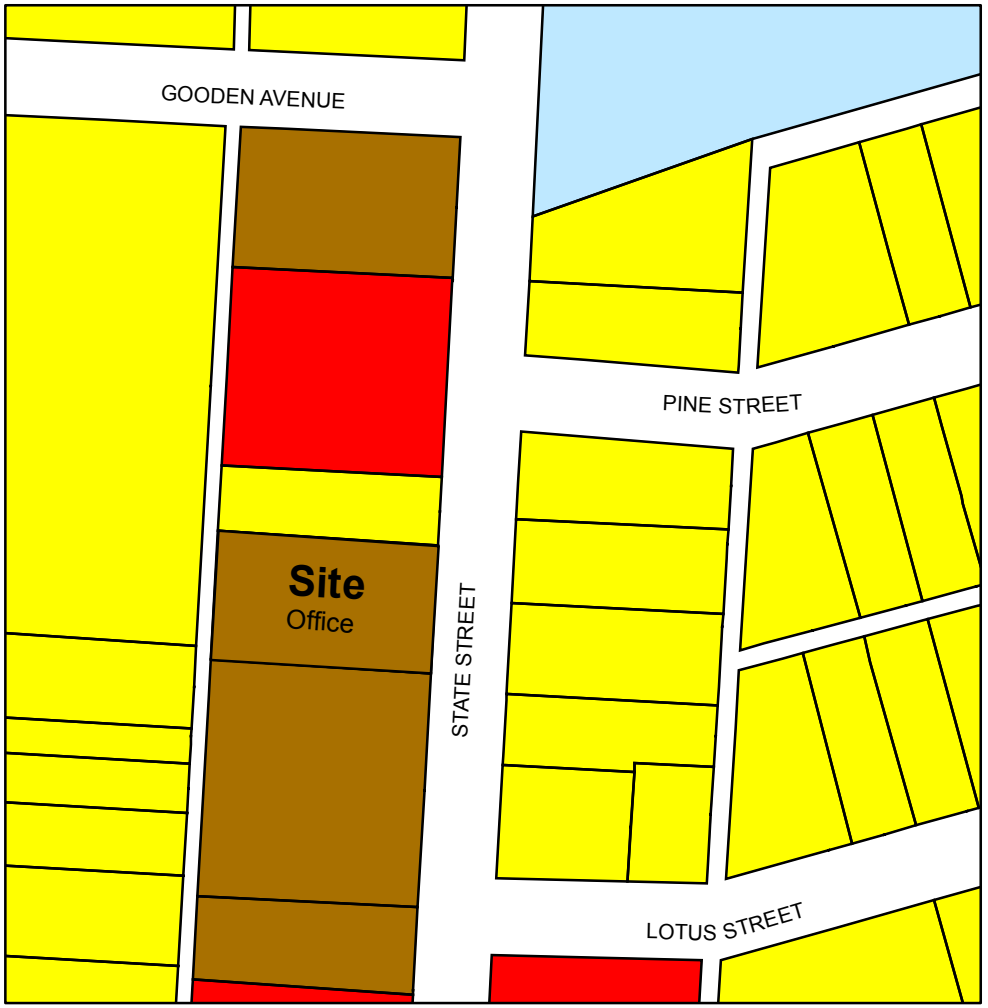
Department of Planning & Inspections

2016 Comprehensive Plan Amendment

Current Designation



Proposed Designation



Plan Title: Micromotor Equipment LLC
Location: 834 South State Street
Plan Type: Comprehensive Plan Amendment
Tax Parcel: ED05-077.17-03-45.00-000
Current Land Use: Residential Medium Density
Proposed Land Use: Office
Owners: Michael Braun
Date: 12/29/2015

0 62.5 125 250 Feet

Legend

- Dover Boundary
- Dover Parcels

Land Use Classifications

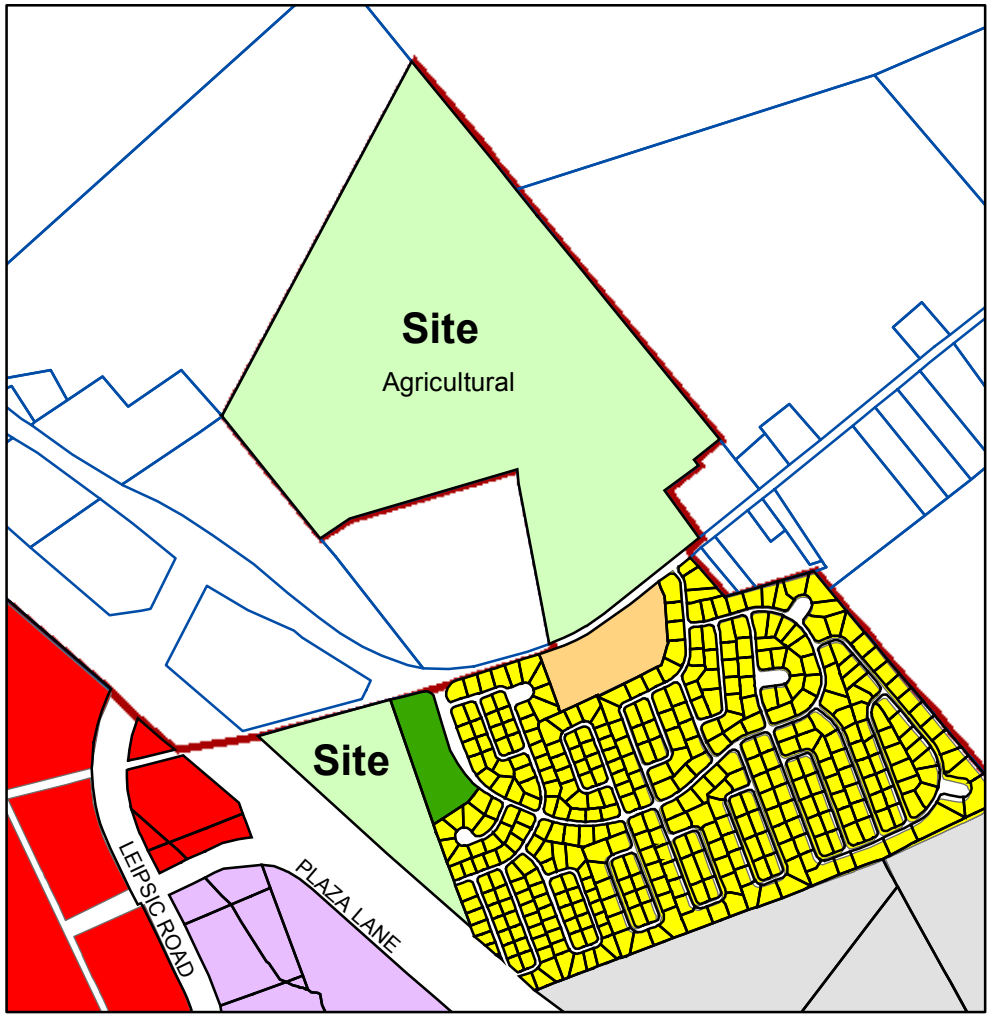
- Active Agriculture
- Commercial
- DoverAFB
- Industrial and Public Utilities
- Institutional
- Mixed Use
- Office
- Open Space, Conservation, Recreation
- Residential High Density
- Residential Low Density
- Residential Medium Density
- Train Track
- Water

City of Dover

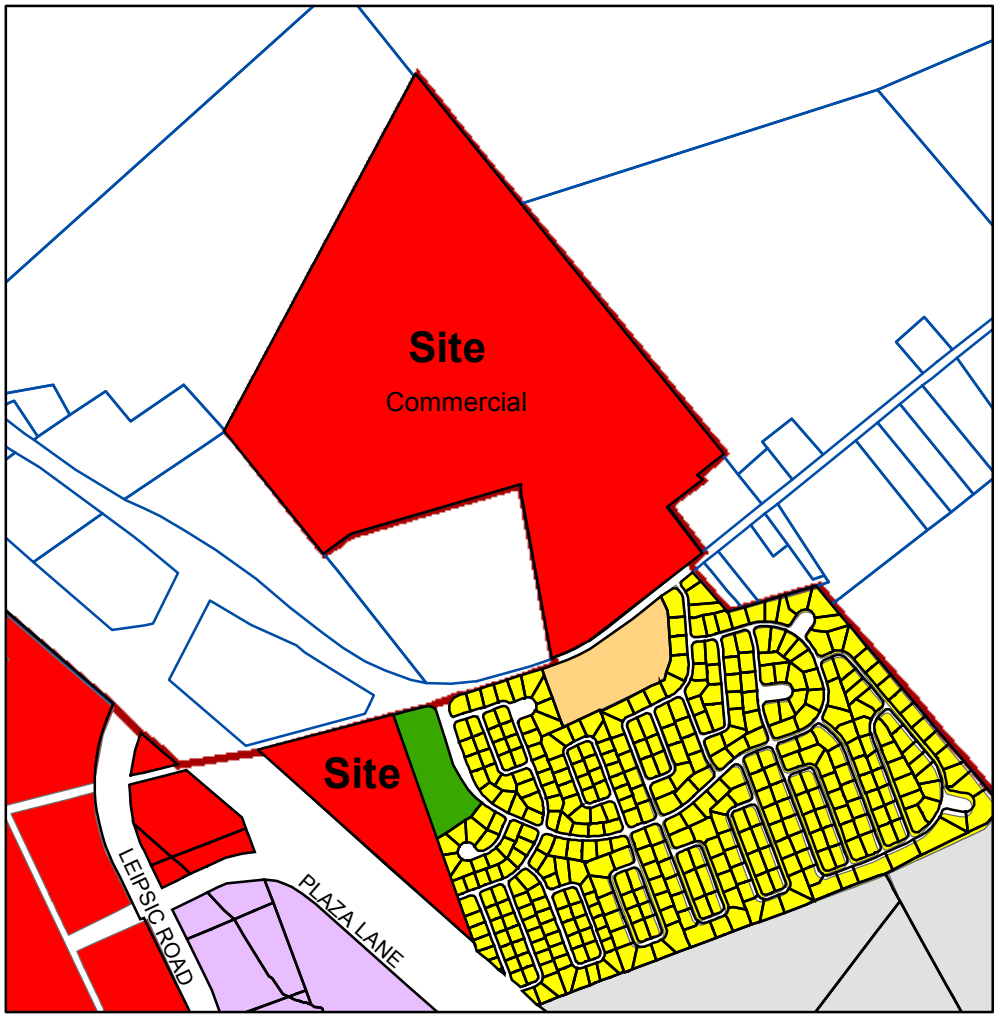
Department of Planning & Inspections

2016 Comprehensive Plan Amendment

Current Designation



Proposed Designation



Plan Title: The Woodlands of Dover International Speedway
Location: 75 Pit Stop Lane and 599 Persimmon Tree Lane
Plan Type: Comprehensive Plan Amendment
Tax Parcel: LC05-058.17-02-01.00-000 and LC05-058.00-02-15.00-000
Current Land Use: Agricultural
Proposed Land Use: Commercial
Owners: Dover Downs International Speedway Inc
Date: 12/31/2015

N W E S

0 415 830 1,660 Feet

Legend

- Dover Boundary
- Dover Parcels

Land Use Classifications

- Active Agriculture
- Commercial
- DoverAFB
- Industrial and Public Utilities
- Institutional
- Mixed Use
- Office
- Open Space, Conservation, Recreation
- Residential High Density
- Residential Low Density
- Residential Medium Density
- Train Track
- Water

FIRST READING

CITY OF DOVER PROPOSED ORDINANCE #2016-02

AN ORDINANCE AMENDING THE 2008 COMPREHENSIVE PLAN, AS AMENDED, BY REPLACING MAP 12-1: LAND DEVELOPMENT PLAN.

WHEREAS, the City Council of the City of Dover, on February 9, 2009, adopted the 2008 Comprehensive Plan pursuant to Title 22, Section 702 of the Delaware Code; and

WHEREAS, the Honorable Jack Markell, Governor of the State of Delaware, certified the 2008 Comprehensive Plan on April 24, 2009; and

WHEREAS, the 2008 Comprehensive Plan allows for an annual amendment process; and

WHEREAS, two property owners have requested amendments to the Land Development Plan Map (Map 12-1) in accordance with the process set forth in the 2008 Comprehensive Plan; and

WHEREAS, the Planning Office has prepared one amendment to the Land Development Plan Map (Map 12-1);

WHEREAS, the Planning Commission held a public hearing on February 16, 2016, after which the Commission made a recommendation in regard to the amendments to the Land Development Plan related to the above request.

NOW, THEREFORE, BE IT ORDAINED THAT the Mayor and Council of the City of Dover hereby amend the 2008 Comprehensive Plan, as amended, by:

1. Replacing Map 12-1: Land Development Plan of the 2008 Comprehensive Plan, as amended on November 23, 2009; March 14, 2011; April 11, 2011; March 12, 2012; March 10, 2014; and April 13, 2015, with the referenced map presented to City Council on March 14, 2016.

ADOPTED: *

S:\ORDINANCES\2016\DRAFT\ORDINANCE #2016-02 2008 COMPREHENSIVE PLAN AMENDMENT\Ordinance #2016-02 Amending the 2008 Comprehensive Plan - First Reading.docx

SYNOPSIS

The proposed ordinance would adopt amendments and an addendum to the 2008 Comprehensive Plan, as amended on November 23, 2009; March 14, 2011; April 11, 2011; March 12, 2012; March 10, 2014; and April 13, 2015.

Actions History

January 25, 2016 - Scheduled for First Reading - City Council

DRAFT

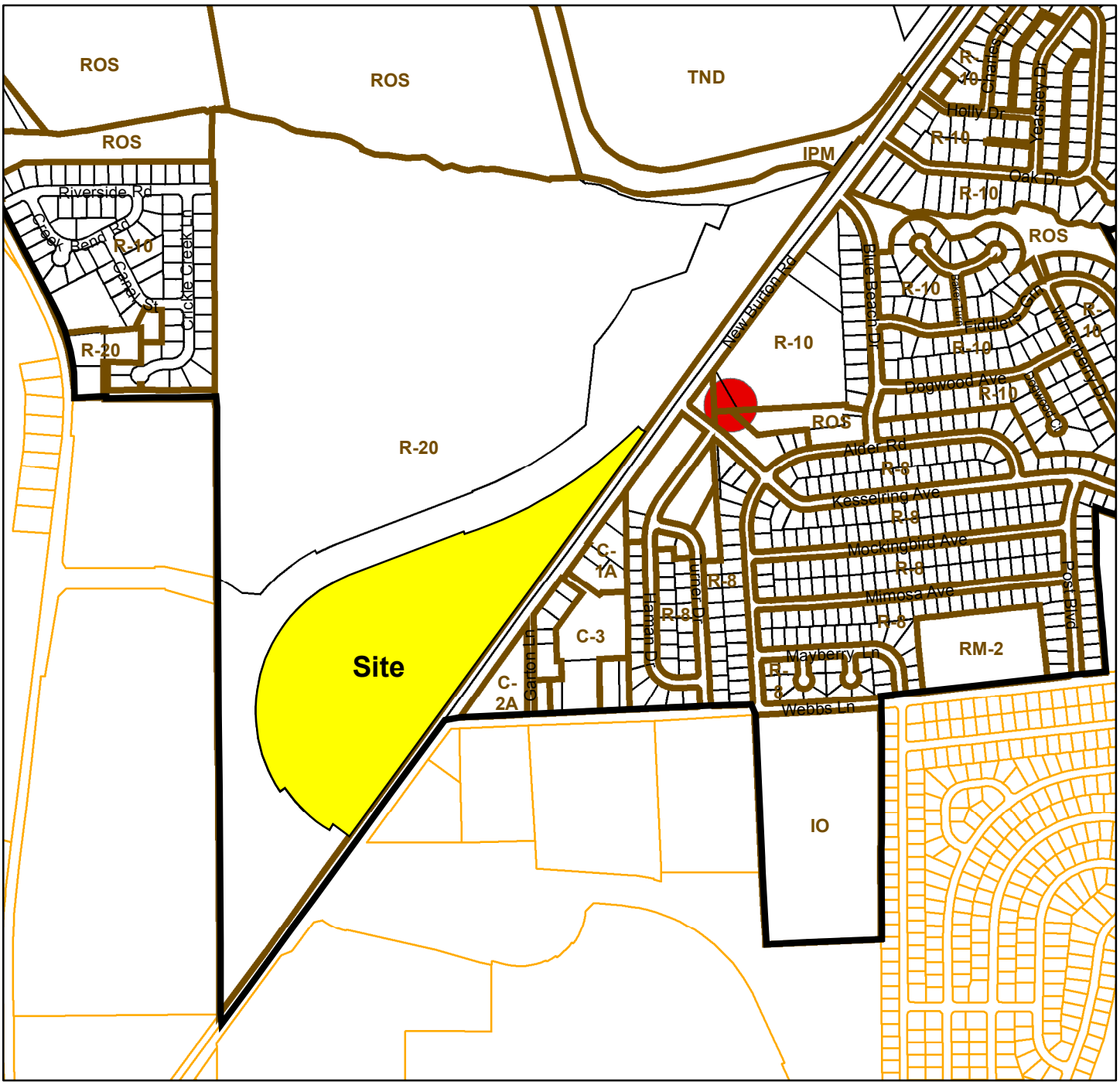
PETITION TO AMEND THE ZONING DISTRICT
First Reading before the Dover City Council
January 25, 2016

Applicants/Owners:	Kesselring Company, LLC & Others and Larry Kesselring
Address:	37.2 Acres New Burton Road 1436 New Burton Road
Location:	South of the Puncheon Run, bound by the West Dover Connector on the north, south and west, and by the Railroad Tracks and New Burton Road on the east
Tax Parcel ID #:	ED-05-085.00-01-07.00-000 ED-05-085.00-01-07.00-001
Size:	37.2 +/- acres
Present Use:	Vacant
Proposed Use:	Industrial
Comprehensive Plan Designation:	Residential Low Density – Subject of Request to Amend Land Use Classification to Industrial and Public Utilities
Present Zoning:	R-20 (One Family Residence Zone)
Proposed Zoning:	IPM (Industrial Park Manufacturing Zone)
Reason for Request:	To allow for industrial development of the property
File Number:	Z-16-02

City of Dover

Department of Planning & Inspections

Application No.: Z-16-02, MI-16-01



Title: Lands of Kesselring Company LLC
Address: 1436 New Burton Road
Parcel ID: ED-05-085.00-01-07.00-000 and ED-05-085.00-01-07.00-001
Acerage: 37.2
Existing Zoning: R-20 (One-Family Residence Zone)
Proposed Zoning: IPM (Industrial Park Manufacturing)
Owner: Kesselring Company LLC c/o Doris K. Taylor
Date: 12/21/2015

Legend

- Subject Property
- Zoning
- Dover Parcels
- Kent County Parcels
- Dover Boundary

N W E S

0 500 1,000 2,000 Feet

FIRST READING

CITY OF DOVER
PROPOSED ORDINANCE #2016-03

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER BY CHANGING THE ZONING DESIGNATION OF PROPERTY LOCATED WEST OF NEW BURTON ROAD AND THE RAILROAD CORRIDOR AND INCLUDING THE PROPERTY LOCATED AT 1436 NEW BURTON ROAD

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

WHEREAS, it is deemed in the best interest of zoning and planning to change the permitted use of property described below from R-20 (One-Family Residence Zone) to IPM (Industrial Park Manufacturing 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-20 (One-Family Residence Zone) to IPM (Industrial Park Manufacturing Zone) on that property located on the west side of New Burton Road west of the railroad corridor and surrounded by the right-of-way for the West Dover Connector, consisting of $37.2^{+/-}$ acres and including the property located at 1436 New Burton Road, owned by Kesselring Company, LLC and others.
   (Tax Parcels: ED-05-085.00-01-07.00-000 and ED-05-085.00-01-07.00-001; Planning Reference: Z-16-02; Council District 2)

ADOPTED: *

S:\ORDINANCES\2016\DRAFT\ORDINANCE #2016-03 REZONING - NEAR NEW BURTON ROAD AND 1436 NEW BURTON ROAD\Ordinance #2016-03 Rezoning Property Near New Burton Road and 1436 New Burton Road.wpd

Actions History
January 25, 2016 - Scheduled for First Reading - City Council

Draft

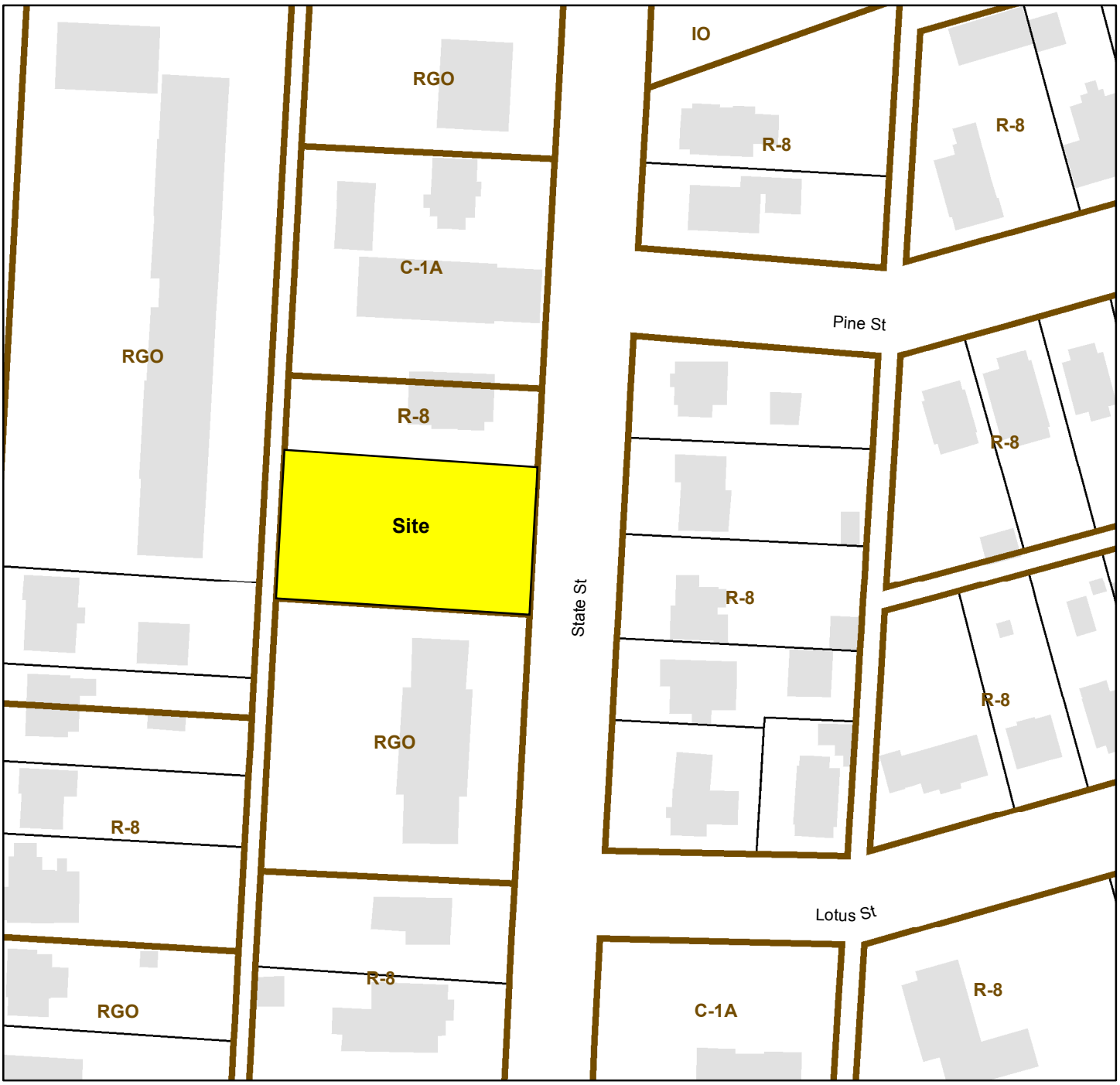
PETITION TO AMEND THE ZONING DISTRICT
First Reading before the Dover City Council
January 25, 2016

Applicants/Owners:	Michael W. & Winifred M. Braun
Address:	834 S. State Street
Location:	West side of South State Street, south of Gooden Avenue
Tax Parcel ID #:	ED-05-077.17-03-45.00-000
Size:	17,000 +/- Square Feet
Present Use:	Vacant Residence
Proposed Use:	Office
Comprehensive Plan Designation:	Residential Medium Density – Subject of Request to Amend Land Use Classification to Office and Office Parks
Present Zoning:	R-8 (One Family Residence Zone)
Proposed Zoning:	C-PO (Commercial and Professional Office Zone)
Reason for Request:	To allow for conversion to an office
File Number:	Z-16-03

City of Dover

Department of Planning & Inspections

Application No.: Z-16-03



Title: Micromotor Equipment LLC
Address: 834 S State St
Parcel ID: ED-05-077.17-03-45.00-000
Existing Zoning: R-8 (One-Family Residence Zone)
Proposed Zoning: C-PO (Commercial and Professional Office Zone)
Owner: Michael Braun
Date: 12/29/2015

Legend

- Dover Parcels
- Zoning
- 2012 Buildings

N
W E
S

0 60 120 240 Feet

FIRST READING

CITY OF DOVER
PROPOSED ORDINANCE #2016-04

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER BY CHANGING THE ZONING DESIGNATION OF PROPERTY LOCATED AT 834 SOUTH STATE STREET

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

WHEREAS, it is deemed in the best interest of zoning and planning to change the permitted use of property described below from from R-8 (One-Family Residence Zone) to C-PO (Commercial and Professional Office 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-PO (Commercial and Professional Office Zone) on that property located at 834 South State Street, consisting of $17{,}000^{+/-}$ S.F, owned by Michael W. and Winifred M. Braun.
   (Tax Parcel: ED-05-077.17-03-45.00-000; Planning Reference Z-16-03; Council District 2)

ADOPTED: *

S:\ORDINANCES\2016\DRAFT\ORDINANCE #2016-04 REZONING - 834 SOUTH STATE STREET\ORDINANCE#2016-04 REZONING OF PROPERTY - 834 SOUTH STATE STREET .wpd

Actions History
January 25, 2016 - Scheduled for First Reading by City Council

Draft