REGULAR COUNCIL MEETING
AGENDA

JANUARY 11, 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 REVEREND THEODORE HENDERSON

PLEDGE OF ALLEGIANCE LED BY COUNCILMAN ANDERSON

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 NOVEMBER 23, 2015**
- **B. SPECIAL COUNCIL MEETING OF DECEMBER 9, 2015 - VIOLATIONS OF THE DANGEROUS BUILDING ORDINANCE**
- **C. SPECIAL COUNCIL MEETING OF DECEMBER 9, 2015**
- **D. REGULAR COUNCIL MEETING OF DECEMBER 14, 2015**

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

3. REZONING REQUEST - PUBLIC HEARING/FINAL READING OF PROPOSED ORDINANCE #2015-23

THE FIRST READING OF THE PROPOSED ORDINANCE WAS ACCOMPLISHED DURING THE COUNCIL MEETING OF NOVEMBER 23, 2015. COPIES OF THE PROPOSED ORDINANCE ARE AVAILABLE AT THE ENTRANCE OF THE COUNCIL CHAMBERS.

A. PROPERTY LOCATED AT 904, 910, 930, 950, 956, 970, 986, AND 992 WHATCOAT DRIVE, OWNED BY WHATCOAT COMMUNITY DEVELOPMENT, INC. THIS 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, FOURTH COUNCIL DISTRICT; PLANNING REFERENCE: Z-15-04).

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

THE FIRST READING OF THE PROPOSED ORDINANCE WAS ACCOMPLISHED DURING THE COUNCIL MEETING OF NOVEMBER 9, 2015. COPIES ARE AVAILABLE AT THE ENTRANCE OF THE COUNCIL CHAMBERS.

A. PROPOSED ORDINANCE #2015-20 AMENDING APPENDIX B - ZONING, ARTICLE 12 - DEFINITIONS

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

6. VIOLATIONS OF THE DANGEROUS BUILDING ORDINANCE

A. PROPERTY LOCATED AT 1032-1058 SOUTH DUPONT HIGHWAY, OWNED BY BMDR, LLC - 60-DAY PROGRESS REPORT

(ACTION TAKEN DURING THE REGULAR COUNCIL MEETING OF NOVEMBER 9, 2015: . . .THAT THE PROPERTY BE REPAIRED OR DEMOLISHED BY JULY 1, 2016 . . .AND THAT PROGRESS REPORTS BE PROVIDED AT THE COUNCIL MEETINGS SCHEDULED FOR JANUARY 11, 2016, MARCH 14, 2016, AND JUNE 13, 2016)

B. PROPERTY LOCATED AT 2 SOUTH QUEEN STREET, OWNED BY KZ FOREVER LLC

(ACTION TAKEN DURING THE SPECIAL COUNCIL MEETING OF DECEMBER 9, 2015: TO HAVE THE PROPERTY OWNER PROVIDE STAFF WITH ESTIMATES WITHIN 15 DAYS AND TO PLACE THE MATTER ON THE JANUARY 11, 2016 AGENDA FOR COUNCIL DISCUSSION)

* **7. DOVER HUMAN RELATIONS COMMISSION REPORT - AUGUST 25, 2015**

A. COMMUNITY DEVELOPMENT OPPORTUNITIES

A-1. PRESENTATION BY DR. DAN YOUNG - TED X DOVER

(COMMISSION RECOMMEND THAT THE DHRC COLLABORATE ON THE TEDX DOVER ORGANIZATION)

B. DHRC COMMITTEE UPDATES

B-1. GOVERNMENT POLICY, PROGRAMS, AND PRACTICES COMMITTEE

B-2. COMMUNITY ENGAGEMENT COMMITTEE (ROACH)

B-3. EDUCATION COMMITTEE (HENDERSON)

B-4. COMMUNICATIONS COMMITTEE

* **7. DOVER HUMAN RELATIONS COMMISSION REPORT - AUGUST 25, 2015 (CONTINUED)**

C. 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

(COMMISSION RECOMMENDED THAT MS. SMITH ATTEND MEDIATION TRAINING, WITH COMMISSIONER HENDERSON BEING THE ALTERNATE)

D. COMMUNITY DEVELOPMENT OPPORTUNITIES

D-1. MEETING WITH CAPITAL SCHOOL DISTRICT SUPERINTENDENT DR. DAN SHELTON

E. UPDATE ON COMMISSIONERS' TASKS

E-1. SUBMISSION OF BIOS AND PHOTOS AND STATUS OF WEBSITE

E-2. SUBMISSION OF SUGGESTED NAMES AND BIOS FOR COMMISSION VACANCIES (FIRST AND SECOND COUNCIL DISTRICTS) AND IN-HOUSE RETREAT

(COMMISSION RECOMMENDED ACCEPTANCE OF THE TWO (2) VOLUNTEERS TO FILL THE VACANCIES IN THE FIRST AND SECOND DISTRICTS)

E-3. CITY OF DOVER POLICE DEPARTMENT RIDE ALONG PROGRAM, CITIZENS POLICE ACADEMY, AND SURVEY

E-4. STATE HUMAN RELATIONS COMMISSION MEETING OF AUGUST 13, 2015

E-5. DISSEMINATION OF INFORMATION

E-6. ACKNOWLEDGMENT AND GOOD-BYE TO COMMISSIONER EUGENE RUANE

F. CITY AND COMMUNITY CONCERNS - DOWNTOWN PROPERTIES AND VIOLATIONS

* **8. DOVER HUMAN RELATIONS COMMISSION REPORT - SEPTEMBER 29, 2015**

A. MEET AND GREET WITH COUNCIL PRESIDENT TIMOTHY SLAVIN

B. UPDATE ON COMMISSIONERS' TASKS - ACKNOWLEDGMENT AND GOODBYE TO COMMISSIONER EUGENE RUANE

C. DISCUSSION - FUTURE MEETING DATES

(COMMISSION MEMBERS AGREED TO CONTINUE MONTHLY MEETINGS)

* **9. DOVER HUMAN RELATIONS COMMISSION REPORT - OCTOBER 27, 2015**

A. DHRC COMMITTEE UPDATES

A-1. GOVERNMENT POLICY, PROGRAMS, AND PRACTICES COMMITTEE

A-1-A. CITY OF DOVER DIVERSITY QUESTIONNAIRE

(COMMISSION RECOMMENDED ACCEPTANCE OF THE SURVEY AS WRITTEN FOR THE CITY STAFF, WITH A NEW DRAFT TO BE PROVIDED FOR THE ONLINE SURVEY)

A-2. COMMUNITY ENGAGEMENT COMMITTEE (ROACH)

A-3. EDUCATION COMMITTEE (HENDERSON)

A-3-A. TED TALK MEETING WITH DAN YOUNG

A-3-B. MEETING WITH CAPITAL SCHOOL DISTRICT SUPERINTENDENT DR. DAN SHELTON

A-4. COMMUNICATIONS COMMITTEE

B. ELECTION OF COMMITTEE CHAIRS

B-1. GOVERNMENT POLICY, PROGRAMS, AND PRACTICES COMMITTEE

(COMMISSION ELECTED MR. MCGIFFIN TO SERVE AS CHAIR OF THE GOVERNMENT POLICY, PROGRAMS, AND PRACTICES (GPPP) COMMITTEE)

B-2. COMMUNICATIONS COMMITTEE

(COMMISSION ELECTED MS. GRIFFITH TO SERVE AS CHAIR OF THE COMMUNICATIONS COMMITTEE)

* **9. DOVER HUMAN RELATIONS COMMISSION REPORT - OCTOBER 27, 2015 (CONTINUED)**

C. OLD BUSINESS

C-1. CITY OF DOVER POLICE DEPARTMENT RIDE ALONG PROGRAM AND CITIZEN'S POLICE ACADEMY

C-2. UPDATE - FOUR-DAY BASIC MEDIATION TRAINING CONDUCTED BY THE UNIVERSITY OF DELAWARE INSTITUTE FOR PUBLIC ADMINISTRATION - SCHOOL OF PUBLIC POLICY AND ADMINISTRATION

C-3. DHRC VACANCIES

C-4. FOLLOW UP - MEET AND GREET WITH COUNCIL PRESIDENT TIMOTHY SLAVIN

D. NEW BUSINESS

D-1. REACH ONE, TEACH ONE CHALLENGE (ROACH)

(COMMISSION RECOMMENDED THAT COUNCIL CONSIDER HAVING A "REACH ONE, TEACH ONE CHALLENGE" FOR THE CITY OF DOVER)

D-2. CITY POLICE AND NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE (NAACP) COMMUNITY OUTREACH EVENT OF OCTOBER 8, 2015

* **10. DOVER HUMAN RELATIONS COMMISSION REPORT - NOVEMBER 17, 2015**

A. DHRC COMMITTEE UPDATES

A-1. COMMUNITY ENGAGEMENT COMMITTEE (ROACH)

A-2. EDUCATION COMMITTEE (HENDERSON)

A-2-A. TED TALK MEETING WITH DAN YOUNG

A-2-B. STATE HUMAN RELATIONS COMMISSION FILM SERIES/DISCUSSION INITIATIVE

(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)

(COMMISSION RECOMMENDED THAT THE CITY POST THE EVENT ON ITS FACEBOOK PAGE, WEBSITE EVENTS PAGE, AND TWITTER ACCOUNT, IF AVAILABLE)

(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)

A-3. COMMUNICATIONS COMMITTEE (GRIFFITH)

A-3-A. PRESS RELEASE ON NEW COMMISSION MEMBERS

A-3-B. SUBMISSION OF BIOS AND PHOTOS FOR WEBSITE

B. OLD BUSINESS

B-1. COMMUNITY INVOLVEMENT - PUBLIC RELATIONS INITIATIVE

B-2. UPDATE - FOUR-DAY BASIC MEDIATION TRAINING CONDUCTED BY THE UNIVERSITY OF DELAWARE INSTITUTE FOR PUBLIC ADMINISTRATION - SCHOOL OF PUBLIC POLICY AND ADMINISTRATION

B-3. CITY OF DOVER POLICE DEPARTMENT RIDE ALONG PROGRAM AND CITIZENS' POLICE ACADEMY

B-4. IN-HOUSE RETREAT

B-5. DHRC VACANCIES (THIRD AND FOURTH DISTRICTS)

* **10. DOVER HUMAN RELATIONS COMMISSION REPORT - NOVEMBER 17, 2015 (CONTINUED)**

C. NEW BUSINESS

C-1. FY 2016/2017 BUDGET

(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)

C-2. 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

(COMMISSION AGREED THAT THE DHRC SHOULD 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)

(COMMISSION AGREED 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)

(COMMISSION AUTHORIZED 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)

C-3. DHRC LOGO

(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)

C-4. DHRC WEBPAGE PHOTO GALLERY

(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)

D. SCHEDULING OF 2016 MEETING DATES

(COMMISSION TENTATIVELY SCHEDULED A MEETING FOR DECEMBER 10, 2015 AT 5:15 P.M.)

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

A. REVIEW OF ACTIVE RECREATION AREA PLAN - THE GRANDE, BUILDING 4: PLANNED NEIGHBORHOOD DESIGN - SENIOR CITIZEN HOUSING OPTION (PLANNING REFERENCE C-15-04)

(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)

B. REVIEW OF NON-CONFORMING USES

(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)

* **11. PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE REPORT - DECEMBER 14, 2015 (CONTINUED)**

C. CONCERNS

C-1. PARK LIGHTING (KIRKWOOD AND DIVISION STREETS)

(COMMITTEE RECOMMENDED APPROVAL OF STAFF'S RECOMMENDATION TO REPLACE THE LIGHTING AND REPAIR THE FENCING AT THE KIRKWOOD AND DIVISION STREET PROPERTY)

C-2. AVAILABILITY OF SOCCER FIELDS

(COMMITTEE DEFERRED DISCUSSION UNTIL JANUARY 11, 2016)

* **12. LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE REPORT - DECEMBER 14, 2015**

A. PILOT TAKE HOME VEHICLE AND CARRYOVER PROGRAM

(COMMITTEE RECOMMENDED AUTHORIZING THE CARRYOVER OF FIVE MARKED POLICE VEHICLES)

B. REQUESTS FOR EXTENSIONS

B-1. BANKING AND CASH MANAGEMENT SERVICES AGREEMENT

(COMMITTEE RECOMMENDED AUTHORIZING THE CONTROLLER/TREASURER TO EXTEND THE WSFS BANK AND CASH MANAGEMENT SERVICES AGREEMENT THROUGH AUGUST 2016)

B-2. ADP TIME AND ATTENDANCE, PAYROLL, AND HUMAN RESOURCES ERP SYSTEM CONTRACT

(COMMITTEE RECOMMENDED AUTHORIZING THE CONTROLLER/TREASURER TO NEGOTIATE AN EXTENSION OF THE CONTRACT WITH ADP UNTIL JANUARY 1, 2018)

C. COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) FOR FISCAL YEAR ENDED JUNE 30, 2015

(COMMITTEE RECOMMENDED ACCEPTANCE OF THE REPORT)

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

(EXCEPT FOR THE FOLLOWING TIME SENSITIVE ISSUE, THE LF&A 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)

A. CITY OF DOVER PROPOSAL FOR USAGE OF BANK SETTLEMENT FUNDS FOR PUBLIC SAFETY

* **14. MONTHLY REPORTS - NOVEMBER 2015**

A. CITY ASSESSOR'S REPORT
B. CITY MANAGER'S REPORT
C. CITY PLANNER'S REPORT
D. CONTROLLER/TREASURER'S BUDGET REPORT
E. ECONOMIC DEVELOPMENT OFFICE REPORT
F. POLICE CHIEF'S REPORT

15. EVALUATION OF BIDS

A. DIRECTIONAL BORING CONTRACT

(STAFF RECOMMENDS 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)

B. FIBER OPTIC SYSTEMS MAINTENANCE CONTRACT

(STAFF RECOMMENDS AWARDING A THREE (3) YEAR FIBER OPTIC SYSTEMS MAINTENANCE CONTRACT TO KCI COMMUNICATIONS INFRASTRUCTURE, AS PER THE PRICING INCLUDED IN THE BID SUBMITTAL)

C. LANDSCAPING SERVICES CONTRACT

(STAFF RECOMMENDS 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)

D. RETREAT PUMP STATION REPLACEMENT

(STAFF RECOMMENDS 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)

E. UNDERGROUND LINE WORK

(STAFF RECOMMENDS 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)

16. RATIFICATION OF ACTION - EARLY CLOSING ON DECEMBER 24, 2015

17. AUTHORIZATION TO CREATE BUSINESS RETENTION RATE SCHEDULE

(STAFF RECOMMENDS AUTHORIZATION TO CREATE THE BUSINESS RETENTION RATE SCHEDULE (BR) AS PRESENTED)

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

* **19. 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)**

* **20. 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)**

21. COUNCIL MEMBERS' ANNOUNCEMENTS

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THE AGENDA ITEMS AS LISTED MAY NOT BE CONSIDERED IN SEQUENCE. THIS AGENDA IS SUBJECT TO CHANGE TO INCLUDE THE ADDITION OR THE DELETION OF ITEMS, INCLUDING EXECUTIVE SESSIONS.

SPECIAL COUNCIL MEETING

A Special Council Meeting was held on November 23, 2015 at 5:01 p.m. with Council President Slavin presiding. Members present were Mr. Anderson (arrived at 5:06 p.m.), Mr. Cole, Mr. Hare (arrived at 5:37 p.m.), Mr. Hosfelt, Mr. Hutchison, Mr. Lewis, and Mr. Neil. Mr. Sudler was absent.

Council staff members present were Mr. Rodriguez (departed at 5:09 p.m.), Mr. Koenig, Mr. Hudson, Mrs. Mitchell, and Mrs. McDowell. Mayor Christiansen and Mr. Harry Maloney, Electric Director, (departed at 6:01 p.m.) were also present.

Council President Slavin amended the agenda to consider items in the following order: Ward Transformer Suit - OU-1-Remediation; Consideration of Hardship Created by Commercial Electric Rates; and Sale of Real Property.

ADOPTION OF AGENDA

Mr. Neil moved for approval of the agenda, as amended. The motion was seconded by Mr. Hutchison and unanimously carried.

Mr. Neil moved to recess into Executive Session pursuant to 29 Del. C. §10004(b)(6) - discussion of the content of documents excluded from the definition of "public record" in §10002 of this title where such discussion may disclose the contents of such documents (§10002 (l)(2) - trade secrets and commercial or financial information obtained from a person which is of a privileged or confidential nature); pursuant to 29 Del. C. §10004(b)(2) - preliminary discussions on site acquisitions for any publicly funded capital improvements, or sales or leases of real property; and pursuant to 29 Del. C. §10004(b)(4) - strategy session (pending litigation). The motion was seconded by Mr. Hutchison and unanimously carried.

The Special Meeting recessed at 5:02 p.m.

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

Executive Session adjourned at 6:18 p.m.

ACTION RESULTING FROM THE EXECUTIVE SESSION

Consideration of Hardship Created by Commercial Electric Rates

During the Executive Session, Mr. Scott Koenig, City Manager, advised members of a proposed Economic Retention Rate for the purpose of attracting new businesses and retaining existing businesses.

Mr. Neil moved to appoint the City Manager, the Mayor, and the Chair of the Legislative, Finance, and Administration Committee to negotiate an Economic Retention Rate. The motion was seconded by Mr. Hosfelt and unanimously carried.

Sale of Real Property

During the Executive Session, Mr. Scott Koenig, City Manager, advised members of two (2) offers to purchase City properties and the potential purchase of a piece of property by the City.

Mr. Anderson moved to authorize the City Manager to obtain appraisals of the properties discussed. The motion was seconded by Mr. Cole and unanimously carried.

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

The Special Meeting adjourned at 6:27 p.m.

TRACI A. McDOWELL
CITY CLERK

All ordinances, resolutions, motions, and orders adopted by City Council during their Special Meeting of November 23, 2015, are hereby approved.

ROBIN R. CHRISTIANSEN
MAYOR

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SPECIAL COUNCIL MEETING

A Special Council Meeting was held on December 9, 2015 at 6:39 p.m. with Council President Slavin presiding. Members present were Mr. Anderson (departed at 7:02 and returned at 7:49 p.m.), Mr. Sudler, Mr. Neil, Mr. Lewis, Mr. Cole, Mr. Hosfelt (departed at 6:46 p.m. and returned at 6:49 p.m.), Mr. Hare (departed at 6:50 p.m. and returned at 6:52 p.m.), and Mr. Hutchison. Mayor Christiansen was also present (departed at 6:55 p.m.).

Staff members present were Mr. Koenig (departed at 6:46 p.m. and returned at 6:49 p.m.), Mrs. Mitchell, Mrs. Townshend, Mr. Rodriguez, and Mrs. McDowell.

ADOPTION OF AGENDA

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

PUBLIC HEARING - VIOLATION OF THE DANGEROUS BUILDING ORDINANCE FOR PROPERTY LOCATED AT 1124 FORREST AVENUE, OWNED BY ENNIS BUSINESS ASSOCIATES, LLC

A public hearing was duly advertised for this time and place to consider a violation of the Dangerous Building Ordinance at 1124 Forrest Avenue, owned by Ennis Business Associates, LLC. Mrs. Ann Marie Townshend, Director of Planning and Community Development, advised members that there had been nine (9) code enforcement cases on this property since 2005, including exterior code violations, dilapidated buildings, a number of grass violations, and parking on the grass. There had also been a number of occasions when the City had hired a contractor at great expense to have the grass cut. Mrs. Townshend advised members that the utilities were terminated on December 8, 2014, and the building was registered as vacant on May 11, 2012 and secured by the City on June 29, 2015. It had been a source of complaints from neighbors and the general public. She noted that it was located on Route 8, across the street from the Modern Maturity Center in a highly visible corridor. Mrs. Townshend explained that there were a number of outstanding charges against the property, including $731.50 in unpaid taxes and code citations, and it was currently on the Sheriff's sale list. She indicated that staff was bringing it forward under the code definitions as unfit for habitation, general welfare, code violations, and unoccupied buildings.

Mrs. Townshend reviewed a presentation depicting the condition of the structure ***(Exhibit #1)***.

Staff recommended: 1) declaring this building and all accessory structures on this property dangerous; 2) ordering the property demolished by January 9, 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; 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.

Responding to Mr. Hutchison as to whether there was a contract on this property, Mrs. Townshend stated that she had been told there was a pending contract; however, staff's experience had been that simply selling a property does not alleviate its condition. She indicated that the property needed to be demolished, and whether it was demolished before or after the property was sold was of no consequence to the City.

Mr. Anderson stated that typically the staff recommendation is to order the property "repaired or demolished" by a date and questioned the reason that "repair" was not included in the recommendations for the properties being considered. Responding, Mrs. Townshend explained that, going forward, all staff recommendations would be to order buildings to be demolished. She explained that before these buildings come to Council, staff spends months, if not years, trying to compel compliance and when time had been given for repair, there were very few cases where repairs were actually made. In some cases, buildings had gotten to the point of being less dangerous but had never quite gotten a Certificate of Occupancy or become occupied and they remained in a limbo situation until they were brought back to Council. Mrs. Townshend indicated that staff tries to work with people and if they are diligently working on the property at the date set by Council they are allowed to proceed; however, perhaps six (6) months later, they stop working, the building never gets finished, and half-done buildings continue to be vacant, remain a blight, and fall into deterioration. She stated that, in staff's experience, by the time a building gets to Council, it really needs to be demolished. Mrs. Townshend advised members that if Council wished to allow time for repair, it would be Council's option to amend the staff recommendation.

Responding to Mr. Neil, Mrs. Townshend confirmed that Council's order to demolish would transfer to the purchaser of the property, who would be required to demolish it.

In response to Mr. Lewis regarding the City's cost to demolish these buildings, Mrs. Townshend explained that the cost of demolition for each building brought forward was stated on the related Council Action Form. She estimated the costs for this building at approximately $25,000 due to the number of outbuildings and because there was a bit of asbestos. The property owner had told Mrs. Townshend that it would be demolished when sold and she noted that it would be to the owner's benefit to demolish it so that the City does not do the work and then place a lien on the property.

Responding to Mr. Lewis as to whether the City could recoup this money, Mrs. Townshend stated that if the property were demolished, the City would place a lien on it, which would be paid when the land sells. In this case, because it was a commercial property, she felt that the City would probably recover the cost; however, in some cases the City had more invested in the demolition than the overall land is worth.

In response to Mr. Sudler regarding an asbestos test report, Mrs. Townshend explained that asbestos testing is not done until just before the demolition contract is let. According to the process, 10 days after the date set by Council an asbestos survey is done, which typically costs in the range of $1,000 unless there is a lot of material to be tested. Mrs. Townshend noted that abatement can be costly if there is a lot of asbestos.

From his experience, Mr. Sudler estimated that if asbestos was present it would run $6,000 or more just for the asbestos tests and questioned how the overall budget is affected when units are demolished.

Mrs. Townshend informed members that staff budgets funds for demolitions, noting that demolitions are not done because the City is trying to provide a service to the property owner, make money from the property sale, or even recover the City's full costs but because of blight and nuisance, noting that

in some cases there had been fires in dangerous buildings. Mrs. Townshend expressed her hope, once Council acted, that the property owner or equitable owner would proceed with demolition so that the City would not have to do so. She stated that if not for demolitions done by the City or a property owner due to Council's order to demolish, the City would have dilapidated structures still standing, posing a nuisance and a threat to the community.

Mr. Sudler expressed concern regarding the effect on the budget for the upcoming fiscal year. Responding, Mrs. Townshend referred to the Council Action Form submitted in regard to this building, which indicated that $44,619 remained in the demolition budget, which was more than enough funds for the current fiscal year.

Council President Slavin declared the public hearing open.

Mr. Bruce Ennis, managing member of Ennis Business Associates, LLC, 444 Troon Road, stated his confusion regarding tonight's proceedings. He indicated that the certified letter and notice they received stated that the Department of Planning and Inspections inspected the exterior of the dwelling and found that no repairs had been made and the building was in violation of the Dangerous Building Ordinance. It also stated that "At the hearing, the staff will recommend that Council order the building to be demolished." Mr. Ennis advised members that he took the "building" to be the "dwelling" and he just noticed on the meeting agenda that staff recommended declaring "the buildings and all accessory structures" dangerous. Mr. Ennis stated that this was the first time he was aware that the City was involved with the accessory structures, reiterating that the notice they received just said "dwelling" and referenced "building" after that point.

Mr. Ennis advised members that they had told their tenants that the notice did not involve accessory structures, so these tenants were not aware of the hearing tonight. He explained that there were two (2) properties involved, 1124 and 1128 Forrest Avenue, with a dwelling on each property.

Mr. Slavin stated that 1124 was being discussed now and 1128 would be discussed subsequently.

Mr. Ennis noted that the asbestos was at 1128 Forrest Avenue, not 1124 Forrest Avenue.

Mr. Ennis stated that his family bought the 1124 Forest Avenue property in the 1930s, his father had a house built there, and he himself had lived there. When his parents passed away, they tried to maintain it but the costs got beyond them. Mr. Ennis explained that the property had been listed for sale for a number of years, first with Burns & Ellis Realty and this past summer with R&R Realty. Mr. Ennis indicated that a signed contract was expected by Friday, December 11, 2015, and the buyer had indicated their intent to demolish everything on the properties at 1124 and 1128 Forrest Avenue, including all improvements, vegetation, trees, and shrubs. The purchaser was asking for a feasibility study, with settlement immediately after that. Mr. Ennis requested that Council bear with them to allow the purchaser to complete the study, which should not take more than six (6) months, noting that part of the timeframe required would depend on the City approving the purchaser's permits as they go through the process. If this were allowed, it would be the purchaser's obligation to demolish the buildings and not the current owner's expense. Mr. Ennis requested, for their tenants, his family, and his corporation, that they be allowed to go forward with the contract, the feasibility study, and subsequent demolition.

Mr. Sudler questioned if there was supporting documentation that would verify there was no asbestos at 1124 Forrest Avenue. Responding, Mr. Ennis indicated that this property had been in his family and he was not aware of any asbestos there; however, he reiterated that there was asbestos at 1128 Forest Avenue.

In response to Mr. Neil, Mr. Ennis stated that there were no tenants currently living at the property. He explained that the accessory structures, including five (5) garages at the back of the property, were rented out to different tenants on a month-to-month basis and he confirmed that the house had been vacant for an extended period of time.

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

Mr. Lewis moved for approval of staff's recommendation to: 1) declare this building and all accessory structures on this property dangerous; 2) order the property demolished by January 9, 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. The motion was seconded by Mr. Neil.

Mr. Hare stated that Mr. Ennis had brought up a good point in saying that the letter he was sent referenced a "dwelling" and not the accessory buildings. Mr. Hare also noted, with the City's current budget, that if there was a signed contract for purchase of the property and someone else would pay to demolish it, it might be worth letting them do this.

Mr. Lewis questioned if the City would recoup the funds. Responding, Mrs. Townshend stated that if the City were to demolish the buildings and the property was transferred, the City would collect the demolition cost, as well as the delinquent taxes and other lienable items outstanding at the property transfer.

Mr. Sudler expressed agreement that the unit needed to be demolished; however, he requested clarity from Mr. Nicholas Rodriguez, City Solicitor, regarding the accessory structures versus the dwelling. Responding, Mr. Rodriguez indicated that he was unsure how this matter was advertised and referred the question to Mrs. Townshend.

Mrs. Townshend advised members that the letter stated that, "Staff will recommend that Council order the building to be demolished, either by the owner or the City. You may present testimony to City Council stating as to why the house should not be declared dangerous and ordered demolished." Based on this, she advised members that if Council wanted to order the house but not the accessory structures demolished, staff would proceed with that.

Mr. Sudler thought that this would be the only fair thing to do since the correspondence clearly identified only the dwelling and not the accessory structures. He offered an amendment to proceed with the dwelling only and not the accessory structures. Mr. Lewis, the maker of the motion, and Mr. Neil, the seconder, agreed to the amendment.

The motion to accept staff's recommendation for the dwelling only and not the accessory structures was carried by a unanimous roll call vote (Anderson absent).

PUBLIC HEARING - VIOLATION OF THE DANGEROUS BUILDING ORDINANCE FOR PROPERTY LOCATED AT 1128 FORREST AVENUE, OWNED BY ENNIS BUSINESS ASSOCIATES, LLC

A public hearing was duly advertised for this time and place to consider a violation of the Dangerous Building Ordinance at 1128 Forrest Avenue, owned by Ennis Business Associates, LLC. Mrs. Ann Marie Townshend, Director, Planning and Community Development, advised members that this property was located adjacent to the property discussed previously on a separate tax parcel. She stated that the property had 21 code enforcement cases since 2001, including abandoned vehicles, exterior violations, broken windows, and dilapidated structures. Mrs. Townshend noted there were also tall grass and weed violations, and in some cases the City had incurred the cost to have the property cut. She indicated that utilities were terminated in April 2012 and the building was registered as vacant in May 2012. On October 8th, 2015, staff placed the building on the dangerous building list due to no active utilities and numerous open code violations. Mrs. Townshend stated that staff receives a lot of complaints about this property because of its location on Route 8 directly across from the Modern Maturity Center.

Mrs. Townshend indicated that $2,150 was owed in unpaid citations, fees, and grass cutting. She stated her belief that this may also include taxes and noted that the property was currently on the Sheriff's sale list due to delinquent taxes. Mrs. Townshend informed members that staff brought this property forward as unfit for habitation, general welfare, code violations and unoccupied buildings and that the letter sent to the property owner specified the "dwelling" and did not address the accessory structures. She stated that she would make sure in the future this is caught before letters are sent. Mrs. Townshend advised members that her amended recommendation would apply to the building.

Mrs. Townshend reviewed a presentation depicting the condition of the structure ***(Exhibit #2)***.

Staff's amended recommendation was to: 1) declare the building dangerous; 2) order the property demolished by January 9, 2016 by the owner or equity owner at their own risk; 3) order 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; 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.

Responding to Mr. Slavin, Mrs. Townshend stated that this recommendation was for the dwelling, which was the principal structure.

In response to Mr. Hare, Mrs. Townshend stated that there were no pictures of the inside of the dwelling, noting that staff had not been able to get inside since it was secured and staff does not force entry.

In response to Mr. Hare regarding the reason for the demolition, Mrs. Townshend stated that the property had been a code enforcement issue since 2001 and had been vacant since at least 2012. Staff had routinely received complaints and the owner had been unresponsive to maintaining the house and the grass, which the City had been cutting. The property was on the delinquent tax list and had all the signs of an abandoned property.

Mr. Hare expressed his desire to understand why it was a dangerous building, stating that it was secure and staff could not get inside it. He acknowledged that there were overgrown trees and shrubs; however, he stated that there were many homes in Dover that looked worse than this property, were eyesores, and had neighbor complaints.

Responding, Mrs. Townshend indicated that there was vegetation that, in addition to being overgrown, was interfering with the structure. The property as a whole was not being maintained and the City was incurring costs of $300 or $400 to hire a contractor to cut the grass, which had been cut because it was two (2) or three (3) feet tall.

Mr. Hare questioned if the property was a dangerous building or an eyesore. Responding, Mrs. Townshend stated that staff brought it to Council because they believed it was a dangerous building and that it was at Council's discretion to determine if the property is dangerous.

In response to Mr. Sudler, Mrs. Townshend stated that staff had not inspected the foundation to determine if there were cracks. She advised members that when she met with the property owner in October he indicated that he did not want to pay the vacant building fees and had no intention of repairing or renovating the property, noting that the houses were a negative on the value of the property and needed to be demolished. Mrs. Townshend advised that the property owner had asked if the City would demolish it. She felt that if he was not interested in repairing or demolishing the buildings, the options were to let them sit and crumble or demolish them.

Council President Slavin declared the public hearing open.

Mr. Bruce Ennis, managing member of Ennis Business Associates, LLC, 444 Troon Road, requested, for the same reasons that were given during the discussion regarding the property at 1124 Forrest Avenue, that they be allowed to proceed with a contract and have the new buyer demolish the property when he receives title to it. He indicated that the contract should be signed with a deposit within the next two (2) days and the purchaser was looking for a six (6) month feasibility period and settlement as soon as the study was completed.

Mr. Ennis expressed agreement with Mr. Hare's comments, stating that he could not see how vegetation deals with structure. He acknowledged that there was vegetation, including trees and overgrown shrubs, around the house; however, he thought that the interior of the building was structurally sound. Mr. Ennis indicated that they had rented the property out over the past years. It was his understanding from a conversation with a City inspector a couple of years ago that it was

structurally sound, noting that the inspector only made recommendations regarding electrical service. Mr. Ennis indicated that the property had not really deteriorated since that time, noting that there were no roof leaks. Although there was some vandalism at the back of the house, there was not as much as there had been at 1124 Forrest Avenue, and they had secured the back door by nailing it up. He stated that accessory outbuildings had been rented and tenants come and go.

Mr. Ennis explained that there is a meadow at the rear of this parcel and stated his understanding that there must be a 20-foot strip around this meadow where it adjoins a residential property. He stated that it was this 20-foot strip that the City had arranged to have mowed, noting that the cost was approximately $400 for each mowing. Mr. Ennis advised members that he cuts the grass on the front of the property around the house and there had been one (1) or two (2) citations over the years for high grass; however, he reiterated that the bulk of the grass-cutting bill, in the hundreds of dollars, was for cutting at the rear of this property, which is also owned by Ennis Business Associates.

Mr. Neil stated his understanding that the person who planned to purchase the two (2) buildings would demolish them and asked if this would render the question of whether or not it was a sound building moot. He felt that Mr. Ennis had done a disservice by not taking care of the buildings and by putting the City in the position of having to cut the grass, noting that this was not good citizenry.

Responding to Mr. Hosfelt as to why the fees and fines had not been paid to this point, Mr. Ennis stated that his family paid fees and fines for five (5) or six (6) years after his parents passed away, but the costs got beyond them due to the amount of rent they were getting for the property and the amount of the expenses. For this reason the taxes and fees had built up over the past two (2) years.

In response to Mr. Hosfelt regarding when the house was last rented, Mr. Ennis stated that they currently had month-to-month tenants on the back of the property and the house had been rented until four (4) or five (5) years ago when the structure was torched.

Responding to Mr. Sudler as to whether an engineer had determined if the structure was sound, Mr. Ennis stated that there was no report. Mr. Ennis noted that the surrounding properties were commercial and indicated that only City Assessor felt the house had value and everyone else told him the house was a negative. He felt this was a no-win situation and questioned why they should put $20,000 to $40,000 into upgrading a house that would be demolished as soon as it is sold.

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

Mr. Neil moved to demolish the dwelling, as recommended by staff, seconded by Mr. Cole and carried by a unanimous role call vote (Anderson absent).

PUBLIC HEARING - VIOLATION OF THE DANGEROUS BUILDING ORDINANCE FOR PROPERTY LOCATED AT 325 NORTH NEW STREET, OWNED BY JOSEPH R. AND JAMES E. KOSTACK

A public hearing was duly advertised for this time and place to consider a violation of the Dangerous Building Ordinance at 325 North New Street. Mrs. Ann Marie Townshend, Director of Planning and Community Development, advised members that the property was located on North New Street, just

north of Mary Street, and had 20 code enforcement cases since 2004, including numerous tall grass and weed cases, junk and debris in the yard, and broken windows and doors. Utilities were terminated in December of 2012 and the property was registered as vacant in December 2013. It was condemned by City staff in August 2015 due to no active utilities, open code violations, unlocked doors, and subjects gaining access to the property. Mrs. Townshend explained that there had clearly been illegal drug use and sexual activity in the property that was detrimental to the adjoining neighboring properties. She advised members that there were outstanding charges of approximately $6,900 in taxes, utilities, code enforcement citations, and fees. Mrs. Townshend noted that the property was on the Sheriff's sale list, meaning that it was two (2) years delinquent in taxes, and was being brought forward as unfit for habitation, general welfare, code violations, unoccupied buildings, and clear evidence of drug use in the property.

Mrs. Townshend reviewed a presentation depicting the condition of the structure ***(Exhibit #3)***.

Staff recommended: 1) declaring this building and all accessory structures on this property dangerous; 2) ordering the property demolished by January 9, 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; 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.

Mr. Hare questioned if the property would be demolished if the owner were to fix it all up in the next three (3) weeks. Responding, Mrs. Townshend stated that if Council ordered it demolished, the property would be demolished unless Council altered their action. She reiterated that staff's typical recommendation had changed to eliminate the option to repair since a number of buildings had gotten halfway there and owners stopped their repairs. Mrs. Townshend indicated that if Council wanted to give the property owner the alternative to repair, that was their prerogative. She noted that the property owner had not contacted Staff and the property was on the Sheriff's sale list.

Mr. Hare expressed the desire not to demolish a property that had been completely fixed up and noted that a 100% repair provision could be added. Responding, Mrs. Townshend stated she did not feel there was any danger of this happening with any of the properties currently being considered.

Mrs. Townshend stated that if Council approved Staff's recommendation, Staff would not issue any permits for the property; therefore, if work was done it would be done without a permit.

In response to Mr. Sudler, Mrs. Townshend confirmed that the property owner would have to pay the taxes before they could get a permit. She explained that the City's clean hands ordinance does provide an exception for dangerous buildings.

Mr. Sudler questioned if staff would issue a permit if Council approved additional time and the owner paid the taxes. Responding, Mrs. Townshend stated that a permit would be issued if Council's motion included an option to repair, but not under Staff's recommendation as stated.

Mr. Hare indicated that he would not have a problem if the property owner paid the taxes and the City issued a permit, but he felt this should be done within 30 days or the demolition would occur.

Mrs. Townshend stated that there were a number of houses where the owner had obtained a building permit and spent thousands of dollars to repair but had not quite gotten them to where they needed to be. The City was left in a position of determining whether to demolish what thousands of dollars had been spent on before the owner ran out of money. She stated that when the permits expire, they would not be renewed and the City would proceed with demolition because the properties had already been before Council. Mrs. Townshend had changed her recommendation to no longer allow repair in order to keep the City from being in that position. She reiterated that it was Council's prerogative to give more time, noting that in this case the property owner had not been responsive to the City or to the Sheriff sale notices and had not paid taxes.

Mr. Hare indicated that he did not feel more time should be given on this property.

Council President Slavin declared the public hearing open and, with there being no one present wishing to speak, the public hearing was closed.

Mr. Hare moved for approval of Staff's recommendation to: 1) declare this building and all accessory structures on this property dangerous; 2) order the property demolished by January 9, 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. The motion was seconded by Mr. Hosfelt and carried by a unanimous roll call vote (Anderson absent).

PUBLIC HEARING - VIOLATION OF THE DANGEROUS BUILDING ORDINANCE FOR PROPERTY LOCATED AT 2 SOUTH QUEEN STREET, OWNED BY KZ FOREVER, LLC

A public hearing was duly advertised for this time and place to consider a violation of the Dangerous Building Ordinance at 2 South Queen Street. Mrs. Ann Marie Townshend, Director, Planning and Community Development, advised members that this property was located at the corner of Division and Queen Streets and was acquired by the current owner at a Sheriff's sale in February 2015. She stated that in 2015 the property had 10 code enforcement cases. There were interior violations from a housing inspection, damaged exterior wall siding, broken windows and glass in the window areas, numerous grass violations, cases where the City had cut the grass, and exposed electrical wiring. Mrs. Townshend stated that prior to 2015, there were 20 other cases dating back to 2000, including housing inspections that took a while to resolve, grass violations, and exterior violations. She indicated that the property was registered as vacant on November 23, 2015 and had been condemned by Staff in June 2015 due to no active utilities in Unit B, a number of open code violations, unlocked doors, and people gaining access to the property. Mrs. Townshend stated that there were a number of related outstanding charges including a $250 vacant building registration fee, $200 in unpaid grass citations and cutting charges, $270 in delinquent taxes, and almost $1,300 in delinquent utilities.

She explained that the property was being brought forward as unfit for habitation, general welfare, code violations, and unoccupied buildings.

Mrs. Townshend reviewed a presentation depicting the condition of the structure ***(Exhibit #4)***. She advised members that Staff had stated that a structural engineering report, an electrical inspection, and a lot of work were needed on the property. Mrs. Townshend informed members that the property was in a very highly visible location. She noted that inspectors had talked to the property owner shortly after she acquired it and she was sent notices, so she was aware of its condition.

Staff's recommendation was to: 1) declare this building and all accessory structures on this property dangerous; 2) order the property demolished by January 9, 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.

Mr. Sudler questioned why an engineering report was being required for this property but not for the other properties discussed. Responding, Mrs. Townshend indicated that this property owner had indicated that she wanted to repair it and, because of the structural issues they were seeing, Staff had stated that, before she could be issued a permit for repairs, a structural engineering report would be necessary. She explained that staff was concerned about holes around the foundation and the fact that a lot of the wood structure was not properly covered by siding. If the property were demolished, a structural report would not be needed. In regard to the other properties discussed earlier in the meeting, she stated that Mr. Ennis had not expressed any interest in repairing his properties and the other property owner was entirely unresponsive.

Mr. Sudler stated, for the record, that he would recuse himself from this case because he was related to the owner, noting that he had not known she was the owner until today.

Council President Slavin declared the public hearing open.

Ms. Zionna Adamolekun, 9 East Loockerman Street, Suite 301, advised members that she acquired this property in February and, within one (1) week, received a call from an inspector stating that her tenant had complained that there was no water. Two (2) or three (3) plumbers fixed the plumbing and restored water over the winter, causing a hole in the floor and ceiling. Ms. Adamolekun indicated that the tenants had unsuccessfully tried to sue her for the lack of water, appealed the decision, and were again unsuccessful. She indicated that she had to wait for this matter to go through the courts and she eventually evicted the tenants in June or July 2015, which took a lot of time, money, and effort.

Ms. Adamolekun advised members that Mr. Jared Boesenberg and another City inspector came to her property early on, stating that the interior would need to be inspected. She subsequently received a call from Mr. Boesenberg asking if she had received a letter sent to her at 622 West Division Street, which she did not receive, and she requested that he send letters to her office instead.

Ms. Adamolekun stated that Mr. Boesenberg noted the address change and indicated that all future notices would be sent to her new address; however, she indicated that she had not received a lot of those notices.

Ms. Adamolekun informed members that she received a telephone call from Mr. Tim Taraila, Chief Building Inspector, on approximately November 30, 2015 stating that the hearing to have her property demolished would be rescheduled. She indicated that she was confused, not knowing how it reached this point because she had been trying to reach Mr. Taraila all summer. Ms. Adamolekun stated that when Mr. Boesenberg informed her that the interior of the property needed to be inspected, she told him she would like him to do this before proceeding with any repairs because she would like to know the total cost before putting another dollar into the property. Mr. Boesenberg had informed her there were a lot of previous violations with the property. She indicated that the inspection never took place and every time she went by the property, she would see notices on the door that the City had issued a citation. She found a few of the notices unclear. Ms. Adamolekun noted that she had received a couple of citations initially for grass not being cut and began cutting the grass and taking care of shrubs growing on the side of the property. The tenant told her that he had been living there five (5) years and did not cut the grass as he said he would.

While talking with Mr. Taraila on November 30th, Ms. Adamolekun told him that she had been down to the City's Office four (4) or five (5) times and had called several times. On one (1) occasion, she met Mr. Boesenberg in the lobby and was told that he could not talk to her about this property and referred her to his supervisor, Mr. Taraila. When asked to get Mr. Taraila, Mr. Boesenberg indicated that he was not there.

During her phone conversation with Mr. Taraila, Mrs. Adamolekun advised him that she had been trying to get hold of him all summer so that the City could do an interior inspection. Mr. Taraila advised her to schedule an appointment to take this matter up with Mrs. Townshend and an appointment was scheduled for November 2, 2015.

Ms. Adamolekun indicated that she had attended a public meeting at the Dover Public Library where Mrs. Townshend discussed the Downtown Development District and related incentives. She recalled some residents voicing their concerns at this meeting about codes being enforced, since they may not have the money to do all the repairs, and Mrs. Townshend had assured the general public that the City would work with them and give them time to repair property. Ms. Adamolekun indicated that she did not find this to be true. She met Mrs. Townshend at her office thinking that there was surely a misunderstanding and that she would go in and explain why she had not done any repairs on the property, which she tried her best to maintain. Ms. Adamolekun advised members that she had been afraid to go to the property because the tenant had cursed at her on several occasions, told her that it was his house, and tried to sue her in court. She had explained this to Mr. Boesenberg in February, advising him that she would need a couple of months, not knowing that she would be in court several times extending until about June. Ms. Adameolekum advised members that Mrs. Townshend would not hear her out in terms of her explanation that the tenant was not allowing access and tearing up the property, which she did not want to put money into. She stated that when the tenants were finally out of the property, Mrs. Townshend accompanied Mr. Boesenberg on a property inspection. Ms. Adameolekum questioned whether Mrs. Townshend was qualified to do inspections.

In response to Mr. Slavin's request to explain how she planned to address the issues of the property, Ms. Adamolekun stated that the interior inspection was completed on November 27, 2015. She indicated that she had received a notice in the mail giving her nine (9) days to complete all repairs and she replied to Mrs. Townshend in writing, stating that she needed at least 90 days, and she also telephoned because she felt she was being treated unfairly. Ms. Adamolekun explained that she had asked for help from Representative Sean Lynn, whose office had called Mrs. Townshend and was told initially that Ms. Adamolekun had only to get a structural engineer's report, an electrical inspection, and pay the fees by the specified date and that all repairs did not have to be completed by that date. She then received another letter stating that City Staff had gone back by the property and the repairs were not done. Ms. Adamolekun advised members that she had not been afforded the opportunity to address the property since it was condemned immediately when the tenant moved out due to not having electricity. She had gone to City Hall to question if the entire property would be condemned since only one (1) unit did not have electricity.

Ms. Adamolekun stated that she did not appreciate the way that she had been treated. She indicated that the words "blight", "nuisance", and "eyesore" had been used; however, she felt that the property could not be torn down because someone did not like the way it looks. She stated that Mrs. Townshend had stated that the structure was dilapidated and there was wood rot behind the siding, but she questioned how Mrs. Townshend knew this and if she was an expert in this area. Ms. Adamolekun stated that Mrs. Townshend did not find any soft spots in the siding. She explained that she had a structural person come to the property a couple of weeks ago. Although Ms. Adamolekun had no written reports yet from the structural person since he was on vacation; however, he had informed her that the dwelling was structurally sound.

Ms. Adamolekun requested that the City stop attacking her, give her some breathing room, and allow her to address some of the issues with the property. She indicated that Mrs. Townshend had mentioned that there were people "hanging out" at the property; however, she stated that this was untrue, the property was secure, and she rides by it every day on her way to work. Ms. Adamolekun advised members that she is a small business owner and resident and did not appreciate being treated the way she was treated. She did not agree with Council demolishing her property because someone did not like the way that it looked, stating that she did not know what the motive was. She indicated that when staff inspected it, they remarked that the panel box had not been inspected since 1987, noting that this was not her fault since she had just bought it in February. She felt that the City had not been fair. Ms. Adamolekun indicated that she had attended other public meetings when there had been discussions about absentee owners who do not care about the property, but she advised members that she did not fit this bill.

Responding to Mr. Neil, Ms. Adamolekun stated that this was her first multi-unit investment property in the City of Dover and there were two (2) additional properties outside of City limits. She indicated that she bought the property "as is" and did not really know its condition. Ms. Adamolekun indicated that she was aware there were City requirements and she estimated that it would take her approximately six (6) months to bring the property up to City code.

In response to Mr. Hutchison, Ms. Adamolekun estimated the cost of bringing the residence up to livable condition at under $10,000.

Mr. Anderson questioned how long it would take to bring the property up to Code. Responding, Ms. Adamolekun indicated that she thought "Code" and "livable" were the same. Mr. Anderson expressed the desire to make sure that everyone's understanding was the same, because if Council were to grant an extension, chances were that the matter would not be brought to Council in the future but would be left to Staff. He felt that all code requirements should be met and there should be a Certificate of Occupancy.

Ms. Adamolekun questioned if the building could be demolished because Mrs. Townshend did not like the asphalt siding. She indicated that she had been trying to ask these questions for months and questioned if the City could determine the type of siding that she puts on a property. She noted that there were missing shingles and the siding was dated in style, but it was not falling apart. Ms. Adamolekun stated her goal to replace the siding and have it as beautiful as some of the houses built on Kirkwood Street, but this would take money. She indicated that she was asking for fairness and compassion and advised members that the property had been condemned all summer and that the individual she sent to clean the property out had been harassed by inspectors.

In response to Mr. Hosfelt, Ms. Adamolekun stated that Mr. Mick Mikula, a local engineer, had looked at the property.

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

Mr. Neil stated that he was in favor of tabling this matter for three (3) months because he thought members needed to see what the inspection showed from Ms. Adamolekun's people and whether this building could be saved. If it could be saved, he thought the City should give her that opportunity. Mr. Neil thought the City had to hold property to a standard, particularly in the downtown area that the City was attempting to rejuvenate. He moved to table action for three (3) months to see where it stands as far as progress is concerned. The motion was seconded by Mr. Anderson.

Based on the discussion, Mr. Hutchison did not feel that the property was close to where it needed to be. He stated, rather than delaying this matter for 30 or 90 days, that members should give the owner 15 days to get an estimate of what it would cost and then she could address whether or not she had the means to be able to fix it.

Mr. Slavin asked if Mr. Neil would be willing to amend the motion to bring the estimates back to Staff in 15 days and put it on the January 11, 2016 Council agenda. Mr. Neil and Mr. Anderson agreed to the amendment.

For clarification, Mr. Slavin stated that the motion was to have the property owner provide staff with estimates within 15 days and place the matter on the January 11, 2016 agenda for Council discussion.

The motion to have the property owner provide Staff with estimates within 15 days and to place the matter on the January 11, 2016 agenda for Council discussion was carried by a roll call vote of eight (8) yes (Anderson, Neil, Lewis, Cole, Hosfelt, Hare, Hutchison, and Slavin) and one (1) abstention (Sudler).

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

The Special Council Meeting adjourned at 8:04 p.m.

TRACI A. McDOWELL
CITY CLERK

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

ROBIN R. CHRISTIANSEN
MAYOR

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Exhibits
Exhibit #1 - Presentation - Violation of the Dangerous Building Ordinance - 1124 Forrest Avenue
Exhibit #2 - Presentation - Violation of the Dangerous Building Ordinance - 1128 Forrest Avenue
Exhibit #3 - Presentation - Violation of the Dangerous Building Ordinance - 325 North New Street
Exhibit #4 - Presentation - Violation of the Dangerous Building Ordinance - 2 South Queen Street

Violation of Dangerous Building Ordinance 1124 Forrest Ave

Planning & Inspections Department

Dover, Delaware

December 9, 2015

EXHIBIT #1
Special Council Meeting of 12/09/2015

1124 Forrest Ave
Case History

- 9 code enforcement cases since 2005
  - Exterior code violations – dilapidated buildings
  - Numerous grass violations – parking on the grass
- The utilities were terminated on December 8, 2014
- Registered as vacant by the city on May 11, 2012
- Secured by the City on June 29, 2015
- Source of neighbor complaints

Outstanding Charges

  - $731.57 in unpaid taxes and code citations
  - Currently on the Sheriff sale list

Dangerous Building Code – Chapter 22 Article XI, Sec. 22-381

(5) *Unfit for habitation.*

(9) *General welfare.*

(10) *Code violations.*

(12) *Unoccupied buildings.*


1124






























PRIVATE
PROPERTY


S F C
6 7 4 8 6






LAND
FOR SALE

Recommended Council Action

- Declare this building and all accessory structures on this property dangerous.
- Order the property demolished by **January 9, 2016** by the owner or equity owner at their own risk.
- Order the Building Inspector to cause demolition of the structures if not completed by the owner **within 10 days of the date established by City Council**.
- 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.

Violation of Dangerous Building Ordinance 1128 Forrest Ave

Planning & Inspections Department

Dover, Delaware

December 9, 2015

EXHIBIT #2
Special Council Meeting of 12/09/2015

1128 Forrest Ave
Case History

- 21 code enforcement cases since 2001
  - Exterior code violations – abandoned vehicles
  - Broken window panes – dilapidated structures
  - Numerous tall grass and weed violations
- The utilities were terminated on April 4, 2012
- Registered as vacant by the city on May 11, 2012
- On October 8, 2015, City Staff placed the property on the dangerous building list due to no active utilities with numerous open code violations.
- Source of neighbor complaints.
- Outstanding Charges
  - $2,150.00 in unpaid citations, fees and grass cuttings
  - Currently on the Sheriffs sale list

Dangerous Building Code – Chapter 22 Article XI, Sec. 22-381

(5) *Unfit for habitation.*

(9) *General welfare.*

(10) *Code violations.*

(12) *Unoccupied buildings.*
























DESIGNED FOR MULTIPLE USES!
Kitchen
Borders Box


1128

Recommended Council Action

- Declare this building and all accessory structures on this property dangerous.
- Order the property demolished by **January 9, 2016** by the owner or equity owner at their own risk.
- Order the Building Inspector to cause demolition of the structures if not completed by the owner **within 10 days of the date established by City Council**.
- 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.

Violation of Dangerous Building Ordinance 325 N New St

Planning & Inspections Department

Dover, Delaware

December 9, 2015

EXHIBIT #3
Special Council Meeting of 12/09/2015

325 N New St
Case History

- 20 code enforcement cases since 2004
  - Numerous tall grass and weed cases
  - Junk & debris in yard – broken windows and doors
- The utilities were terminated on December 9, 2012
- Registered as vacant on December 27, 2013
- Condemned by City Staff on August 27, 2015 due to no active utilities, open code violations, unlocked doors and subjects gaining entry to the property.
- Source of illegal drug use and sexual activities.

Outstanding Charges

  - Property is on the Sheriff sale list
  - Approx. $6,900.00 is due in taxes, utilities and Code Enforcement citations and fees

Dangerous Building Code – Chapter 22 Article XI, Sec. 22-381

(5) *Unfit for habitation.*

(9) *General welfare.*

(10) *Code violations.*

(12) *Unoccupied buildings.*


325












WARNING
2015/08/27 13:20






2015/08/27 13:18


2015/08/27 13:15

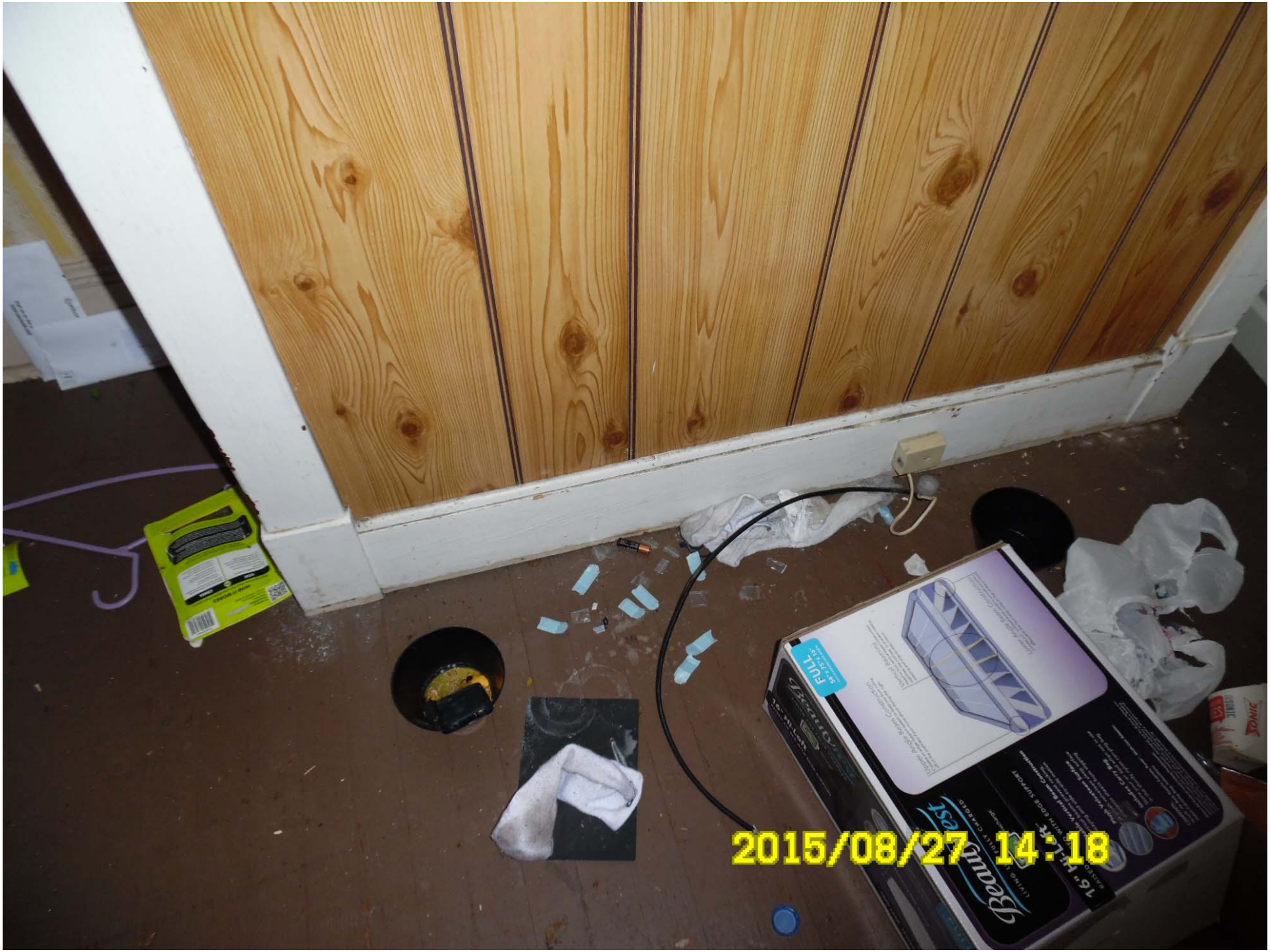

2015/08/27 13:15


Personal Heater Fan
2015/08/27 13:16


2015/08/27 13:16


2015/08/27 13:16


2015/08/27 13:17


2015/08/27 14:18


2015/08/27 13:15

Recommended Council Action

- Declare this building and all accessory structures on this property dangerous.
- Order the property demolished by **January 9, 2016** by the owner or equity owner at their own risk.
- Order the Building Inspector to cause demolition of the structures if not completed by the owner **within 10 days of the date established by City Council**.
- 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.

Violation of Dangerous Building Ordinance
2 S Queen St

Planning & Inspections Department

Dover, Delaware

December 9, 2015

EXHIBIT #4
Special Council Meeting of 12/09/2015

2 S Queen St
Case History

- Acquired by current owner at sheriff sale in February/March 2015
- 10 code enforcement cases since February 2015
  - Interior code violations from housing inspection
  - Damaged wall siding – broken window glass and panes
  - Numerous grass violations (City cut grass)
  - Exposed electrical wiring
- 20 cases prior to 2015 dating to 2000
- Registered as vacant on November 23, 2015
- Condemned by City Staff on June 4, 2015 due to no active utilities in unit B, open code violations, unlocked doors and subjects gaining entry to the property.

2 S Queen St Case History

- Outstanding Charges
  - $250 unpaid vacant building registration fees
  - $200 unpaid grass citations and cutting charges
  - $270 delinquent taxes
  - $1,272 delinquent utilities

Dangerous Building Code – Chapter 22 Article XI, Sec. 22-381

(5) *Unfit for habitation.*

(9) *General welfare.*

(10) *Code violations.*

(12) *Unoccupied buildings.*


S QUEEN ST


S. QUEEN ST


S. QUEEN ST




12/09/2015


12/09/2015








11/05/2015


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11/05/2015


CHARLOTTE PIPE
ENERGYGUIDE
11/05/2015


11/05/2015

Recommended Council Action

- Declare this building and all accessory structures on this property dangerous.
- Order the property demolished by **January 9, 2016** by the owner or equity owner at their own risk.
- Order the Building Inspector to cause demolition of the structures if not completed by the owner **within 10 days of the date established by City Council**.
- 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.

SPECIAL COUNCIL MEETING

A Special Council Meeting was held on December 9, 2015 at 8:11 p.m. with Council President Slavin presiding. 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, Mrs. Mitchell, and Mrs. McDowell. Mayor Christiansen was also present.

ADOPTION OF AGENDA

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

Mr. Neil moved to recess into Executive Session pursuant to 29 Del. C. §10004(b)(6) - discussion of the content of documents excluded from the definition of "public record" in §10002 of this title where such discussion may disclose the contents of such documents (§10002 (l)(2) - trade secrets and commercial or financial information obtained from a person which is of a privileged or confidential nature); pursuant to 29 Del. C. §10004(b)(4) - strategy session; and pursuant to 29 Del. C. §10004(b)(9) - personnel matters. The motion was seconded by Mr. Hare and unanimously carried.

The Special Meeting recessed at 8:11 p.m.

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

Executive Session adjourned at 9:28 p.m.

ACTION RESULTING FROM THE EXECUTIVE SESSION

Consideration of Hardship Created by Commercial Electric Rates

During the Executive Session, Mr. Scott Koenig, City Manager, advised members of a proposed Economic Retention Rate for the purpose of attracting new businesses and retaining existing businesses.

Mr. Hare moved to authorize the City Manager to compose a letter releasing the tariff to the party in question. The tariff will be effective January 1, 2016 and continue for six (6) months. On July 1, 2016, if the party is expanding as anticipated, the rate will be extended for one (1) year. At the end of that year, Council will evaluate continuation of the tariff. The letter is to be reviewed by Mr. Hare and Mayor Christiansen prior to its release. The motion was seconded by Mr. Hosfelt and unanimously carried.

Resolution of Employee Grievance

During the Executive Session, Mr. Scott Koenig, City Manager, advised members of an employee grievance and its proposed resolution.

Mr. Hosfelt moved to authorize the City Manager to proceed with the solution. The motion was seconded by Mr. Neil and unanimously carried.

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

The Special Meeting adjourned at 9:32 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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REGULAR COUNCIL MEETING

The Regular Council Meeting was held on December 14, 2015 at 8:15 p.m. with Council President Slavin presiding. Council members present were Mr. Anderson, Mr. Sudler, Mr. Neil, Mr. Lewis, Mr. Hosfelt, Mr. Hare, and Mr. Hutchison. Mr. Cole was absent.

Council staff members present were Police Chief Bernat, Mrs. Mitchell, Mrs. Townshend, Fire Chief Hall, Mr. Koenig, City Solicitor Rodriguez, and Mrs. McDowell. Mayor Christiansen was also present.

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 was a legal professional who had lived in the State of Delaware for almost 42 years. Mr. Alston read portions of a prepared statement and submitted the full statement for the record ***(Exhibit#1)***. He also advised members that he had been banned from Delaware State University by Judge Warren, noting that he was a descendant of the Alston Plantation and his family's name was from a plantation in Delaware.

Mr. Anwar Dyer, 52 Traybern Boulevard, Camden-Wyoming, stated that the four (4) current police officers who were present believed that it was okay for Mr. Webster to be rehired. He felt that rehiring Officer Webster or allowing him back on the force made all officers look bad and that this would be an injustice. Mr. Dyer thought that they should rethink what they were about to do and when all was said and done, these officers needed to go as well. Noting that the court said Mr. Webster was not guilty, Mr. Dyer stated that, looking at the video, you could not say that an injustice was not done. He felt that it did not make any sense when a person standing on all four (4) limbs gets kicked in the chest and face. Mr. Dyer stated that they were all crooks.

Mr. Frederick Tolbert advised members that he was a resident of Dover and he appreciated the opportunity to address Council on a very important matter to people of color and minorities. He stated that, from the camera shots that were in the news locally, all over the country, and in parts of the world, Officer Webster committed an act that he was not punished for and should have been. Mr. Tolbert stated that it was incumbent upon Council to make sure that these kind of acts do not continue to occur. He indicated that this was not the first time such a thing had happened to a person of color. Mr. Tolbert stated his belief that Council emasculated the Dover Human Relations Commission (DHRC) not long ago, which was a slap in the face, and that Council cut some of the DHRC members and reprimanded them severely for trying to push Council to recommend to the State Legislature that a resolution be passed apologizing for slavery. He noted that the Governor had just gone on record for being fully in support of this, but for some reason Dover City Council was not in support. Mr. Tolbert stated that they were being slapped in the face again because an officer committed an act that was truly ridiculous. He advised members that it was time to stop slapping their good citizens in the face repeatedly. Mr. Tolbert stated that they were asking nicely and respectfully that members do the right thing, which was required and necessary, noting that citizens of color had voted for many of them. He felt that enough was enough and that two (2) men sitting on Council were perhaps more acutely aware of some of the abuse that had never been reported,

pointing out that Councilmen Hutchison and Hosfelt had previously served as Police Chief. Mr. Tolbert stated that this was important to all, noting that his grandparents on both sides of his family were born into slavery not too long ago, and the effects of slavery were still being felt with decisions like the one that occurred in court.

Mr. Slavin advised that City Council voted five (5) years ago to issue an apology for slavery and he voted for this. He expressed appreciation that the State wanted to catch up with the City more than five (5) years later and do the same thing.

Mr. La Mar Gunn stated that less than a week ago, two painfully hard (2) words for the souls of the community were heard: "Not guilty." He stated that what was important to him and should be to the City were the cries of the people that they swore to protect and serve. Mr. Gunn stated that, contrary to the testimony of State Trooper Ricardo Torres, he did not believe that officers were trained to use NFL-style field goal kicks to arrest suspects, regardless of their criminal past. He noted that all had heard of the suspect's record and it was probably true that he earned it; however, a member of the City's police family had committed the ultimate betrayal through an egregious and unworthy badge and conduct that Mr. Gunn would call unbecoming for a Dover police officer. He stated his belief that police officer dishonesty was grounds for termination. Mr. Gunn felt that last week's verdict had turned Dr. Martin Luther King, Jr.'s "I Have a Dream" speech into a nightmare for the black community. He expressed his opinion that the City had a fine Police Department that was one (1) of the best in the land, having learned firsthand that they care, and he pointed out that many white brothers and sisters had extended calls vigorously condemning the subject kick. Mr. Gunn stated that we, as a community, should refuse to allow the actions of one (1) to taint an entire police force. He indicated that there had been recent attempts to build trust between the Police Department and the black community and quoted Dr. King's statement that, "in the end, we will not remember the words of our enemies but the silence of our friends." Having been in Dover for a couple of years, Mr. Gunn stated that he had never heard silence quite this loud from its leaders. He indicated that the City has a strong mayor form of government, stating his belief that the Mayor was either sitting down or standing up, since there was no in between. He quoted from Sir Edmund Burke, stating "evil persists when men of goodwill do nothing," and encouraged members to establish a legacy of doing the right thing and not let Officer Webster back on the streets. Mr. Gunn stated his belief that members probably thought that everything was fine since there was no rioting, unrest, or chaos in the streets. He felt that this was because people were trusting that the right thing would be done and were giving Council a chance to send a message. In case Officer Webster was watching, Mr. Gunn stated that Mr. Gunn's ear was very close to the streets, some of the things he was hearing were not good, and there was a group that cared to have their own court of the streets, of which Mr. Gunn was not a member. Mr. Gunn stated that he would be afraid for Mr. Webster if he were placed back on the streets. Mr. Gunn also expressed a desire to talk about Title 11, Section 92 and the Fraternal Order of Police (FOP) labor agreement to prevent the same thing from ever happening again and so that Council could stand up, do the right thing, and change things, which is why they were elected.

Mr. Larry Bryant, member of Men of Vision and Value (MOVV), located at United Way, Dover, stated that he was present because he sat through the trial and watched and listened to the evidence. He thought there was an injustice done and did not want to compound it by doing another injustice. Mr. Bryant stated that what he saw on the video at the trial was wrong. Someone told him that the

officer had the best lawyer. Mr. Bryant advised members that he shut off his ears and trusted his eyes, and what his eyes saw was an injustice. He reiterated that he did not want to compound it by having another injustice done.

Reverend Michael B. Rogers, Pastor, Central Baptist Church and President of the Interdenominational Ministerial Alliance of Dover and Vicinity (IMA), stated that his goal was to express what he had been hearing in regard to the Dover community and the situation with Mr. Webster. He stated that the trial was over and the matter was now in Council's hands, noting that what transpires now is on the City. Reverend Rogers asked that the wrong message not be sent again, that members be mindful of the community and try to bring it together so that everyone might work as one and have a wholesome place to work and live. He felt that no one should walk in fear of the police who are supposed to be protecting everyone. Rev. Rogers requested that members review this situation and not send the wrong message to the entire community, compounding a situation that was already in a bad state. He asked Council to consider the position they would take with Mr. Webster being reinstated to the Dover Police Department.

Master Corporal Dave Gist stated that he was representing the men and women of the Dover Police Department's Fraternal Order of Police (FOP). He reminded everyone that Mr. Webster's case was originally sent to a grand jury of 12 civilians and he was cleared. Mr. Gist advised that Mr. Webster's case went to a federal civil rights commission and he was cleared. The case was resubmitted under a new Attorney General to another grand jury and he was cleared, even though a grand juror stated that they were intimidated to go against him. The case went to trial, Mr. Webster was arrested, and he again was cleared by 12 civilians that had nothing to do with the City of Dover. Mr. Gist noted that Mr. Webster had never been terminated from the City of Dover, was suspended without pay, and had been internally punished for his actions on the internal side. He stated that Mr. Webster was still an employee of the City of Dover and there were laws that protect employees. Whether people agreed or disagreed with the decision, that decision was made by a jury of Mr. Webster's peers on three (3) accounts, and 36 different people judged him. Mr. Gist stated that he had been given numerous Facebook posts by Councilman Anderson where had called Mr. Webster a liar, which Mr. Gist indicated was slander. He indicated that Mr. Anderson had given the wrong information on this case numerous times and he felt that Mr. Anderson should know better, as a public official and leader, noting that, as the FOP leader, Mr. Gist is accountable if he gets bad information and he does not go flying off like that. Mr. Gist felt that it was a shame that a criminal matter was being turned into a race matter, stating that this had nothing to do with race but had to do with crime. He advised that City police officers do not get to pick and choose what they are called to but respond to crime. Mr. Gist reminded the City of Dover, the employees, members of Council, and the Mayor that Mr. Webster was still an employee with the City of Dover. He understood the community being upset but stated that someone is not prosecuted based on a 10-second video. Mr. Gist noted that Mr. Webster had done his time through the court system and 36 of his peers had found him not guilty.

Mr. Enrico Stratton-Bey, Felton, Delaware, stated his belief that there was an injustice. He indicated that victims who do not show up in court are usually subpoenaed and wondered why this victim did not show up. He felt that Mr. Gist's statement that Dover police officers do not have a choice where they respond was a lie, stating his belief that certain officers are designated to go to certain areas and protect certain people. Mr. Stratton-Bay indicated that the court was not a jury of peers because

there were black police officers at the Dover Police Department but not on the jury. He felt that members had the right to show that Dover was not going to go back to the year 1555, when the first slaves were brought to the shores of North America. Mr. Stratton-Bey felt that the police force was implemented in this country to keep slaves in line. He stated that, in looking at the tape, the gentleman did not follow orders properly and so he was given a kick to the face. He felt this was not becoming for an officer and questioned who officers were representing when they do this. Mr. Stratton-Bey expressed his hope that this was not the conduct of Dover Police Department. He stated that he witnessed the assault of a man in broad daylight a year earlier on the corner of New Street and the man was hit in the head by a police officer and a probation officer. He stated that no more was heard about this or the Fletcher case. Mr. Stratton-Bey questioned where the cases of police brutality and injustice were that were not heard about, indicating that things were being swept under the rug. He questioned if this was the history of Dover and expressed his hope that members would not do another disservice by continuing this history.

Reverend Rita Paige, 355 Rita Wilma Road, indicated that she was standing with everyone else and encouraging members not to reinstate Officer Webster, noting that reinstatement would cause people to question the integrity of those who have the authority to reinstate or not reinstate. She indicated that they were entrusting their elected officials to do the right thing. Reverend Paige stated that she was standing as a pastor, mother, grandmother, aunt, and a mentor to many and would hate to build distrust and a disconnect. She felt that there would be a need to rebuild trust all over again between the police and the community, stating that it was not wanted that young people would be fearful and afraid to trust those who are supposed to be protecting and serving them. Reverend Paige indicated that those who may want to be officers may not get the opportunity to do so because of what they had just witnessed. She stated that she could not see how someone, with another officer, could take someone from the 7-Eleven and take them somewhere out into the wilderness and just leave them, which caused her to question the officer. Reverend Paige indicated that she often wondered if there had been some white supremacist connection in that case and felt that actions spoke to this. She expressed her hope that members would do the right thing and not reinstate Officer Webster, quoting Dr. Martin Luther King, Jr.'s statement that "injustice anywhere is a threat to justice everywhere."

Pastor Anthony Wallace, 52 Dove Creek Terrace, stated his desire to echo what everyone else had said. He advised members that there was a group of citizens behind him representing hundreds of thousands of others that could not be present. He indicated that, despite the jury's verdict, everyone knows that in America guilty people get off the hook all the time. Pastor Wallace advised members that he would forever have the image etched in his head where a gentleman had two (2) hands firmly on the ground and one (1) knee on the ground as he lowered himself, and then the shock of a field goal kick. Pastor Wallace stated that he was a United States Army Veteran, Chief Warrant Officer, and an instructor pilot for the AH-64 advanced attack helicopter. He informed members that he was also an Iraq war veteran; therefore, he knew order and discipline and somebody, sadly a member of the Dover Police Department, lost it that night. Pastor Wallace demanded that Officer Webster not return, which would allow the Police Department and community to heal so that trust could be built and all could return to some similitude of normalcy and sanity. He stated that a lot of people were hurt, even members of the police force, explaining that an officer from the Dover Police Department was almost in tears as he demonstrated what was going to be seen in the video before it was released. Pastor Wallace indicated that this officer had advised members of the community and clergy that this was not the Dover Police Department and it was a departure from the Department's policy, yet there

was this verdict and defense by the FOP. He stated that this officer should not be reinstated, and if the FOP tentative labor agreement was not substantially different from the previous agreement, then there would be a problem. Pastor Wallace felt that Council knew the right thing to do and requested that they do it.

Mr. Fred Bowden, Camden, Delaware, advised members that there was injustice in the system, noting that his wife passed away going on three (3) years ago and he had a lawsuit in Superior Court against Kent General, Brookside Medical, and Pinnacle Rehabilitation for their negligence regarding his wife. Mr. Bowden indicated that he had contacted approximately 14 law firms in the State of Delaware and none would take his case. He obtained the assistance of Mr. Eshed Alston, who stood by his side through the whole system. Mr. Bowden indicated that he hand delivered his paperwork in the court system at 1:14 as he had to respond to the request of Judge Robert Young, and Pinnacle did not file and Kent General did. He asked for a 30-day extension and gave them a list of all the attorneys that he was going to call since he was the pro se and needed time go get his case squared away. Mr. Bowden stated that at 2:26 Pinnacle e-filed the court and he questioned how Pinnacle could have known that he filed unless someone in the court system told them. He stated that Judge Young denied his request and granted Pinnacle's request to dismiss his case. Mr. Bowden felt that this was injustice because they refused to hear his case, noting what had happened to his wife in their care. He stated that his daughter, who was present at the meeting, was motherless and he did not have a wife because of these organizations. Mr. Bowden had an interview with WBOC, accompanied by Mr. Alston, and they refused to take his story, and he contacted the Dover Post and other newspapers to try to get justice for his wife. He noted that he was a black pro se, stating that Caucasians had been through the same thing in the "injustice system." Mr. Bowden advised members that he had been a civilian employee with the Delaware State Police for 24 years and had never gotten in trouble. He stated that people should be treated right, everyone should be treated the same, and that if someone wanted to be treated with respect, they should treat others with respect. Mr. Bowden encouraged everyone to work together.

Ms. Lillian Rogers, Dover, advised members that she was present because it was time to turn the page and, as grandparents, parents, mothers, brothers, and sisters, to look at injustice, stating her belief that anyone who saw the video would think this was an injustice. Ms. Rogers indicated that now there was an opportunity to make a huge difference. She expressed happiness that the police were here to serve us and put our security in their hands, and she was sure they were honorable men who would want to work with honorable men because bad police officers make their jobs much harder. Ms. Rogers stated that everyone wants the security of the police and to be able to trust them. She indicated a desire to make sure that the community is heard, noting that the community was determined to have justice and fairness and to get it from this body. Ms. Rogers stated that the Mayor was the head of the City and the Police Chief reports to him. She indicated that police officers report to the Police Chief, who should get on them if they are not doing their job. Ms. Rogers felt that if the Police Chief is not doing his or her job, the Mayor should get on them, noting that in the same way that the Mayor can get rid of police officers, the Mayor is voted in and voted out. She stated that she was not making a threat but making a promise that people would no longer sit by or go away, but would be persistent and consistent and know who was voting with them and for them and who was protecting them. Ms. Rogers indicated they would also know who was not protecting them, and these parties would not be in office next time; therefore, the City was expected to do the right thing. She stated that the community had a long memory and new leadership.

Mr. Pernest Sparks stated that, as a father of 12 kids with eight (8) living at home, his children's safety was something that he valued and he feared for their safety if he let them go to the store if this officer was allowed back on the force. Mr. Sparks also expressed fear of other young people who may not have agreed with the decision to let Mr. Webster back on the force, and there may be gun violence. He did not want his children to be caught up in something like that because there would be angry people if the gentleman was let back on the force. Mr. Sparks felt that this situation should not have come about and that things that had been said earlier were lies. He commented that there were no black men on the jury and indicated that the people who were standing behind him were going to keep coming for this officer not to be reinstated. Mr. Sparks advised members that he had lost his job because he called an individual a name; however, this officer who was trained to serve and protect kicked a man in the head could get his job back, be suspended without pay, and come back to work. He felt that there would be confusion when Mr. Webster came back because this community and other communities that were not represented tonight would be upset and may want retaliation. Mr. Sparks stated that this was not desired on the streets, but peace was desired. He asked that Officer Webster, who started all the violence, not be reinstated, indicating that it did not look like the individual in the video was a threat.

Mr. James Muhammad advised members that he was born and raised in Dover and was 51 years old. He agreed with what everyone had said. Mr. Muhammad questioned if it was in the Councilmen's nature to change a pattern that had been going on. He stated that he had been a victim of Dover Police brutality and had a pending lawsuit on 12 police officers and the Dover Police Department, noting that Mr. Stratton-Bey had been talking about Mr. Muhammad in his statement. Mr. Stratton-Bay stated his opinion that people are promoted in Dover when they do damage to the black community. He stated that Councilman Hosfelt had been previously promoted to Police Chief and this police brutality happened under him, Mr. Reggie Hannah was killed when Councilman Hutchison was Mayor, and Councilman Sudler had been on the Dover Human Relations Commission and was now a City Council member.

In response to Mr. Muhammad, Mr. Sudler stated that he does no damage and had done nothing but bring blessings to the City of Dover.

Mr. Muhammad reiterated his feeling that people are promoted when they do damage in the black community. Mr. Muhammad noted that there were no black officers present. He stated that this was like Ferguson, Missouri, and questioned how many black officers were on the Dover police force and how many black mayors had served. He questioned if the City had the heart to stand up for truth and justice, stating, for example, that Loockerman Street was named after a slave owner who was still being honored. Mr. Muhammad stated that there had been damage, including the murder of Reggie Hannah and police brutality to himself, and that his cousin, Anthony Barlow, was shot in the face with a taser while the Police Department was under Mr. Hosfelt, former Police Chief now serving on Council. He stated that there were two (2) different people in Dover and in America, one (1) black and one (1) white. He stated that black people had been shot eight (8) times in the back and put in choke holds. He felt that people should be praying to God that he would chastise them and Dover if people do not do the right thing.

Mr. Greg Fuller, Sr., Lincoln, Delaware, stated that everyone in the room needed to contemplate what the true issue is, that all are one. He advised members that he worships in Dover and this was a concern to him because it was a concern of those present, stating his desire to serve those all over the State. Mr. Fuller indicated that he had been going around the State advising everyone that service is about putting people's needs above one's own. This meant not making decisions based on whether someone will be re-elected or not and making decisions that are best for the entire City of Dover and people, whether they are black, white, yellow, or brown. He advised those sitting behind him that their authority was in their vote. Mr. Fuller stated to those in front of him had an obligation to do the right thing. He reminded members of the golden rule that if they would not want something done to themselves, then they would not do it to someone else. He quoted John F. Kennedy who said, "I seek not the Republican answer, nor the Democratic answer but the right answer."

There being no one else present wishing to speak, Mr. Slavin declared the Open Forum closed and announced that the Regular Council Meeting would begin at 8:15 p.m.

The invocation was given by Chaplain Wallace Dixon, followed by the Pledge of Allegiance.

AGENDA ADDITIONS/DELETIONS

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

Mr. Neil moved for approval of the Consent Agenda, seconded by Mr. Lewis and carried by a unanimous roll call vote (Cole absent).

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

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

PUBLIC HEARING/FINAL READING - PROPOSED ORDINANCE #2015-17 WITH STAFF AMENDMENTS (SA) #1 - #6

A public hearing was duly advertised for this time and place to consider approval of proposed amendments to Chapter 14 - Amusements and Entertainments; Appendix B - Zoning, Article 3 - District Regulations, Section 18 - Recreational and Commercial Zone (RC); and Appendix F - Fees and Fines.

Mr. Hutchison moved that the Final Reading of proposed Ordinance #2015-17 be acknowledged by title only, seconded by Mr. Hare and unanimously carried. *(The First Reading of the ordinance was accomplished during the Council Meeting of October 26, 2015.)*

Mrs. Ann Marie Townshend, Director of Planning and Community Development, advised members that the text amendments were related to special events and outdoor music festivals. She stated that the proposed ordinance would eliminate Chapter 14 - Amusements and Entertainments, noting that it was an older section of the Code dealing with music festivals. The amendments would add provisions to the Recreational and Commercial (RC) Zone regarding temporary outdoor events and temporary camping associated with events, and include measures to make sure that these events are

done in a well-planned manner. Mrs. Townshend explained that the amendments would clean up some of the existing language. For example, referring to Line 67, she noted that it would remove baseball, football, or boxing stadiums from the permitted uses in the RC Zone and add sports stadiums and arenas. She stated that the amendments would change auto, horse, and motorcycle racetracks from the conditional uses to the permitted uses, and would also add indoor and outdoor recreation and amusement establishments as permitted uses.

Mrs. Townshend reviewed Staff Amendments (SA) #1 - #6, noting that the Planning Commission unanimously recommended in favor of SA #1, #2, #3, #4, and #6. She stated that SA# 1 would add casinos as a permitted use, noting that this was an oversight in drafting the ordinance. Mrs. Townshend explained that SA #2 would add language to Section 18.1 (l)(2), stating that "the permit application must address water supply, wastewater disposal, sanitation, erosion and sediment controls, and maintenance of traffic as it relates to any City streets." She stated that this amendment would clarify that there does not need to be a plan sheet if the matter can be addressed in the application.

Mrs. Townshend informed members that SA #3 - SA #6 would clarify the proposed ordinance. She stated that SA #3 and #6 would include the phrase "but not limited to" in regard to the discharge of substances on Lines 115 and 170-171. Mrs. Townshend explained that SA #4 would remove the phrase "within all zones" from Lines 117-118 since it was only for the RC Zone. She stated that SA #5 proposed to amend Line 54 to ensure that the spacing between recreational vehicles would include bump outs; however, she advised that Dover International Speedway and members of the Planning Commission expressed concern regarding how this amendment would be enforced. Mrs. Townshend stated that the Planning Commission unanimously recommended against SA #5.

Mrs. Townshend stated that the fees associated with camping and temporary outdoor event permits were included in Appendix F - Fees and Fines and informed members that Dover International Speedway did not have concerns with the fees during her last discussion with representatives.

Mrs. Townshend stated that there would be subsequent proposed ordinances to address camping and smaller scale special events. She explained that Staff wanted to get this particular provision in place in order to work with the Speedway on annexation of the woodland property prior to the next festival season.

In response to Mr. Sudler, Mrs. Townshend stated that Dover International Speedway representatives had expressed that they were in agreement with the provisions and annexation preparation. She noted that Speedway representatives were present.

Mr. Neil asked what type of revenue increase the City could expect from the proposed fees. Responding, Mrs. Townshend stated that the revenue increase would not be significant since there are only two (2) events per year, noting that a fee of $500 would only equate to $1,000.

Council President Slavin declared the hearing open.

Mr. Gregory Moore, Becker Morgan Group, stated that he was representing Dover International Speedway and informed members that Dover International Speedway was pursuing this change because it would allow the Firefly event to have a long-term of probability. Mr. Moore noted that

the proposed ordinance would clarify that the Firefly event is in accordance with the zoning ordinance and the Speedway is generally in favor of all of the proposed changes. He stated that the Speedway did want to ensure that they have the right to have temporary water and sewer facilities, like showers, bathrooms, etc., that would be movable around the facility as the event expands and moves. Mr. Moore indicated that this would include electric lines that would be on the surface, and water lines that would serve these temporary facilities as they move from venue to venue and event to event. He stated that, with that clarification, the Speedway is fine with the language. Mr. Moore noted that Speedway representatives met with Mrs. Townshend and Mr. Scott Koenig, City Manager, and indicated that the Speedway is in accordance.

In response to Mr. Anderson, Mr. Moore stated that the Speedway was comfortable with the language in the proposed ordinance. He explained that the previous language indicated that the Speedway would have to provide plans for permanent facilities and the Speedway thought that it could be interpreted to not permit some of the temporary things they were doing. However, since that was changed to be addressed in application form, Mr. Moore stated that the Speedway was comfortable with the proposed ordinance.

Responding to Mr. Anderson, Mrs. Townshend stated that she was comfortable that the language in the proposed ordinance was clear. Referring to Lines 92-95 of the proposed ordinance, Mrs. Townshend reiterated that SA #2 would incorporate the results of Staff's discussion with the Speedway. She explained that the Public Works Department wanted to ensure that issues such as water, wastewater, sanitation, etc. were addressed. Mrs. Townshend stated that, with the amended language, the application forms for the outdoor event permit would be developed to provide an opportunity to answer those types of questions, so that there is no impression that a set of plans needs to be submitted to address those things.

Mr. Moore noted that the Speedway originally interpreted a set of plans to mean that they had to build hard facilities that would sustain from year to year.

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

Mr. Hare moved for adoption of Staff Amendment (SA) #1 to Proposed Ordinance #2015-17. The motion was seconded by Mr. Anderson and unanimously carried.

Mr. Hutchison moved for adoption of Staff Amendment (SA) #2 to Proposed Ordinance #2015-17. The motion was seconded by Mr. Hare and unanimously carried.

Mr. Hutchison moved for adoption of Staff Amendment (SA) #3 to Proposed Ordinance #2015-17. The motion was seconded by Mr. Hare and unanimously carried.

Mr. Neil moved for adoption of Staff Amendment (SA) #4 to Proposed Ordinance #2015-17. The motion was seconded by Mr. Lewis and unanimously carried.

Mr. Hare moved for adoption of Staff Amendment (SA) #5 to Proposed Ordinance #2015-17, seconded by Mr. Lewis.

Mr. Hosfelt reminded members that Staff worked with Becker Morgan and the Fire Marshal's Office and, after hearing testimony from the Fire Marshal's Office, the Planning Commission voted eight (8) to zero (0) against SA #5. He suggested that Council go with that endorsement and vote for the Planning Commission recommendation regarding SA #5.

Mr. Slavin advised members that a positive motion was made; therefore, if a member votes yes, they will have to state their reason for opposing the Planning Commission recommendation. A no vote would uphold the Planning Commission recommendation.

Responding to Mr. Sudler, Mr. Slavin clarified that a no vote would deny the amendment, which was the recommendation of the Planning Commission.

Mr. Anderson requested clarification on the exact language of SA #5. In response, Mrs. Townshend, referring to Line 154 of the Proposed Ordinance, explained that the original language was proposed to state that, "the required ten feet shall exclude any bump outs", and the staff amendment proposed to change that language to state that, "the required ten feet shall include any bump outs." Mrs. Townshend stated that the Planning Commission recommended keeping the word exclude.

The motion for adoption of Staff Amendment (SA) #5 to Proposed Ordinance #2015-17 failed by a unanimous roll call vote (Cole absent).

Mr. Hosfelt moved for adoption of Staff Amendment (SA) #6 to Proposed Ordinance #2015-17. The motion was seconded by Mr. Neil and unanimously carried.

Mr. Hare moved for adoption of Proposed Ordinance #2015-17, as amended. The motion was seconded by Mr. Sudler and, by a unanimous roll call vote (Cole absent), Council adopted Ordinance #2015-17, as follows:

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

That Chapter 14 - Amusements and Entertainments of the Dover Code be deleted in its entirety.

BE IT FURTHER ORDAINED:

That Appendix B - Zoning, Article 3 - District Regulations, Section 18 - Recreational and Commercial Zone (RC) of the Dover Code be amended to read as follows:

Section 18. - Recreational and commercial zone (RC).

18.1 *Uses permitted*. No building or premises shall be used and no building shall be erected which is arranged, intended or designed to be used, in whole or in part, for any purpose except the following:

(a) Public and private parks and playgrounds.
(b) Athletic fields.
(c) Sports stadiums and arenas.

(d) Public and private swimming pools and clubs.
(e) Miniature golf courses and pitch and putt golf courses.
(f) Golf or baseball driving ranges.
(g) Golf courses and country clubs.
(h) Casinos
(I) Hotels, motels and restaurants.
(j) Auto, horse and motorcycle racetracks.
(k) Indoor and/or outdoor recreation and amusement establishments.
(l) A temporary outdoor activity, such as a fair, circus, carnival, bazaar, music festival, or other outdoor event, subject to the following requirements:

(1) *Permit required*. A temporary outdoor activity permit shall be required. Such permit may be issued for a calendar year, provided that any changes to the permit are reviewed and approved by the department of planning and inspections.

(2) *Plan required*. The owner shall submit a plan to the department of planning and inspections showing the layout for the temporary activity a minimum of 30 days prior to the event, including the location of all existing structures and any proposed temporary structures, including but not limited to stages, tents, trailers, and temporary buildings. The permit application must address water supply, wastewater disposal, sanitation, erosion and sediment controls, and maintenance of traffic as it relates to any City streets. The permit shall include any other pertinent information deemed appropriate by the department director for this permit.

(3) *Fees*. A fee for the temporary activity permit shall be in accordance with Appendix F - Fees and Fines.

(4) *Parking*. The application for the temporary activity permit shall include a plan delineating the proposed parking area(s), number of parking spaces, ingress and egress to the parking area, and any other pertinent information deemed appropriate for the permit.

(5) *Noise*. The use of loud speakers and other amplification systems outdoors shall be prohibited between 12:00 a.m. and 7:00 a.m. on Monday through Friday and between 2:00 a.m. and 9:00 a.m. on Saturday and Sunday.

(6) *Documentation of approval*. The director of planning and inspections may require documentation of approval for outside agencies having jurisdiction over such activity including but not limited to the Delaware division of public health, department of transportation, and the Dover police department.

(7) *Discharge of substances*. No activity associated with a temporary outdoor activity shall be permitted to discharge any substance, including but not limited to wash water, to any storm drain, storm water management area, drainage ditch, or other water conveyance system.

(m) *Temporary Camping Areas*. Temporary camping areas shall be permitted subject to the following requirements:

(1) *Permit required*. Property owners wishing to provide more than five camping sites shall apply for a permit from the planning and inspections department. Such permit shall be valid for the calendar year in which it is issued. Any changes to the permit shall be approved by the department of planning and inspections.

(2) *Fees*. Fees for the permit and/or amendments to the permit will be charged in accordance with Appendix F - Fees and Fines.

(3) *Diagram required*. Prior to issuance of a permit, the property owner or his/her agent must submit a legible diagram of the camping area to the department of planning and inspections. The diagram shall include:

I. Identification of camping areas and indicate whether each area will be utilized for tent camping or recreational vehicle camping.

ii. Emergency access, drive aisles, entrance(s) and exit(s).

iii. Number of proposed recreational vehicles or tents to be permitted in each camping area.

iv. Location of power lines.

v. Location of restroom facilities.

vi. The period of time for which the permit is requested.

(4) *Distance from power lines*. No camping sites shall be permitted within 25 feet of power lines as measured from the center of the utility pole. Vertical extensions from camping sites shall not be closer than 25 feet to power lines as measured from any point on the vertical extension.

(5) *Tent placement in relation to vehicles*. Tent camping sites shall be laid out to avoid the location of tail pipes, generators, and other carbon monoxide sources near tent placement. The Fire Marshal or other city code official shall have the authority to require that vehicles and/or tents be relocated to avoid the danger of carbon monoxide entering tents.

(6) *Restrooms and shower facilities required*. Tent camping areas shall be required to include temporary or permanent restrooms and shower facilities.

(7) *Parking recreational vehicles*. Recreational vehicles shall not be parked closer than ten feet to other recreational vehicles, buildings, or other structures, as measured from the long side of the vehicle; nor closer than two feet from other recreational vehicles, buildings, or other structures, as measured from the front or rear of the vehicle. The required ten feet shall exclude any bump-outs or other protrusions from the side of the vehicle. Any exceptions to this shall be subject to review by the fire marshal upon the determination that the safety objectives of this subsection are achieved.

(8) *Drive aisles*. Camping areas shall have drive aisles constructed of drivable surfaces engineered to hold the weight of recreational vehicles, fire equipment, and other emergency response equipment in all types of weather. Crushed stone or gravel surfaces shall be permitted for such drive aisles.

(9) *Residential buffering*. Any camping area abutting a residential use shall be buffered by a landscape buffer of evergreen trees of a minimum height of six feet tall and an opaque fence of six feet tall.

(10) *Change approval*. Any changes to the approved layout of temporary camping areas shall be approved by the department of planning and inspections.

(11) *Discharge of substances*. No activity associated with any camping area shall be permitted to discharge any substance, including but not limited to wash water, to any storm drain, storm water management area, drainage ditch, or other water conveyance system.

18.2 *Conditional uses*. The following uses are permitted, conditional upon the approval of the planning commission in accordance with the procedures and subject to the general conditions set forth in article 10, section 1:

(a) Outdoor and drive-in theaters, provided that adequate screening is installed to shield all adjacent properties and public streets and alleys from the glare of lights from the parking areas.

(b) Airports and facilities incident to aviation.

(c) Livery stables and riding academies, provided that the corrals shall be at least 200 feet from any dwelling, school, church, eating place and intermittent or running, natural or artificial watercourses.

18.3 *Accessory uses*. The following uses shall be permitted accessory to other permitted uses on a lot.

(a) Accessory uses customarily incident to the principal use and any other necessary to the operation of the principal permitted use located on the same premises therewith shall also be a permitted use.

18.4 *Performance standards*. All uses are subject to performance standards as set forth in article 5, section 8.1.

18.5 *Site development plan approval*. Site development plan approval in accordance with article 10, section 2 hereof shall be required prior to the issuance of building permits for the erection or enlargement of all permanent structures and prior to the issuance of certificates of occupancy for any change of use.

(Ord. of 7-10-2000; Ord. of 2-12-2001)

BE IT FURTHER ORDAINED:

That Appendix F - Fees and Fines of the Dover Code be amended by inserting the following:

Appendix B - Zoning, Article 3 - District Regulations			
Sec. 18	Recreational and commercial zone (RC)		
	Subsec. 18.1	Uses permitted	
	(k)(3)	Temporary Activity Fee	
		Less than 5 acres	$50.00
		5-25 acres	$100.00
		26-100 acres	$250.00
		100+ acres	$500.00
	(l)(2)	Temporary Camping Permit Fee	
		Less than 5 acres	$50.00
		5-25 acres	$100.00
		26-100 acres	$250.00
		100+ acres	$500.00

ADOPTED: DECEMBER 14, 2015

MONTHLY REPORTS - OCTOBER 2015

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

City Assessor's Report
City Manager's Report
City Planner's Report
Controller/Treasurer's Budget Report
Economic Development Office Report
Fire Chief's Report (*September and October*)
Police Chief's Report

TENTATIVE LABOR AGREEMENT - FRATERNAL ORDER OF POLICE (FOP)

Mr. Scott Koenig, City Manager, reminded members that during the Special Council Meeting of February 2, 2015, Mr. William Bowser of Young Conaway Stargatt & Taylor, LLC, was retained to represent the City of Dover in the Fraternal Order of Police (FOP) contract negotiations. He stated that the City had been working diligently to bring forth a labor contract that really identifies what it costs to run the Police Department.

Mr. Bowser advised members that he was assisted in the contract negotiations by Mr. Koenig, Mrs. Donna Mitchell, Controller/Treasurer; Police Chief Paul Bernat; Mr. Kirby Hudson, Assistant City Manager; and Mrs. Kim Hawkins, Human Resources Director.

Staff recommended approval of the tentative agreement with the FOP for a new collective bargaining agreement, and authorizing the City Manager to execute a new collective bargaining agreement.

Mr. Bowser stated that the tentative agreement includes a number of changes; however, most of the changes are housekeeping or minor in nature. He reviewed the major changes to the agreement. Mr. Bower stated that the term of the agreement was for three (3) years, from July 1, 2015 through June 30, 2018. He advised that there are not general across-the-board wage increases through the term of the agreement; however, the salary scale is adjusted with increases concentrated in the lower ranks and for employees with fewer years of service. These salary changes would become effective July 1, 2015 and remain constant for the entire term of the agreement, if there are not additional wage increases in the second and the third year of the contract. In addition, Mr. Bowser stated that the starting salary for new officers out of the police academy is raised to about $50,000, noting that the administration and the Chief felt that this would help with recruitment of qualified of new officers.

In regard to healthcare, Mr. Bowser informed members that, under this agreement, newly hired officers will pay 20% of their total healthcare premium, instead of the current 15%. He stated that these newly hired officers will have to work for at least 20 years with the City to get healthcare in their retirement and the City will not contribute towards the healthcare for their dependents upon retirement.

Mr. Bowser advised that, under this agreement, an officer who works over 80 hours but under 84 hours over a two (2) week period will be paid straight time for these hours, rather than time and one-half. This would require the Chief to expand the current schedule, which is a 12-hour shift, and officers are currently given four (4) hours off every two (2) weeks to work an 80-hour schedule. Mr. Bowser explained that if the Chief decides to expand that shift to an 84-hour work period, those extra four (4) hours would be paid at straight time.

Mr. Bowser stated that another major change in this agreement is that five (5) holidays have been eliminated and replaced by floating holidays. Employees who work on one (1) of the five (5) days that have been eliminated would be paid straight time, rather than time and one-half. The employees will receive 40 hours of personal leave in lieu of those five (5) days, to use and schedule as they see fit.

Mr. Bowser advised members that another issue is physical fitness. Under this contract, all employees in the unit will now be required to take a yearly physical fitness test. Lastly, Mr. Bowser stated that this contract includes a residency incentive. All employees who establish residency in the City will receive a $1,000 incentive payment per year, upon showing and proving that they are living in the City.

Mr. Bowser stated that, in summary, the negotiating team believes this is a fair agreement, not perfect but fair to both the City and its police officers. He reiterated that Staff recommended approval of the tentative agreement negotiated by the team, and authorizing the City Manager to prepare and execute a collective bargaining agreement on the terms agreed to. He noted that the FOP had already ratified the tentative agreement.

Mr. Anderson noted that there was a provision in the contract which clarifies the policies and procedures of discipline that go to the Chief and requested Mr. Bowser to read that section. Responding, Mr. Bowser read Article 1.7, Management, from the current agreement, 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; the right to relieve members from assignments for legitimate reasons; the right to determine the manner of operation, and to change the methods or processes, or to use new equipment; the right to establish schedules; to introduce new or improved methods of operation; and to extend, limit, or curtail its operations, is vested exclusively in the Police Chief. The above statement of management functions shall not be deemed to exclude other functions not listed herein. In no case shall the exercise of the above prerogative of management be in derogation of the terms and conditions of this Agreement or of State law.

Mr. Bowser stated that this language was in the current agreement between the City of Dover and the FOP and was not discussed during this round of negotiations.

Mr. Anderson expressed his opinion that the language in Article 1.7, Management, if applied correctly, has the potential to solve some future problems. He stated that there is a review and urged the City to make sure that policies and procedures have explicit language in them to ensure that the excessive use of force that creates serious injury is a dismissible offense. Mr. Anderson felt that this was vital and essential to the rule of law, as well as the confidence of the citizens.

In response to Mr. Anderson's comments, Mr. Neil asked how that law would affect State law, including State law dealing with the rights for police officers. Responding to Mr. Neil, Mr. Koenig felt that it would mean that the Chief has to take State law into consideration when he is considering the impact of policies and procedures.

Mr. Hosfelt suggested tabling any vote on the FOP labor agreement until the first meeting in January 2016, noting that members had heard from the community and emotions were running high. He stated that there were two (2) separate matters and tabling the agreement would provide Chief Bernat and the Human Resources Department time to determine what actions could be taken in regard to Mr. Webster.

Mr. Hosfelt moved to table consideration of the tentative labor agreement with the Fraternal Order of Police (FOP) until the first meeting in January 2016, seconded by Mr. Anderson.

Mr. Sudler asked how the City would define excessive force so that the Police Chief would have the right to discharge. Responding to Mr. Sudler, Mr. Rodriguez did not believe that it could be defined. He stated that it would be a case-by-case decision.

The motion to table consideration of the tentative labor agreement with the Fraternal Order of Police (FOP) until the first meeting in January 2016 was carried by a unanimous roll call vote (Cole absent).

RESOLUTION NO. 2015-16 PROPOSING THAT COUNCIL MEMBERS AND CIVILIAN STANDING COMMITTEE MEMBERS ACT AS A COMMITTEE OF THE WHOLE ON A TRIAL BASIS

Mr. Hare moved that Resolution No. 2015-16 be acknowledged by title only, seconded by Mr. Neil and carried by a vote of seven (7) yes (Sudler, Neil, Lewis, Hosfelt, Hare, Hutchison, and Slavin), one (1) no (Anderson), and one (1) absent (Cole).

Responding to Mr. Hare, Mr. Slavin explained that the trial basis would begin on January 26, 2016 and there was no end date included in the recommendation; however, Council could adopt this meeting format at the Annual Council Meeting in May.

Mr. Hare moved for adoption of Resolution No. 2015-16, seconded by Mr. Sudler.

In response to Mr. Anderson, Mrs. Traci McDowell, City Clerk, explained that the Committee of the Whole meetings would be held on each Tuesday following a Monday Council Meeting.

Mr. Anderson stated that this would basically double the number of meeting nights, noting his understanding that it was not in the budget.

Resolution No. 2015-16 was unanimously adopted, as follows:

A RESOLUTION PROPOSING THAT COUNCIL MEMBERS AND CIVILIAN STANDING COMMITTEE MEMBERS ACT AS A COMMITTEE OF THE WHOLE ON A TRIAL BASIS

WHEREAS, in an effort to be more efficient and effective, to allow greater opportunity for interaction and networking among elected officials and the civilian committee members, and to enhance the decision making process by involving all members of City Council in discussions at the Committee level, City Council has decided to temporarily set aside the Standing Committees as provided for in the Dover Code and act as a Committee of the Whole on a temporary basis; and

WHEREAS, the Committee of the Whole, which would include all members of City Council and the civilian members for the Parks, Recreation, and Community Enhancement; Safety Advisory and Transportation; Utility; and Legislative, Finance, and Administration committees, would be chaired by the Council President. Each of the chairpersons of the four (4) standing committees would chair their respective committee meeting and the civilian members would participate in only their committee's discussions. The Committee of the Whole would enable members to give detailed consideration to agenda items in a committee setting. In a Committee of the Whole the results of votes taken are not final decisions, but have the status of recommendations which City Council would consider further and vote on at its Regular meeting, either as a discussion item or on Consent Agenda; and

NOW, THEREFORE, BE IT RESOLVED that the City Council and civilian members of the Standing Committees will act as a Committee of the Whole on a trial basis beginning on January 26, 2016 and, if Council chooses to adopt this meeting format, an Ordinance amendment regarding the Standing Committees will be presented for adoption prior to the Annual Meeting in May.

ADOPTED: DECEMBER 14, 2015

REZONING REQUEST FOR PROPERTY LOCATED ON THE WEST PROPERTY LINE OF 1042 SOUTH BRADFORD STREET - FIRST READING OF PROPOSED ORDINANCE #2015-24

A request was received to rezone a $2,373^{+/-}$ S.F. portion of a $10,373^{+/-}$ S.F. parcel located adjacent to the west property line of 1042 South Bradford Street, owned by Halpern Family Property Investment, LP. The property is currently zoned R-8 (One Family Residence) and the proposed zoning is C-1A (Limited Commercial).

Prior to amending the zoning ordinances and zoning map of the City of Dover, a public hearing is required.

By motion of Mr. Hutchison, seconded by Mr. Anderson, Council unanimously referred the request to the Planning Commission and set a public hearing for February 8, 2016 at 7:30 p.m.

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

- PROPOSED ORDINANCE #2015-24 AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER BY CHANGING THE ZONING DESIGNATION OF A PORTION OF THE PROPERTY LOCATED AT 1042 SOUTH BRADFORD STREET

FINAL READING - PROPOSED ORDINANCE #2015-21 AMENDING CHAPTER 82 - PLANNING AND APPENDIX F - FEES AND FINES (PROPOSED NEW REVENUE SOURCES)

The First Reading of the proposed ordinance was accomplished during the Council Meeting of November 23, 2015. Copies of the proposed ordinance were available at the entrance of the Council Chambers.

Mr. Neil moved that the Final Reading of the proposed ordinance be acknowledged by title only, seconded by Mr. Lewis and unanimously carried.

Mr. Scott Koenig, City Manager, stated that staff had been discussing issues related to new revenue sources for a number of months. He advised that the proposed amendments would add new revenue sources including fees for temporary certificates of occupancy for residential uses, temporary certificates of occupancy for non-residential uses, zoning verification and administrative interpretations, copies of utility bills, and credit checks. Mr. Koenig stated that the estimated revenue from these new revenue sources was $31,760, and the fees would become effective January 1, 2016, if adopted by Council tonight.

By motion of Anderson, seconded by Hosfelt, and carried by a unanimous roll call vote (Cole absent), Ordinance #2015-21 was adopted with an effective date of January 1, 2016, as follows:

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

That Chapter 82, Planning, of the Dover Code be amended to read as follows:

Chapter 82 - Planning

Sec. 82-1. - Planning commission.

There is hereby created a planning commission. The members of the planning commission shall be appointed by the mayor, subject to confirmation by the council. The planning commission shall consist of nine members serving three-year terms. Two members shall be selected from each council district and one member shall serve from the city at-large. The terms of the members shall be arranged so that each year the terms of three members shall expire, and the expiration date shall be on June 1. Incumbent members of the planning commission shall continue to serve beyond the expiration of their term until a successor is appointed by the mayor and confirmed by the council.

(Code 1968, § 2-68; Ord. of 10-12-1970; Code 1981, § 17-1; Ord. of 6-27-1994)

Charter reference— Power of council to create planning commission, subpart A, § 23.

State Law reference— Planning commission, 22 Del. C. §§ 701—711.

Sec. 82-2. - City planner.

There is hereby established the office of city planner who shall be selected by the city council and employed at the pleasure of mayor and council. The city planner shall be directly responsible to the mayor and council.

(Code 1968, § 2-68; Ord. of 10-12-1970; Code 1981, § 17-2; Ord. of 1-9-2006; Ord. of 7-24-2006(1); Ord. No. 2009-24, 11-9-2009)

Sec. 82-3. - Planning services.

(a) *Zoning verification letters/administrative interpretations*. A zoning verification letter or administrative interpretation will be provided by the city planner upon request to verify the current zoning of a particular piece of property and the types of uses that are allowed in that zoning district. A request for a zoning verification letter or administrative interpretation shall be submitted using forms provided by the planning office. Fees related to zoning verification letters shall be as provided for in Appendix F - Fees and Fines.

(b) *Content*. A zoning verification letter or administrative interpretation may contain the following information based upon the request received:

(1) The zoning district of the property and any zoning overlay districts applicable to the property.

(2) Verification that a particular use is permitted within the property's zoning district.

(3) A list of permitted uses in the zoning district.

(4) Identification of any current Notice of Violations issued for code enforcement violations on the subject property.

(5) Any other requested information determined by the city planner to be within the scope of this section.

(c) *Appeal of zoning verification letter or administrative interpretation*. Any determination made by the city planner may be appealed to the board of adjustment in accordance with the provisions of Appendix B - Zoning, Article 9 - Board of Adjustment, Section 2.2 - Appeal of administrative order, requirement, decision or determination.

BE IT FURTHER ORDAINED:

That Appendix F, Fees and Fines, of the Dover Code be amended by inserting the following:

Description	Fees and Fines (in dollars)

Chapter 82 - Planning			
Sec. 82-3	Planning services		
	(a)	Zoning verification letters/ administrative interpretations	$50.00 per letter/interpretation

Appendix B - Zoning, Article 8 - Enforcement and Penalties			
Sec. 2	Certificates of occupancy		
	Subsec 2.4	Certificate of occupancy for one-family residential uses	$60.00
		Temporary certificate of occupancy for one-family residential uses	$75.00 for a maximum of 45 days. Fee applies for any extensions beyond 45 days

	Certificate of occupancy for uses other than one-family residential uses	$75.00 for the first 20,000 square feet of building area, plus the sum of $15.00 for each additional 10,000 square feet of building area in excess of the first 20,000 square feet or multiple thereof.
	Temporary certificate of occupancy for uses other than one-family residential uses	$100.00 for a maximum of 45 days. Fee applies for any extensions beyond 45 days

ADOPTED: DECEMBER 14, 2015
EFFECTIVE: JANUARY 1, 2016

FINAL READING - PROPOSED ORDINANCE #2015-22 AMENDING CHAPTER 110 - UTILITIES, ARTICLE II - ELECTRIC SERVICE AND APPENDIX F - FEES AND FINES (REVIEW AND MAINTENANCE OF PLANNING AND CUSTOMER SERVICE FEES)

The First Reading of the proposed ordinance was accomplished during the Council Meeting of November 23, 2015. Copies of the proposed ordinance were available at the entrance of the Council Chambers.

Mr. Neil moved that the Final Reading of the proposed ordinance be acknowledged by title only, seconded by Mr. Lewis and unanimously carried.

Mr. Scott Koenig, City Manager, stated that Staff reviewed existing fees and proposed a series of adjustments related to the maintenance of fees. He advised members that the proposed changes related to Planning and Inspections and Customer Service Departments fees. Mr. Koenig explained that the amendment included an increase in the return check fee from $25 to $40 as well as an increase in the after hours utility re-connection fee from $50 to $100 between the hours of 5:00 p.m. and 9:00 p.m. He stated that the estimated revenue generated from these proposed increases was $225,000.

Mr. Koenig advised that the proposed increases for the Planning and Inspections Department included fees for planning applications, public occupancy permits, certificates of occupancy, mechanical permits, plumbing permits, rental permits, itinerant merchant licenses, vacant building registrations, and sign permits.

Mr. Hare moved for the adoption of Ordinance #2015-22 *(Exhibit #2),* with an effective date of January 1, 2016. The motion was seconded by Neil and carried by a unanimous roll call vote (Cole absent).

COUNCIL MEMBERS' ANNOUNCEMENTS

Mr. Slavin stated that Council had received the resignation of S. Renee Smith from the Dover Human Relations Commission (DHRC) ***(Exhibit #3)***, noting that she had served as the Commission Chair. He advised that Council would be working with the DHRC to identify a candidate for the chair position.

Mr. Slavin reminded everyone that the Council and committee meetings for the week of December 28, 2015 had been cancelled due to the holidays.

Mr. Slavin wished a belated happy birthday to Mr. Neil as well as an early happy birthday to Mr. Lewis.

Mr. Hosfelt acknowledged that the Public Works Department continued to do a good job in spite of working with reduced staffing for several months. He stated that no one could have predicted that the leaves would fall all at once, noting his appreciation for the hard work of the Department in catching up and cleaning up the streets and neighborhoods in the City.

Mr. Anderson wished the Jewish community a happy final night of Hanukkah, noting that it is a great holiday of freedom that inspires everyone. He also wished everyone a Merry Christmas.

Mr. Anderson stated that he intended to rise on a point of personal privilege and respond to the statements by the distinguished representatives of the Dover Fraternal Order of Police, noting that he was saddened by the verdict because he believed that it was wrong. He stated that we do not have to pretend that it was right or that we agree with it, but we do have to move forward together in acceptance. Mr. Anderson noted that the vast majority of the Dover Police Department does a great job day in and day out, and having disappointment with one (1) officer should not affect everyone else. He expressed his opinion that everyone should always have respect for the job being done. Mr. Anderson felt that the Dover Police Department was the finest police force in the State, and stated that he was pleased to support the Department and would continue to do so.

Mr. Sudler felt that it was a tragedy that the City of Dover had to bear this kind of injustice. As an African American and a local legislator, he thought that the local and state levels needed to work together to change some of the bill of rights for officers. Mr. Sudler expressed his opinion that, since police chiefs understand the day in and day out and protect and serve the community, the Chief of Police should be empowered with the authority to make decisions and the right to discharge a member of the Police Department if he deems it necessary, without the interruption of the Fraternal Order of Police or any bill of rights. Mr. Sudler stated that he was a strong supporter of a strong mayor form of government and the Chief of Police. It was his belief that Chief Bernat, as well as forms chiefs Hosfelt and Hutchison, had done a great job.

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

Meeting adjourned at 9:03 p.m.

TRACI A. McDOWELL
CITY CLERK

All ordinances, resolutions, motions, and orders adopted by City Council during their Regular Meeting of December 14, 2015, are hereby approved.

ROBIN R. CHRISTIANSEN
MAYOR

/TM
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Exhibits
Exhibit #1 - Statement submitted by Mr. EShed Alston
Exhibit #2 - Ordinance #2015-22 - Amending Chapter 110 - Utilities, Article II - Electric Service and Appendix F - Fees and Fines (Review and Maintenance of Planning and Customer Service Fees)
Exhibit #3 - Letter of Resignation - S. Renee Smith - Dover Human Relations Commission

PRESENTATION TO THE PUBLIC AND TO CITY COUNCIL OF PROOF IN DEMONSTRATION OF INSTITUTIONAL FRAUD AND OF CORRUPTION

1. Opening: There is one unchanging supreme omnipresent omnipotent omniscient and Almighty **GOD**. Before I give acknowledgement to anyone in this chamber I give thanks to Almighty **GOD**. The manifest purpose of this presentation is to expose fraud and corruption but for fraud and corruption I will not be obstructed in a public body in exposing the fraud and the corruptions Before I get started I would like to take some time at year's end to thank Mayor Robin Christianson who is not at all a subject of my complaint of institutional fraud and corruption.

2. Documentation of a claim of historical figure standing and status and of malicious prosecution by the Obama administration relating to the filing of U.S. Of America v. Alston action taken in federal court unlawfully by Charles Oberly U.S. Attorney and Obama appointment in 2010 and registered democrat as is the current governor to remove and replaced unlawfully. Suit filed Nov 6, 2015 in Superior Court contesting the illegality of being illegally permanently ban by a racist judge Vaughn given Alston is descendant of Delaware slavery from a 1891 land grant institution. And regarding the You tube posting of Nov. 16, 2015, the heading: EShed the Prophet speaks.

3. Before I go any further as time is limited in this forum, historical status/standing are as a result of filing more documents then anyone without an attorney black or white in Delaware's long history, in every court to include federal filings outside of the state successfully without an attorney is without peer black or Caucasian over the past 35 years. It is important to expose the disparity that exist between reality regarding the Webster decision and social perceptions as is perpetrated by the Caucasian controlled media limited by information coming from their black proxies. I take this opportunity to make a public record plea and an appeal to the NAACP outside of the State of Delaware because I will get no help or assistance from inside the State as a Black Republican opposing a Democrat governor Markell my plea and my appeal are to Maryland Pennsylvania New York or New Jersey or anyone in the surrounding areas within the sound of my voice because of the existence of proxy racism it is noted that the current president of the Dover branch of the NAACP is in fact a Black Republican in lock step with the democrat governor Markell who I have sued in federal court regarding Alston v. Markell 15 **CV-235 SLR**.

4. We have heard of Black on Black crime whereas most criminal assaults statistically are by Black persons against other black persons. What is exposed herein is a similar civil circumstance perpetrated by Black persons marginalizing the black community against the disenfranchised black community best interest by intentionally doing the perverted bidding of the white racist the proxy represent in fact and in function a good example of what I am exposing is the city of Dover human relations commission in 10 years from 2005 to 2015 resolved no complaint I filed several personally and conducted no interviews or competent investigation of any kind in 10 years as a benefit of the perpetuation of Caucasian exploitation. The phenomenon as described hereinabove is specifically to promote proxy racism aided and abetted by the Caucasian owned and operated State news News Journal and WBOC and WMDT local broadcast media broadcast.

UPDATED FOIA DEMAND IN WRITTEN REQUEST FOR AUDIT AND FOR ALL DOCUMENTS SERVED ON THE CITY BETWEEN 2005 AND 2015 BY ESHED ALSTON TO THE CITY OF DOVER HUMAN RELATIONS COMMISION THE INQUIRY REGARDS DOCUMENTED CLAIMS OF FRAUD AND OF CORRUPTION IN THE INTENTIONAL DEMONSTRATION OF FAILURE TO PERFORM OVER THE EXTENDED 10 YEAR PERIOD AMOUNTS TO LONG TERM DELIBERATE EXPLOITATION OF THE AT RISK DISENFRANCHISED AND MARGINAILZED BLACK COMMUNITIES PUBLIC SAFETY

1. Over an extended period of 10 years the "City" HRC Human Relation Commission existed for the benefit of the Black citizens. To the extent that this body was created the city HRC has as its foundation the Reggie Hannah case repercussions as it origin and came to be as a direct result of the social environment of public distrust in the Black communities between 2003 and 2005 and.

2. Due to fraud and corruption and what is described herein as proxy Black racism whereas black persons do the bidding of Caucasians who are actually pulling the racist strings of the black proxy puppet to fabricate a false narrative has been promoted to revise history by some. I EShed Alston was part of the initial process of the creation of the City HRC 10 years ago that material fact will not be lost or replaced with either revised history or either false doctored narratives and.

3. (a) What are the number of documents filed by number (b) By number how many were FOIA

4. How is it that year after year after year after year after year after year after year after year after year with the HRC in receipt of several written complaints from EShed Alston (a) no complaint is investigated,(b) no complaint is resolved,(c) no complaint interviews are conducted in 10 years (d) No complaint resolution process or processing are conducted at all. Why was the chairman not replaced by the city but rather was rewarded for his 10 years of service rendered.

5. It is asserted herein as a valid claim herein but for fraud and corruption to disenfranchise and to marginalized HRC purpose and function from day one by the use of a proxy actor and in turn continue to disenfranchise the already marginalized black communities over the past 10 years by proxy that is the reason that no replacement was made that should have been made the first year.

6. This is a FOIA FILING request wherein official records demanded are required whereas fraud and corruption are the causation for the noted failure to perform that is based on objectionable racism necessitating a audit. Reasonable concerns expressed are that long term objectives and policies controlled at all times by the City Council appear to be actionable fraudulent corruption.

MEMORANDUM OF CIRCUMSTANTIAL RECORD OF RELEVANT EVENTS THE WEBSTER DECISION WAS INDICATIVE OF FRAUD AND CORRUPTION IN THE BLACK COMMUNITY THAT HAS NOTHING TO DO WITH CAUCASIAN RACISM

There is on supreme unchanging and omnipotent omniscient omnipresent and almighty **GOD**

1.The multiple purposes of this particular document are as stated (a) to document a specific claim of and as a bona fied historical figure verified by official public record of accomplishment in fact based on 35 years of successful court filings (b) reliance on court documents producing a record as the most prolific filer of civil rights complaint on behalf of and as a representative of the Black community in fact and function in every court in the State and in the nation to include 5 certiorari dockets before the U. S. Supreme to establish and document a unique 35 year record of historical status and standing as a legal professional without peer in the State Black or Caucasian.

2. Responsible knowledgeable analysis of the Webster case decision rendered by a jury warrants intelligent discussion on the jury members impounded. For example subsequent to the decision what were the options noted as predicated on what a jury might do. A jury could find a defendant guilty or acquit as was the case and. Successful strategies would have been considerate of either outcome. For example due to the optics of a brutal attack on a human being citizen was a complaint ever filed before or after to the U.S. Attorney's office as a violation of both the Hate Crimes Reporting Act of 1990 and or as a civil rights violation of the victims civil rights in a brutal assault at any time prior to voir dire and. Where relevant concerns raised or documented preserving an appellate record of any status standing and legal capacity consideration made and or of any disqualifying criteria of any of the prospective jurors made before they were seated. 3. What is before the Black community is a cross road in the Webster case predicated on the failure to get a just decision based not on Caucasian racism but rather on a documentation of self inflicted wounds and fraud and on corruption in the Black community. As a illustration and documentation of incompetence fraud and corruption one does not hire a florist to repair ones car likewise one does not consult with a ditch differ on how a proper manicure or pedicure are done. 4. EShed Alston is a person possessing the required and necessary legal skills being intentionally kept out of the information loop by Black members of City Counsel and by the current president of the Dover NAACP Lamar Gunn I believe in concert with them. The circumstances noted are both counterintuitive and are unquestionably ineffective as a Black community public policy.

CITY OF DOVER ORDINANCE #2015-22

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

That Chapter 110 - Utilities, Article II - Electric Service, of the Dover Code be amended by inserting a new Section 110-33. - Charge for discontinuing or restoring electric service, as follows:

Sec. 110-33. - Charge for discontinuing or restoring electric service.

(a) *Maintenance and repair*. There will be no charge for turning on or off any electric service for maintenance and repair purposes if done between the hours of 7:00 a.m. and 5:00 p.m. There will be a charge as provided for in Appendix F—Fees and Fines, for all service calls between 5:00 p.m. and 7:00 a.m.

(b) *Nonpayment*. There will be a service charge as provided for in Appendix F—Fees and Fines paid prior to turning on any electric service discontinued for nonpayment.

BE IT FURTHER ORDAINED:

That Appendix F - Fees and Fines, of the Dover Code be deleted in its entirety and inserting in lieu thereof the following:

APPENDIX F - FEES AND FINES

Unless specifically provided otherwise, or the context thereof so dictates, each day any violation of any provision of this Code or any ordinance shall continue shall constitute a separate offense. Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.

		Fees and Fines
SUBPART B - RELATED LAWS		
Sec. 2 - Licenses		
	Subsec. (c) - Fines - Operating a business without a license	Not in excess of $100.00

	Fees and Fines
CODE OF ORDINANCES	
Chapter 1 - General Provisions	
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.	
Sec. 1-17 - General Penalty; separate offenses; unpaid fines	Not less than $25.00, nor more than $1,000.00

		Fees and Fines
Chapter 10 - Alcoholic Beverages		
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.		
Sec. 10-1 - Consumption or possession		
	Subsec. (c) - Underage persons	$100.00

		Fees and Fines
Chapter 18 - Animals		
Mandatory and nonsuspendable fine of at least the minimum fine for each offense. Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.		
Sec. 18-3 - Keeping swine; for each violation		Not less than $25.00 or more than $100.00
Sec. 18-4 - Running at-large; for each violation		Not less than $25.00 or more than $100.00
Sec. 18-5 - Dog licenses required; for each violation		Not less than $25.00 or more than $1,000.00
Sec. 18-6 - Noisy animals or fowl		
	Subsec. (b) - Notice; abatement; fine	Not less than $50.00 or more than $100.00 shall be subject to a fine until such nuisance is abated
Sec. 18-7 - Hitching to public trees; for each violation		Not less than $10.00 Or more than $100.00
Sec. 18-8 - Excrement		
	Subsec. (g) - Violations; penalties	Not less than $25.00 or more than $1,000.00
Sec. 18-9 - Vicious dogs and animals - Generally		
	Subsec. (f) - Violations; penalties; for each violation	$100.00
Sec. 18-12 - Cruelty		
	Subsec. (6) - Violations; penalties; for each violation	$100.00
Sec. 18-13 - Public nuisances		
	Subsec. (d) - Violations; penalties; for each violation	Not less than $25.00 or more

		than $100.00
Sec. 18-16 - Keeping bees		
	Subsec. (m) - Violations; penalties, for each violation	Not less than $25.00 or more than $100.00

		Fees and Fines
Chapter 22 - Buildings and Building Regulations, Article III—Building Code		
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.		
Sec. 22-61 - Adopted (International Building Code)		
	Sec. 105.5.1 - Expiration; Additional 180 day extensions may be granted with payment of a renewal fee	$25.00 per 180 - day extension
	Sec. 113.4 - Violation penalties; Each day that a violation continues shall be deemed a separate offense	Fine of not less than $100.00 or more than $10,000.00
	Sec. 114.3 - Unlawful continuance	
	First offense	$100.00
	Second offense	$250.00
	Third offense	$500.00
	Fourth and subsequent offenses	No less than $1,000.00 and no more than $10,000.00
Sec. 22-65 - Permit fees		
Fees shall double in the event that a permit is applied for after construction has commenced without the permission of the building inspector. The building inspector may waive the doubling of fees in cases where the building permit applicant is not a professional contractor, and the work is not being done by a professional contractor.		
	Subsec. (a) - Building permits	$25.00 for first $1,000.00 of costs and $8.00 for each additional $1,000.00 of costs or multiples thereof up to $10,000,000.00 of costs, $6.00 for each additional $1,000.00 of costs or multiple thereof up to $20,000,000.00, and $5.00 for each additional $1,000.00 of costs or multiple thereof above $20,000,000.00
	Subsec. (a) - Fence permits	$25.00 for first $1,000.00 of costs and $8.00 for each additional $1,000.00 of costs or multiple thereof

	Subsec. (a) - Sign permits	$0.75 per square foot of sign area; minimum fee for each permit $50.00
	Subsec. (a) - Swimming pool permits	$25.00 for first $1,000.00 of costs and $8.00 for each additional $1,000.00 of costs or multiple thereof
	Subsec. (a) - Demolition permits, any building which is being demolished for the purpose of vacating the land for future development or construction upon the same	$50.00; $0.00 if condemned and required to be demolished by the city or any public entity
	Subsec. (a) - Moving permits, each building	$250.00
	Subsec. (a) - Construction plan reviews, nonresidential (Not subject to doubling)	$20.00 per set of plans
	Subsec. (b) - Reinspections (Not subject to doubling)	
	First reinspection	$0.00
	Second reinspection	$25.00
	Third reinspection	$50.00
	Any subsequent reinspection	$100.00

	Fees and Fines
Chapter 22 - Buildings and Building Regulations, Article IV - Electrical Installations	
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.	
Sec. 22-110 - Violations	Not less than $25.00 or more than $1,000.00

		Fees and Fines
Chapter 22 - Buildings and Building Regulations, Article V—Mechanical Code		
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.		
Sec. 22-145 - Heating, air conditioning, and heat pump permit fees		
Fees shall double in the event that a permit is applied for after construction has commenced without the permission of the building inspector.		
	Subsec. (a) - Heating permit	$40.00 first 10,000 BTUs and $7.00 each additional 10,000 BTUs or multiple thereof
	Subsec. (a) - Air conditioning permit	$40.00 per ton

		for the first five tons and $7.00 per ton over five tons or multiple thereof
	Subsec. (a) - Heat pump permit	$40.00 first 10,000 BTUs and $7.00 for each additional 10,000 BTUs or multiple thereof or $40.00 per ton for the first five tons and $7.00 per ton over five tons or multiples thereof

		Fees and Fines
Chapter 22 - Buildings and Building Regulations, Article VI - Plumbing Code		
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.		
Sec. 22-185 - Permit fees		
Fees shall double in the event that a permit is applied for after construction has commenced without the permission of the building inspector. The building inspector may waive the doubling of fees in cases where the building permit applicant is not a professional contractor, and the work is not being done by a professional contractor.		
	Subsec. (a) - Enumerated	
	Fixtures	$35.00 first five fixtures and $3.00 for each additional fixture
	Garbage disposal and hot water heaters	A minimum fee of $35.00
	Gas, water and sewer inspection underground	$30.00 for first 150 feet and $0.75 for each additional ten feet or multiple thereof

	Fees and Fines
Chapter 22 - Buildings and Building Regulations, Article VIII - Leases	
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued,	

shall be automatically doubled in amount.		
Sec. 22-251 - Unlawful leases		
	Subsec. (g) - Violations; penalties	
	First offense	$50.00
	Each subsequent offense	$100.00

		Fees and Fines
Chapter 22 - Buildings and Building Regulations, Article IX - Lodging Houses, Division 2 - Permit		
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.		
Sec. 22-301 - Generally		
	Subsec. (b) - Expiration; fee	
	Annual permit fee	$50.00 for the first ten rooms and $5.00 for each additional room.
	Annual dormitory permit fee	$50.00 for the first ten rooms and $2.50 for each room thereafter.
	Subsec. (c) - Failure to pay on due date	A penalty fee in the amount of ten percent per month of the amount of the license fee until the same is paid.
	Subsec. (d) - Reinstatement fee	$100.00

		Fees and Fines
Chapter 22 - Buildings and Building Regulations, Article X - Rental Dwellings, Division 2 - Permit		
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.		
Sec. 22-332 - Inspection required		
	Subsec. (b) - Reinspection fee (Not subject to doubling)	
	First follow-up inspection	$0.00
	Each subsequent reinspection, per inspection	$50.00
If the permit fee is not paid on the date due, the permittee shall incur a penalty fee of ten percent per month of the amount of the license fee until the same is paid.		

Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.		
Sec. 22-351—Generally		
	Subsec. (a) - Single-family dwellings, annual permit	
	Single-family detached dwelling, each dwelling	$100.00
	Single-family attached dwelling, each dwelling	$80.00
	Subsec. (b) - Multiple-family dwellings, annual permit	
	Multiple dwellings consisting of three or less dwelling units	$100.00
	Multiple dwellings consisting of four or more dwelling units:	
	For the first three dwelling units	$100.00
	For each additional dwelling unit in excess of three	$35.00
	Condominium units and accessory apartments located within structures principally used for owner occupancy, each	$35.00
	Subsec. (c) - Late payment penalty	A penalty fee in the amount of ten percent per month of the amount of the license fee until the same is paid.
	Subsec. (d) - Reinstatement fee	$100.00

		Fees and Fines
Chapter 22 - Buildings and Building Regulations, Article XI - Dangerous Buildings		
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.		
Sec. 22-386 - Violations; penalties for disregarding notices or orders		
	Subsec. (a) - Violations by owner, each offense, minimum	$100.00
	Subsec. (b) - Violations by occupant or lessee, each offense, minimum	$100.00
	Subsec. (c) - Removal of notice, each offense, not to exceed	$100.00

		Fees and Fines
Chapter 22 - Buildings and Building Regulations, Article XII - Vacant Buildings		
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.		
Sec. 22-403 - Registration and Registration Fees		
	Subsec. (a)(2)b.(ii) - Registration fee	
	Residential buildings and non-residential buildings <10,000	

	SF:	
	Buildings vacant one year or less	$375.00
	Buildings vacant for more than one year but less than two years	$750.00
	Buildings vacant for more than two years but less than three years	$1,500.00
	Buildings vacant for more than three years but less than five years	$3,000.00
	Buildings vacant for five years or longer	$5,000.00

		Fees and Fines
Chapter 26 - Businesses, Article II - Licenses		
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.		
Sec. 26-35 - License required; fees		
	Subsec. (d)(1) - Businesses licensed	
	Advertising agency	$95.00
	Amusement operator	$157.00
	Architect	$250.00
	Attorney-at-law	$313.00
	ATM machines (third-party or off bank premises)	$50.50
	Auctioneer	$157.00
	Automobile race operator	$375.00
	Bank, or loan and trust company	$313.00
	Barber	$63.00
	each additional chair over two	$4.00
	Beautician	$63.00
	each additional chair over two	$4.00
	Broadcasting station	$313.00
	Broker	$157.00
	Car wash	$188.00
	Certified public accountant	$250.00
	Cesspool cleaner	$125.00
	Chiropractor	$313.00
	Clinical social worker	$96.00
	Coin-operated amusement machine owner	$3.00 Per machine
	Coin-operated vending machine owner	$3.00

		Per machine
	Coin-operated electronic video machine	$125.00 Per machine
	Commercial sign business	$125.00
	Computer-related services	$125.00
	Consultant	$50.50
	Day care operator:	
	Center or home provider with greater than six children	$50.50
	Dentist	$313.00
	Distributor	$63.00
	Dray person or mover	$125.00
	Eating establishment and/or eating establishment operator	$125.00
	Employment agency	$125.00
	Entertainer:	
	One - three entertainers per group	$50.50
	Four - nine entertainers per group	$95.00
	Ten or more	$125.00
	Entertainment agent	$188.00
	Finance or small loan agency	$250.00
	Fitness trainer	$69.00
	Funeral director	$250.00
	Gaming position	$155.00
	Gas, light, power, cable TV and telephone company	$938.00
	General repairman	$63.00
	Health spa or health club	$188.00
	Home day care operator	$25.50
	Hotel:	
	Per room	$9.50
	Per suite	$12.50
	Income tax consultant	$188.00
	Incorporator	$125.00
	Insurance adjustor office	$125.00
	Itinerant merchant, per event	$100.00
	Janitorial and cleaning service:	
	One - three employees	$50.50
	Four - nine employees	$95.00
	Ten or more employees	$125.00

	Landscape service company:	
	One - three employees	$50.50
	Four - nine employees	$95.00
	Ten or more employees	$125.00
	Laundry service operator:	
	Primary facility	$125.00
	Additional drop-off locations	$50.50
	Linen supplier	$125.00
	Manicurist	$32.00
	Manufacturer's agent or representative	$125.00
	Mercantile agency or collection agency	$125.00
	Mobile home park, per space	$7.00
	Motel, per room	$7.00
	Motion picture theater	$188.00
	Motor vehicle serviceman	$95.00
	Nursing, rest or convalescent home	$188.00
	Open market operator:	
	First 20 spaces, per rented space	$22.50
	21st - 50th space, per rented space	$11.50
	Each space over 50, per rented space	$6.00
	Outdoor tables, per table	$6.00
	Optometrist	$313.00
	Pawnbroker	$188.00
	Pest control services	$95.00
	Pharmacist	$188.00
	Photographer	$125.00
	Physical therapist	$188.00
	Physician and/or surgeon	$313.00
	Plant nursery and florist	$95.00
	Podiatrist	$313.00
	Pool table operator, per table	$63.00/ Maximum fee $189.00
	Printer	$125.00
	Private investigator agency	$188.00
	Professional counselor	$63.00
	Professional engineer	$250.00
	Professional land surveyor	$250.00

	Psychologist	$313.00
	Public accountant	$188.00
	Public stenographer	$38.00
	Publisher	$313.00
	Real estate broker, appraiser, and manager	$157.00
	Real estate development corporation	$344.00
	Real estate property manager:	
	One - three units managed	$50.50
	Four - ten units managed	$125.00
	Ten + units managed	$125.00
	Real estate salesperson or associated broker	$50.50
	Rental service	$125.00
	Sales representative	$50.50
	School and educational service (nonvocational)	$63.00
	School and educational service (vocational)	$125.00
	Scientific laboratory	$250.00
	Scrap and waste material service	$125.00
	Secondhand dealer of precious metals	$125.00
	Security service	$188.00
	Self-service laundry or dry cleaner	$125.00
	Shoe repairman	$50.50
	Sound truck, per hour	$33.00
	Tailor and garment service	$50.50
	Taxicab or bus operator:	
	First vehicle	$26.00
	Each additional vehicle	$26.00
	Tourist home, per room	$7.00
	Trailer park, per space	$7.00
	Travel agency	$125.00
	Veterinarian	$313.00
	Warehouseman	$250.00
	Wholesale news agency	$63.00
	All other businesses not listed:	
	One - three employees	$50.50
	Four - nine employees	$95.00
	Ten - 50 employees	$125.00
	51 - 100 employees	$313.00

	Subsec. (d)(2) - Manufacturers/contractors rate	$0.00046 of aggregate gross receipts/ Minimum fee $125.00
	Subsec. (d)(3) - Merchants/bottlers rate	$0.00046 of aggregate gross purchases for resale/ Minimum fee $63.00
	Subsec. (d)(4) - Sports betting and horse racing (Simulcast)	rate of $0.00046 of the aggregate gross receipts (defined as commission) for each activity/ Minimum license fee $125.00
Sec. 26-42 - Penalty for late payment of license fee		A penalty fee in the amount of ten percent per month of the amount of the licensee fee until the same is paid

		Fees and Fines
Chapter 26 - Businesses, Article III - Going-Out-Of-Business Sales; Fire Sales		
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.		
Division 1- Generally		
	Sec. 26-108 - Violations; penalties	Not less than $25.00, nor more than $1,000.00
Division 2 - License		
	Sec. 26-137 - Fees	$25.00; renewal fee $25.00

		Fees and Fines
Chapter 30 - Code of Conduct and Ethics Commission, Article II - Code of Conduct		
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.		

Sec. 30-33 - Prohibitions relating to conflicts of interest		
	Subsec. (g)(1) - Criminal Sanctions, penalties	Not to exceed $1,000.00

		Fees and Fines
Chapter 38 - Emergencies, Article II - Civil Emergencies		
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.		
Division 3 - State of Emergency		
	Sec. 38-84 - Violations; penalties	Not less than $25.00, nor more than $1,000.00

		Fees and Fines
Chapter 42 - Environment		
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.		
Sec. 42-2 - Noise		
	Subsec. (d) - Violations; penalties	Not less than $50.00 nor more than $100.00

		Fees and Fines
Chapter 46 - Fire Prevention and Protection, Article I - In General		
Sec. 46-1 - Means of egress		
	Subsec. (f) - Penalties	
	Any exit access, exit, or exit discharge, with the exception of a locked exit door, found to be in violation of this section	$25.00 first offense $50.00 second or subsequent offense
	Any required exit door found to be locked against egress	$100.00 each locked exit
Sec. 46-3 - Impairment of Fire Protection Equipment		
	Subsec. (f) - Fines	$50.00 first offense; $100.00 second and subsequent offenses
Sec. 46-7 - Preventable and malfunctioning alarms to the fire company		

	Subsec. (b)(1) - Responsibility for malfunctioning and preventable alarms, owner response, and corrective action; Generally	Should the person notified fail to appear at said premises within 30 minutes after being notified to do so, the city may charge the owner of the premises a fine of $75.00
	Subsec. (b)(2) - Responsibility for malfunctioning and preventable alarms, owner response, and corrective action; Malfunction	Failure to return documentation of service/repair within the period of time stated on the notice of violation, which is satisfactory to the fire marshal, will result in assessment against the owner of a fine for the fire alarm malfunction
	Subsec. (c)(1) - Fine charges; multiple fire alarm malfunctions or preventable alarms; Amount of fine	
	Number of preventable or malfunctioning fire alarms	Fine per preventable or malfunctioning fire alarm
	Third	$75.00
	Fourth	$100.00
	Fifth	$200.00
	All over fifth, each	$250.00
	Subsec. (c)(2) - Fine charges; multiple fire alarm malfunctions or preventable alarms; Panel reset	A $25.00 fine may be assessed to the owner of a premises where the fire alarm has been reset before the fire department or assisting fire department

		arrives
Sec. 46-8 - Maintaining a known violation or hazard		
	Subsec. (c)(1) - Penalties; Any fines issued for violation of this section	Not less than $25.00, nor more than $1,000.00

	Fees and Fines
Chapter 46 - Fire Prevention and Protection, Article II - Fire Department	
Division 1 - Generally	
Sec. 46-45 (b) - Failure to answer alarms, orders and perform duties orderly; Penalties	Fine of not less than $25.00, nor more than $1,000.00 or by suspension from the fire department or both

		Fees and Fines
Chapter 46 - Fire Prevention and Protection, Article III - Fire Codes		
Fees established in subsection (b) of this section shall be doubled in the event that a permit is applied for after construction has commenced without the permission of the fire marshal. The fire marshal shall waive the doubling of fees in cases where the permit applicant is not a professional contractor and the work is not being done by a professional contractor.		
Sec. 46-126 - Fire Prevention Permit		
	Subsec. (b) - Fee; Each applicant	$12.00 for each $1,000.00 of costs or multiple thereof of the fire protection system; provided that a minimum fee for each permit shall be $50.00
	Subsec. (c) - Reinspection	
	First reinspection	No charge
	Second reinspection	$25.00
	Third reinspection	$50.00
	Any subsequent reinspection	$100.00
	Subsec. (d) - Fire signaling system inspection fee	
	Certificate of inspection	$25.00 each fire

		alarm system
	Exception: apartment or other multifamily dwelling - Five or less buildings per complex	$25.00 each fire alarm system
	Exception: apartment or other multifamily dwelling - More than five buildings per complex	$15.00 each fire alarm system up to a maximum of 20 buildings. Maximum fee per complex not to exceed $300.00 for fire alarm systems
	Subsec. (e) - Fire suppression system inspection fee	
	Certificate of inspection	$25.00 each fire suppression system
	Exception: apartment or other multifamily dwelling - Five or less buildings per complex	$25.00 each fire suppression system
	Exception: apartment or other multifamily dwelling - More than five buildings per complex	$15.00 each fire suppression system up to a maximum of twenty (20) buildings. Maximum fee per complex not to exceed $300.00 for fire suppression systems
Sec. 46-127 Smoke detection devices		
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.		
	Subsec. (g) - Violations; penalties	Revocation of any existing license to do business in the city, or a fine of not more than $100.00 per violation, or both such penalties

		Fees and Fines
Chapter 46 - Fire Prevention and Protection, Article IV - Public Occupancies		
Sec. 46-164 - Fees		
	Churches	$50.00
	Civic auditoriums	$50.00
	Clubhouses	$100.00
	Commercial auditoriums	$50.00 first 200 seats and $5.00 for each additional 50 seats
	Day care facilities	$50.00
	Hospitals, nursing homes or rest home	$15.00 first ten rooms and $2.00 for each additional room
	Mercantile (10,000 square feet of area or greater)	$50.00
	Outdoor public events, including but not limited to firework displays, carnivals, and outdoor music concerts	$250.00
	Public office buildings	$50.00
	Restaurants (10,000 square feet of area or greater)	$50.00
	Restaurants of any size that serve alcoholic beverages	$75.00
	School	$50.00
	Theaters	$50.00 for the first 200 seats and $5.00 for each additional 50 seats
Sec. 46-168 - Reinspection Fee		
	Subsec. (a) - Amount	$25.00 for any repeated violation cited by the fire marshal, determined to be a violation and which requires a followup inspection to confirm the correction of the violation
	Subsec. (b) - Fee Attached	A fee may be attached to any summons written for any violation found to be uncorrected

		upon reinspection

		Fees and Fines
Chapter 46 - Fire Prevention and Protection, Article V - Fire Lanes		
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.		
Sec. 46-202 - Violations; penalties		
	Subsec. (c) - Other obstructions	Any property owner or tenant found to be in violation; $50.00
	Subsec. (d) - Failure to mark	Any property owner found to be in violation; $50.00
Sec. 46-205 - Responsibility of owner or tenant		Any property owner found to be in violation; $50.00

		Fees and Fines
Chapter 50 - Floods, Article II - Administration		
Sec. 50-22 - Permits Required		
	Permit	$50.00
	Permit extension	$25.00
	Violation and non-compliance penalties	Not less than $25.00 nor more than $100.00, plus cost of prosecution

		Fees and Fines
Chapter 52 - Freedom of Information Act Related to Public Records Access		
Sec. 52-3 - Fees for Responding to FOIA Requests		
	Administrative Fees	
	First 30 minutes of staff time	No charge
	Staff time in excess of 30 minutes	Hourly salary plus overhead rate of the lowest paid staff member capable of performing the service. Billed in 15-minute increments.
	Production Fees - Photocopies	
	Fees for printing the first 10 standard-sized black and white or the first 5 color copies (single sided)	Waived

	Standard-sized (8.5" by 11", 8.5" by 14", or 11" by 17") black and white copies	$0.25 per sheet (each side)
	Standard-sized (8.5" by 11", 8.5" by 14", or 11" by 17") color copies	$0.50 per sheet (each side)
	Oversized copies (larger than 11" by 17")	$30.00 per sheet (each side)
	Production Fees - Electronically generated records	
	Files provided via PDF (via email)	No charge
	CD or DVD (including case)	$2.00
	Other Electronic Storage Costs	Material cost to generate records
	Other Costs	
	Other costs associated with filling the request, such as postage, are the responsibility of the requestor. If the City does not have the resources or equipment to duplicate requested records, the City, at its discretion, may arrange to have records duplicated by an outside contractor. In this instance, the requestor will be liable for payment of these costs.	
	Fee Waivers	
	The FOIA Coordinator or designee shall have the authority to determine if a fee for a FOIA request shall be waived and the following criteria shall be used to render such a decision: 1) The public record is already available in duplicate form (extra copies). 2) The request for public record is made by an individual who is entitled to information under the FOIA and who submits an affidavit, provided by the City upon request, which shall state that the individual is then receiving public assistance or, if not receiving public assistance, stating facts showing inability to pay the cost because of indigence. A person shall be considered indigent if that person's income level is at or below the federal poverty level, as established by the Bureau of the Census. 3) No written request will be required or charges levied for requests to review specific documents which are required by ordinance to be made available to the public by the City Clerk.	
	Payment	
	Payment of fees related to FOIA requests will be due prior to any related service being performed. Full payment of all final costs incurred must be received prior to the retrieval and release of information.	

		Fees and Fines
Chapter 54 - Health and Sanitation, Article I - In General		
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.		
Sec. 54-4 - Smoking Regulations		
	Subsec. (d) - Violations; penalties; appeals	
	Subsec. (2) - Penalties	Not to exceed $25.00; each day such violation continues shall constitute a separate

		offense

		Fees and Fines
Chapter 54 - Health and Sanitation, Article II - Food and Food Handlers, Division 2 - Certificate		
Sec. 54-52 - Fee		
	Subsec. (a) - Type of establishment	
	Mobile food units	$50.00
	Push carts	$25.00
	For-profit temporary eating places	$25.00
	Membership clubs	$50.00
	Institutions	$100.00
	Subsec. (b) - Services provided	
	Breakfast service	$15.00
	Lunch service	$18.00
	Dinner service	$18.00
	Salad bar service	$15.00
	Hot and cold buffet, including salad bar service	$40.00
	Drive through service	$75.00
	Delivery service	$20.00
	Catering service	$15.00
	Takeout service	$20.00
	Seating service:	
	100 - 150	$50.00
	151 - 200	$75.00
	201 or more	$100.00

	Fees and Fines
Chapter 54 - Health and Sanitation, Article V - Rat Control	
Unless specifically provided otherwise, or the context thereof so dictates, each day any violation of any provision of this Code or any ordinance shall continue shall constitute a separate offense. Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.	
Sec. 54-155 - Compliance with notice to ratproof	Unless the work and improvements have been completed by the owner in the time specified in the written notice, which in no event

	shall be more than 15 days, or within the time to which a written extension may have been granted by the health inspector, then the owner shall be punished by a fine of not less than $25.00, nor more than $1,000.00
Sec. 54-156 - Compliance with notice to eradicate rats	Unless eradication measures are undertaken within five days after receipt of the notice, the owner or occupant shall be punished by a fine of not less than $25.00, nor more than $1,000.00

		Fees and Fines
Chapter 59 - Juvenile Curfew		
Sec. 59-7 - Violations and penalties.		
	Subsec. (a)(1) - Offenses by the parent	First offense by a parent - $50.00; each subsequent offense by a parent shall be increased by an additional $20.00: e.g., $70.00 for the second offense and $90.00 for the third offense.
	Subsec. (a)(2) - Personnel costs incurred by the City of Dover for providing personnel to remain in the company of a juvenile who has been detained as a curfew violator if the parent or guardian does not pick up the juvenile within one hour after receiving notice from the city that the city is detaining the juvenile for a curfew violation	The hourly wage and cost of benefits of the city employee assigned to remain with the juvenile
	Subsec. (c) - Operators - Any operator who knowingly permits a juvenile to remain at the establishment under circumstances not constituting an exception	$50.00 for first offense by an operator; for each subsequent offense

		the fine shall be increased by an additional $20.00: e.g., $70.00 for the second offense and $90.00 for the third offense
	Subsec. (d) - False certification - Any parent convicted of knowingly providing any false authorization, information or certification, written or verbal, to the Dover police department in violation of section 59-4(c)	$50.00 for the first offense; for each subsequent offense the fine shall be increased by an additional $20.00, plus costs

		Fees and Fines
Chapter 62 - Law Enforcement, Article I - In General		
Fees not paid within 30 days of the day the fee was issued, including the day the fee was issued, shall be automatically doubled in amount.		
Sec. 62-2 - False alarms to police		
	Subsec. (c)(1) - Violations; penalties	
	Number of False Alarms	Amount of Fee Per False Alarm
	3 - 5	$25.00
	6 - 9	$50.00
	10 - 15	$100.00
	16 and over	$150.00

		Fees and Fines
Chapter 66 - Manufactured Homes and Trailers		
Sec. 66-2 - License		
	Subsec. (a) - Required fee	$45.00 each license
	Subsec. (b) - Payment; penalties	A fine of not less than $25.00, nor more than $1,000.00 and a penalty fee of ten percent per month shall accrue on the unpaid balance of the license fee

		Fees and Fines
Chapter 70 - Offenses and Miscellaneous Provisions		
Sec. 70-1 - Combative fighting		
	Subsec. (d)(1) - Violations; penalties, Fines	Not to exceed $1,000.00. Separate fines may be issued to the promoter of such an event, participants in such an event, and the owner of the premises of such an event
Sec. 70-7 - Registered Sexual Offenders		
	Subsec. (d) - Penalties	$500.00 for any offense; each day shall constitute a separate offense

	Fees and Fines
Chapter 74 - Parks and Recreation, Article I - In General	
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.	
Sec. 74-51 - Operating any nonpermitted motorboat on Silver Lake	Not to exceed $200.00, and not less than $100.00
Sec. 74-52 - Same - Fine	Not to exceed $100.00, and not less than $10.00

	Fees and Fines
Chapter 78 - Peddlers and Solicitors	
Sec. 78-4 - Refusing to leave premises	A fine of not less than $25.00, nor more than $1,000.00

		Fees and Fines
Chapter 82 - Planning		
Sec. 82-3 - Planning services		
	(a) Zoning verification letters/administrative interpretations	$50.00 per letter/ interpretation

	Fees and Fines
Chapter 86 - Secondhand Goods, Article II - Precious Metals, Division 2 - License	
Sec. 86-63 - Fee	$25.00 per license
Sec. 86-64 - Bond required	Penal sum of $1,000.00

	Fees and Fines
Chapter 90 - Solid Waste	
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.	
Sec. 90-17 - Violations; penalties	Not in excess of $100.00, nor less than $5.00 for each violation

	Fees and Fines
Chapter 98 - Streets, Sidewalks and Other Public Places, Article I - In General	
Sec. 98-5 - Duty of tenants or owners to maintain sidewalks and landscaped areas within the street right-of-way	Not in excess of $100.00, nor less than $5.00 for each violation

	Fees and Fines
Chapter 98 - Streets, Sidewalks and Other Public Places, Article V - Excavations, Division 2 - Permit	
Sec. 98-193 - Bond	Maximum of $5,000.00 per opening

	Fees and Fines
Chapter 98 - Streets, Sidewalks and Other Public Places, Article VI - Parades, Division 2 - Permit	
Sec. 98-243 - Fee at the time of filing the application for a parade permit	$10.00. This fee may be waived, in whole or in part, by the chief of police.

	Fees and Fines
Chapter 102 - Taxation, Article I - In General	

Sec. 102-2 - Delinquent property tax collection costs		
	Subsec. (a) - Action to collect delinquent property taxes filed in a court of appropriate jurisdiction	Fee of $50.00 added to amount due, plus court costs and service fees assessed by state or county offices
	Subsec. (b) - Action proceeds and a writ of venditioni exponas monition or similar execution process is filed	Additional fee of $100.00 shall be added to the amount due, plus court costs and service fees assessed by state or county offices

	Fees and Fines
Chapter 102 - Taxation, Article III - Realty Transfer Tax	
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.	
Sec. 102-79 - Violations; penalties, Any person guilty of conduct prohibited in section 102-78 - Prohibited acts enumerated	A fine of not more than $100.00

		Fees and Fines
Chapter 106 - Traffic and Vehicles, Article I - In General		
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.		
Sec. 106-7 - Obedience to state law; violation of any provision of 21 Del. C. § 101 et seq. (except Sec. 106-7(1) - Handicapped parking and Sec. 106-7(2) - Fire lanes)		A fine of not less than $25.00, nor more than $1,000.00
	Subsec. (1) - Handicapped parking	Minimum fine, as defined in 21 Del. C. § 4183, at the time the violation occurs
	Subsec. (2) - Fire lanes	Minimum fines, as defined in 21 Del. C. § 7001(a), at the time the violation occurs
Sec. 106-14 - Off-road motor vehicle regulations		
	Subsec. (d) - Penalties	A minimum fine of $25.00 and a maximum fine of $100.00

Sec. 106-15 - Failure to stop for a red traffic signal; traffic light signal violation monitoring program; penalties		
	Subsec. (b)(3) - Traffic light signal violation monitoring program; civil or administrative assessment	
	Failure to comply with a traffic light signal	$75.00
	If not paid within 14 days, an additional assessment shall be added to the original assessment	$10.00
	Additional assessment shall be increased if the assessment is not paid within 45 days	$20.00
	Additional assessment shall be increased if the assessment is not paid within 90 days	$30.00
	Court costs or similar administrative fees may also be assessed if the owner requests a hearing to contest the violation, and is ultimately found to be in violation or fails to pay or contest the violation in a timely manner	Maximum $30.00
Sec. 106-16 - Violations; Except as otherwise provided		
	Subsec. (a)(1) - Moving offense	Minimum of $10.00
	Subsec. (a)(2) - Nonmoving offense	Minimum of $15.00
	Subsec. (a)(3) - Parking violation	$20.00 for each offense, if the fine is paid within 72 hours from the date the offense is recorded in time, the fine shall be $15.00

	Fees and Fines
Chapter 106 - Traffic and Vehicles, Article II - Bicycles	
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.	
Sec. 106-55 - Penalties for violation	Not to exceed $100.00 and not less than $10.00

		Fees and Fines
Chapter 106 - Traffic and Vehicles, Article III - Stopping, Standing and Parking, Division 1 - Generally		
Sec. 106-135 - Residential parking		
	Subsec. (i)(1) - Expiration; Two-hour parking	$20.00 fine or $15.00 if paid within 72 hours of issuance of such fine

	Subsec. (i)(2) - Expiration; Change of residence, etc.	$20.00 fine or $15.00 if paid within 72 hours of issuance of such fine
	Subsec. (m) - Violations; Penalties	Any violation of this section not having a stated, specified penalty will result in a $20.00 fine or $15.00 if paid within 72 hours of issuance of such fine
Sec. 106-137 - Parking areas for persons with disabilities		
	Subsec. (c)(3) - Signage; Fines	Failure to achieve compliance within 30 calendar days of the issuance of the notice of violation shall be subject to the fines set forth in subsection (f) of this section
	Subsec. (f) - Penalties	Whoever violates this section shall be fined not less than the minimum fine as defined in 21 Del. C. § 4183 at the time the violation occurred

		Fees and Fines
Chapter 106 - Traffic and Vehicles, Article III - Stopping, Standing and Parking, Division 2 - Metered Parking		
Sec. 106-163 - Use of meters required		
	Subsec. (a) - Failure to make the required payment in the parking meter	$20.00 fine or $15.00 if paid within 72 hours of issuance of such fine
	Subsec. (b) - Payments accepted	
	Each $0.25 coin	Permits the vehicle to be parked for a

		period of one hour
	Each $1.00	Permits the vehicle to be parked for the duration of the enforcement period of 8:00 a.m. to 5:00 p.m.
Sec. 106-164 Violations; penalties		
	Subsec. (a) - Generally; Each violation if paid within 24 hours from time summons giving notice of violation is issued	A fine of not less than $1.00 for each violation
	Subsec. (a) - Generally; Each violation if paid after expiration of 24 hours from time summons giving notice of violation is issued	$2.00 for each violation, if payment is made voluntarily prior to the time and date set forth in the summons
	Subsec. (a) - Fourth Violation; Each violation if paid within one hour from time summons giving notice of violation is issued	$1.00 for each such violation
	Subsec. (a) - Fourth Violation; Each violation if paid after expiration of one hour from time summons giving notice of violation is issued	$2.00 for each violation, if payment is made voluntarily prior to the time and date set forth in the summons
	Subsec. (a) - Fifth violation, etc.; Any person committing more than four violations within any 30-day period of the provisions of this division	$5.00 for each such violation, if payment is made voluntarily prior to the time and date set forth in the summons.
	Subsec. (b)(4) - Any person who unlawfully removes a device for immobilization of a vehicle	$500.00 fine for each violation
	Subsec. (b)(5) - Any person who tows or otherwise moves an immobilized vehicle without authorization by the chief of police or his designee	$500.00 fine for each violation
	Subsec. (c) - Cost. No cost will be assessed if payment of the penalty as hereinbefore imposed is voluntarily paid without the necessity of a hearing before the proper official	

		Fees and Fines
Chapter 110 - Utilities, Article II - Electric Service		
Sec. 110-32 - Pole attachment fee; use of Dover Electric Department facilities		
If payment is not received for any fee or other amount owed within 30 calendar days after it becomes due, the licensee shall pay interest at the rate of one and one-half percent per month, on the amount due (Subsec. (f)).		
	Subsec. (4) - Fees and charges; Annual pole attachment fee	$8.17 per attachment
	Subsec. (4)(l) - True up	Wherever the actual cost of DED's activity exceeds the advance payment of estimated expenses, licensee agrees to pay DED for the difference in cost when that amount exceeds $50.00;To the extent that the actual cost of the activity is less than the estimated cost, DED shall refund to licensee the difference in cost where that amount exceeds $50.00
	Subsec. (5) - Scope of authority	
	Subsec. (l)(i) - Overlashing, unauthorized attachment penalty	Three times the annual attachment fee, per occurrence
	Subsec. (8) - Permitting, (b) - Pole Attachment Permit Application Process	
	Subsec. (i)(a) - Charge for expenses related to the Pre-Permit survey application	
	Less than 11 poles	$50.00 application fee plus $2.00 per pole
	11 poles up to and including 25 poles	$90.00 application fee plus $2.00 per pole
	26 poles or greater	$4.00 per pole application fee
	Subsec. (i)(b) - Charge for expenses related to the leasing of conduit	
	Less than 100 feet	$50.00 application fee plus $0.50 foot
	100 feet to 251 feet	$90.00 application

		fee plus $0.50 foot
	Greater than 250 feet	$0.75 per foot application fee
	Subsec. (9) - Make-ready work, (b) - Payment of make-ready work	DED may require payment in advance for all make-ready work based upon the estimated cost of such work if the estimate exceeds $1,000.00. Upon completion, licensee shall pay DED's actual cost of make-ready work, which shall be itemized.
	Subsec. 10 -Transfers, (b) - Billing for transfers performed by DED	If DED performs the transfer(s), DED will bill licensee for actual costs per subsection (4) Fees and charges. Licensee shall reimburse DED within 30 calendar days of the receipt of the invoice.
	Subsec. 12 - Abandonment or removal of DED facilities	
	Subsec. (b) - Option to purchase abandoned poles	Rate equal to the depreciated value of said pole; if a pole that is to be purchased is older than 30 years, then the rate to be charged is set at $50.00 per pole
	Subsec. 16 - Unauthorized occupancy or access	
	Subsec. (a) - Penalty fee	Three times the annual attachment fee, per occurrence; if licensee fails to pay such fee within 30 calendar days of receiving notification thereof, DED has the right to

		remove such attachments at licensee's expense, unless such fee is disputed in good faith
	Subsec. 17 - Advance payment	$8.17 per attachment; plus estimated make-ready work expenses

		Fees and Fines
Chapter 110 - Utilities, Article II - Electric Service		
Sec. 110-33 - Charge for discontinuing or restoring electric service		
	Subsec. (a) - Maintenance and repair	No charge for discontinuing or restoring electric service for maintenance purposes if done between 7:00 a.m. and 5:00 p.m.; $100.00 for all service calls between 5:00 p.m. and 7:00 a.m.
	Subsec. (b) - Nonpayment	There will be a service charge of $50.00 paid prior to turning on any service discontinued for nonpayment between 7:00 a.m. and 5:00 p.m. There will be a service charge of $100.00 paid prior to turning on any service discontinued for nonpayment between 5:00 p.m. and 7:00 a.m.

		Fees and Fines
Chapter 110 - Utilities, Article III - Water Service, Division 6 - Rates, Charges and Billing Procedures		
Sec. 110-191 - Water use fees generally		
	Subsec. (b) - Penalty	A penalty of 1½ percent or $1.00, whichever is greater, per month shall be added to all water service fees which shall be in arrears for a period in excess of 30 days after the date of rendering the water service bill
Sec. 110-192 - Charge for discontinuing or restoring water service		
	Subsec. (a) - Maintenance and repair	No charge for turning on or off any service for maintenance purposes if done between 7:00 a.m. and 5:00 p.m.; $100.00 for all service calls between 5:00 p.m. and 7:00 a.m.
	Subsec. (b) - Nonpayment	There will be a service charge of $50.00 paid, together with all current and overdue charges, prior to turning on any service discontinued for nonpayment between 7:00 a.m. and 5:00 p.m. There will be a service charge of $100.00 paid, together with all current and overdue charges, prior to turning on any service discontinued

		for nonpayment between 5:00 p.m. and 7:00 a.m.

		Fees and Fines
Chapter 110 - Utilities, Article III - Water Service, Division 7 - Water Impact Fees		
Sec. 110-208 - Water impact fee established; payment, credits		
	Subsec. (c) - Fee and applicability	
	(1) - Applicable building permit before February 1, 2008. A buyer independent of the seller may submit a sales contract executed prior to February 1, 2008 to the city manager for consideration in lieu of a building permit issued before February 1, 2008	No fee
	(1) - Building permit and certificate of occupancy is issued on or after February 1, 2008	$700.00
	(2) - Certificate of occupancy issued after February 1, 2009	$1,400.00
	(3) - Certificate of occupancy is issued after February 1, 2010	$2,100.00

		Fees and Fines
Chapter 110 - Utilities, Article IV - Sewer Service, Division 1 - Generally		
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.		
Sec. 110-240 - Violations		
	Subsec. (c) - Payment of cost	Not less than $25.00 nor more than $1,000.00

		Fees and Fines
Chapter 114 - Vegetation, Article II - Weeds		
Every day that a violation of section 114-32 continues shall be considered a separate offense, for which the violator may be tried and convicted without necessity of further notice. Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.		
Sec. 114-33 - Failure to maintain proper height; abatement by city; costs and lien.		
	Subsec. (a) - Summons; action by city	$50.00 per hour for such work that must be done to render the property in compliance with this article

Sec. 114-34 - Fines		
	Subsec. (a) - Generally	In addition to charges or assessments imposed, a fine of not less than $25.00, nor more than $100.00 in accordance with minimum fine schedule in subsec. (c)(1)
In determining the applicable minimum fine, an offense shall be considered a recurring offense only if the defendant has previously pleaded, or been found guilty of causing or permitting the same nuisance at the same location within the past 18 months, or for every day that the violation of section 114-32 continues as per subsection (b) of this section.		
	Subsec. (c)(1) - Minimums - Any fine assessed pursuant to subsection (a) of this section shall be no less than the following minimum:	
	First offense	$25.00
	Second offense	$50.00
	Third and subsequent offenses	$100.00

		Fees and Fines
Chapter 118 - Vehicles for hire, Article II - Taxicabs, Division 2 - Operator's Permit		
Sec. 118-54 - Fee		
	Taxicab operator's permit	$5.00

		Fees and Fines
Appendix A - Subdivisions, Article IV - Subdivision - Procedure		
	Subsec. A.2. - Preapplication; filing fee	$200.00
	Subsec. B.2. - Preliminary layout; filing fee	$325.00
	Subsec. C.3. - Plat; review fee	$200.00, plus $85.00 per acre for the first ten acres, $60.00 per acre for the next ten acres and $45.00 per acre for each acre thereafter
	Subsec. C.3. - Plat; review fee - minor lot line adjustment	Plats for minor

		lot line adjustments shall require a review fee of $150.00
	Subsec. C.3. - Plat; review fee - minor subdivision	Plats for minor subdivisions shall require a review fee of $150.00 plus $15.00 per lot

		Fees and Fines
Appendix B - Zoning, Article 3 - District Regulations		
Sec. 24 - Planned neighborhood design option (PND)		
	Subsec. 24.2 - Review process - General sketch plan review fee, each application	$100.00
	Subsec. 24.8 - Conditional use plan approval	
	Subsec. 24.81 - Plan approval fee, each application	$200.00, plus $10.00 per acre
	Subsec. 24.9 - Site development preliminary subdivision plan review	
	Subsec. 24.91 - Preliminary plan approval fee; each application	$325.00, plus $20.00 per acre
	Subsec. 24.10 - Final subdivision plat approval	
	Subsec. 24.101 - Final subdivision plat approval; each application	$250.00
Sec. 28 - Traditional Neighborhood Design Zone (TND)		
	Subsec. 28.4 - Procedure; application for rezoning of a land area to a TND zone	
	Subsec. 28.411 - Minimum fee; each rezoning petition	$325.00
	Subsec. 28.422 - Implementation plan approval; each application	$325.00, plus $10.00 per acre
	Subsec. 28.434 - Site development plan or subdivision plat; each application	$250.00

		Fees and Fines
Appendix B - Zoning, Article 5 - Supplementary Regulations		
Section 4 - Supplementary sign regulations		
	Subsec. 4.8 - Unified campuses and complexes	
	Subsec. D.4. - Submission requirements; application fee	$200.00, due at time of application

	Subsec. 4.9 - Supplementary sign provisions	
	Subsec. D.1. - Temporary signs; permit	$50.00

		Fees and Fines
Appendix B - Zoning, Article 6 - Off-street Parking, Driveways and Loading Facilities		
Sec. 5 - Supplementary Regulations for Parking and Loading Facilities		
	Subsec. 5.5 - Parking for Motorsports Racing	
	Subsec. 5.52 - Recreational vehicle parking	
	1-5 Recreational vehicles	No fee
	6 - 25 Recreational vehicles	$25.00
	26-50 Recreational vehicles	$50.00
	51 - 100 Recreational vehicles	$100.00
	>100 Recreational vehicles	$150.00

		Fees and Fines
Appendix B - Zoning, Article 8 - Enforcement and Penalties		
Sec. 2 - Certificates of occupancy		
	Subsec 2.4 - Every application for a certificate of occupancy or a temporary certificate of occupancy shall be accompanied by a fee:	
	Certificate of occupancy for one-family residential uses	$60.00
	Temporary certificate of occupancy for one-family residential uses	$75.00 for a maximum of 45 days. Fee applies for any extensions beyond 45 days
	Certificate of occupancy for uses other than one-family residential uses	$75.00 for the first 20,000 square feet of building area, plus the sum of $15.00 for each additional 10,000 square feet of building area in excess of the first 20,000 square feet or multiple thereof

	Temporary certificate of occupancy for uses other than one-family residential uses	$100.00 for a maximum of 45 days. Fee applies for any extensions beyond 45 days

		Fees and Fines
Appendix B - Zoning - Article 9 - Board of Adjustment		
Sec. 3 - Procedure		
	Subsec. 3.4 - All variance requests and appeals from an order, requirement, decision or determination made by an administrative official, board or agency of the city shall be accompanied by a fee	
	All variance requests for residential uses	$300.00
	All variance requests for nonresidential uses	$600.00
	All appeals from an order, requirement, decision or determination made by an administrative official, board or agency of the city The board of adjustment may, in its discretion, return to the applicant part or all of the fee paid by him in the event that his appeal under section 2.1 (interpretation) hereof is partially or wholly successful. The fees filed in connection with applications under section 2.2 (variances) shall not be returnable, regardless of disposition of the case by the board	$300.00

		Fees and Fines
Appendix B - Zoning - Article 10 - Planning Commission		
Sec. 1 - Approval of conditional uses		
	Subsec. 1.52 - Application procedure; Conditional use permit; each application	$425.00, plus $25.00 per acre of the area or multiple thereof involved in the application
Sec. 2 - Site development plan approval		
	Subsec. 2.42 - Fees - Application for administrative site plans	$300.00
	Subsec. 2.43 - Fees - Application for site development plan approval	$425.00 plus $25 per acre
Sec. 3 - Historic district commission and architectural review		
	Subsec. 3.26 - Procedures for an architectural review by the historic district commission or planning commission	

	Subsec. (b) Application and fee for an architectural review certificate	$250.00
Sec. 5 - Amendments		
	Subsec. 5.32 - Application. Each application for a zoning map amendment:	
	Minimum fee, in addition to required district supplemental fee	$425.00
	One-family residence zones (R-8, R-10, R-15, and R-20); supplemental fee	$25.00 per acre
	General residence zones, Medium density residence zones, and Mobile home park zones (RG-0, RG-1, RG-2, RG-3, RG-5, RM-1, RM-2, and MHP); supplemental fee	$50.00 per acre
	Commercial and office (C-1, C-1A, C-2, C-2A, C-3, C-4, CPO, RC and IO); supplemental fee	$70.00 per acre
	Shopping center development (SC-1, SC-2 and SC-3); supplemental fee	$75.00 per acre
	Industrial zones (M, IPM, and IPM2); supplemental fee	$75.00 per acre

ADOPTED: DECEMBER 14, 2015
EFFECTIVE: JANUARY 1, 2016
S:\ORDINANCES\2015\ADOPTED\ORDINANCE #2015-22 REVIEW AND MAINTENANCE-PLANNING & CUSTOMER SERVICE FEES-ADOPTED 12-14-2015.wpd

SYNOPSIS

The amendment codifies the maintenance of fees approved by City Council. Appendix F - Fees and Fines has also been reformatted for ease of use.

(SPONSORS: LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE)

Actions History
12/14/2015 - Final Reading at the City Council meeting
11/23/2015 - Introduced at the City Council meeting

S. Renee Smith
P.O. Box 177
Dover, DE 19903

December 9, 2015

Tim Slavin
City Council President
City of Dover
P.O. Box 475
Dover, DE 19903

Dear Mr. Slavin:

As per my email dated Tuesday, December 7, 2015, on Monday, November 30 I received a call from you stating that as a result of reposting an article on my personal Facebook page, which was published by delawareonline.com, the Dover Police and Fraternal Order of Police were "calling for my resignation." After careful consideration, I have decided to respectfully honor that request. Today I formally tender my resignation as chair of the Dover Human Relations Commission (DHRC).

As you are aware, human relations commission chair Cecil Wilson unexpectedly resigned March 24, 2015. Subsequently as a commissioner it was without hesitation that I accepted the nomination as chair in order to continue to assist city council in realizing DHRCs "PURPOSE" per city code Chapter 58. Leaders in whatever position of influence we may hold share the same objectives and end goal which is to do what's best and get the best results in serving and meeting the needs of citizens in the City of Dover.

To assist in the reorganization, I would like to share highlights and accomplishments during my tenure as chair:

June

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

  Commissioners promoted, attended and participated in *All Lives Matter Rally* held June 6.

July

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

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

August

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

September

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

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

October

- I attended 4-day mediation training on behalf of the commission.

- I attended NAACP and Dover Police Outreach Event for city.

- Commissioner Henderson and I met with Capital School District Superintendent. In building the relationship on November 20, Commissioner Bogle engaged Dover High School to monogram polo shirts for commissioners. In October, the commission voted to submit for Council's approval a DHRC logo-designing contest. Commission wants to partner with Dover High to engage students. Local businesses will be asked to provide prizes.

November

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

Mr. Slavin, the commission's current initiatives include:

- Employee Relations Survey – Commissioner McGiffin is the chair of the Government Policy, Programs and Practices Committee. We have approved the interviewing questions for city leaders and the online survey for employees is being tweaked. Interviews begin this month.

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

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

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

Mr. Slavin, again it has been a pleasure to serve the dedicated commissioners who graciously commit their time and talent to the commission. It has been a joy to serve the amazing people in this city.

Wishing all continued success.

S. Renee Smith

PETITION TO AMEND AND ZONING DISTRICT
Public Hearing before the
Dover City Council
January 11, 2016

Applicants/Owners:	Whatcoat Community Development Inc.
Address:	904-992 Whatcoat Drive
Location:	East side of Saulsbury Road south of Whatcoat Drive
Tax Parcel ID #:	ED-05-067.19-02-11.00-000
Size:	4.282 +/- acres
Present Use:	Apartments
Proposed Use:	Apartments
Comprehensive Plan Designation:	Residential High Density
Present Zoning:	RG-1 (General Residence Zone)/COZ-1 (Corridor Overlay Zone)
Proposed Zoning:	RG-2 (General Residence Zone)/COZ-1 (Corridor Overlay Zone)
Recommendation of Planning Commission:	Following a public hearing on December 16, 2015, where no members of the public spoke regarding the proposed rezoning, the Planning Commission unanimously recommended in favor of the rezoning as proposed (6-0 with three members absent).
File Number:	Z-15-04
Ordinance Number:	2015-24

Existing Property
The property is currently zoned RG-1 (General Residence Zone) and subject to the COZ-1 (Corridor Overlay Zone). It consists of 4.282 +/- acres that includes 78 apartment units in five apartment buildings, as well as the associated parking. The apartments are a legal non-conforming use in the RG-1 zone.

Surrounding Land Uses:
The subject property is located on the south side of Whatcoat Drive. The property on the north side of Whatcoat Drive is also zoned RG-1 and is developed as the Whatcoat United Methodist Church. The Whatcoat United Methodist Church also owns a vacant lot immediately east of the church property. The property south of the subject property is the Edgewell (formerly Playtex) manufacturing plant and is zoned IPM (Industrial Park and Manufacturing Zone). The adjacent properties to the north and south are also subject to the COZ-1. The properties to the west, across Saulsbury Road are zoned CPO (Commercial and Professional Office) and ROS (Recreation and Open Space). Two are developed, one as an office and the other as a daycare center/preschool.

Comprehensive Plan:
The *2008 Comprehensive Plan* depicts the subject area as Residential High Density land use classification on Map 12-1: Land Development Plan Map. This rezoning request is consistent with this classification and with the existing use on the property.

Request for RG-2 (General Residence Zone)
The uses permitted in the RG-2 zoning district are listed in Article 3 §2 of the *Zoning Ordinance*. Permitted uses and include any use permitted in the one-family residence zone and garden apartments. Multiple dwellings, duplex units, and townhouses are permitted in the RG-2 zone as a Conditional Use.

The principal difference between the RG-1 zone and RG-2 zone is the allowance of apartments.

Recommendation of the Planning Staff & Planning Commission:
Staff supports the rezoning request from RG-1 to RG-2. The rezoning is consistent with the *2008 Comprehensive Plan*, and it would allow for improvement of the apartment complex, including the construction of a community building to serve the residents. It would also eliminate the non-conformity of the use in the current zoning district. Staff recommendation was made prior to the opportunity for public comments. Following a public hearing on December 16, 2015, where no members of the public spoke regarding the proposed rezoning, the Planning Commission unanimously recommended in favor of the rezoning as proposed (6-0 with three members absent).

Excerpt from DRAFT Planning Commission Meeting of December 16, 2015

Z-15-04 Lands of Whatcoat Community Development Inc. at 904-992 Whatcoat Drive: Rezoning from RG-1 with COZ-1 to RG-2 with COZ-1 – Public Hearing and Review for Recommendation to City Council on a rezoning application for a 4.282 acre ± parcel. The property is zoned RG-1 (General Residence Zone) and subject to the COZ-1 (Corridor Overlay Zone). The proposed zoning is RG-2 (General Residence Zone) and subject to the COZ-1 (Corridor Overlay Zone). The property is located on the east side of Saulsbury Road and south of Whatcoat Drive. The owner of record is Whatcoat Community Development Inc. and the equitable owner is Whatcoat Village Associates Inc. Addresses: 904, 910, 930, 950, 970, 986 and 992 Whatcoat Drive. Tax Parcel: ED-05-067.19-02-11.00-000. Council District 4. Ordinance #2015-23. *A Public Hearing and Final Reading are scheduled for action before the City Council on January 11, 2016.*

Representatives: Mr. Stephen Rosenfeld, VanDemark & Lynch Inc

Mrs. Townshend stated that this is a rezoning request for 4.282 acre piece of property which is the Whatcoat Apartments. The current zoning classification is RG-1 (General Residence Zone) and subject to the COZ-1 (Corridor Overlay Zone). Under the rezoning request they would change the zoning to RG-2 (General Residence Zone), again, still subject to the COZ-1 (Corridor Overlay Zone). The current property is the home of Whatcoat Apartments. The applicant is looking to improve the apartment complex and as part of that improvement they will be adding a community center that would be available to the residents. The apartment use is a non-conforming use in the RG-1 (General Residence Zone) but it would be permitted in the RG-2 (General Residence Zone). With the RG-1 (General Residence Zone) under the non-conforming use provisions of Article 7 you cannot expand a non-conforming use so renovating the apartments is not a problem but adding the community center to improve the livability of the apartment community would be an expansion of that non-conforming use. Therefore, the applicant has requested a rezoning from RG-1 (General Residence Zone) to RG-2 (General Residence Zone) so that the apartments would be a permitted use and they could improve the apartments and included with that, add the amenity of a community center. They did determine that the community center if the rezoning is successful can be done through an Administrative Site Plan so that application won't come back to the Planning Commission but the rezoning is necessary for that to happen. It is consistent with the *Comprehensive Plan.* The *Comprehensive Plan* designation for this area is actually residential high density so the RG-2 (General Residence Zone) is more consistent with the *Comprehensive Plan* than the current zoning classification.

Mr. Rosenfeld stated that when the apartments were built in the 1970's it was zoned RG-1 (General Residence Zone) and somewhere along the line the Zoning Code has changed to not allow apartments in this zone. Mostly what they are doing is updating the zoning of this parcel so that they are conforming rather than non-conforming.

Mr. Tolbert questioned if Mr. Rosenfeld agreed with the DAC Comments. Responding to Mr. Tolbert, Mr. Rosenfeld stated yes, he does agree with the comments.

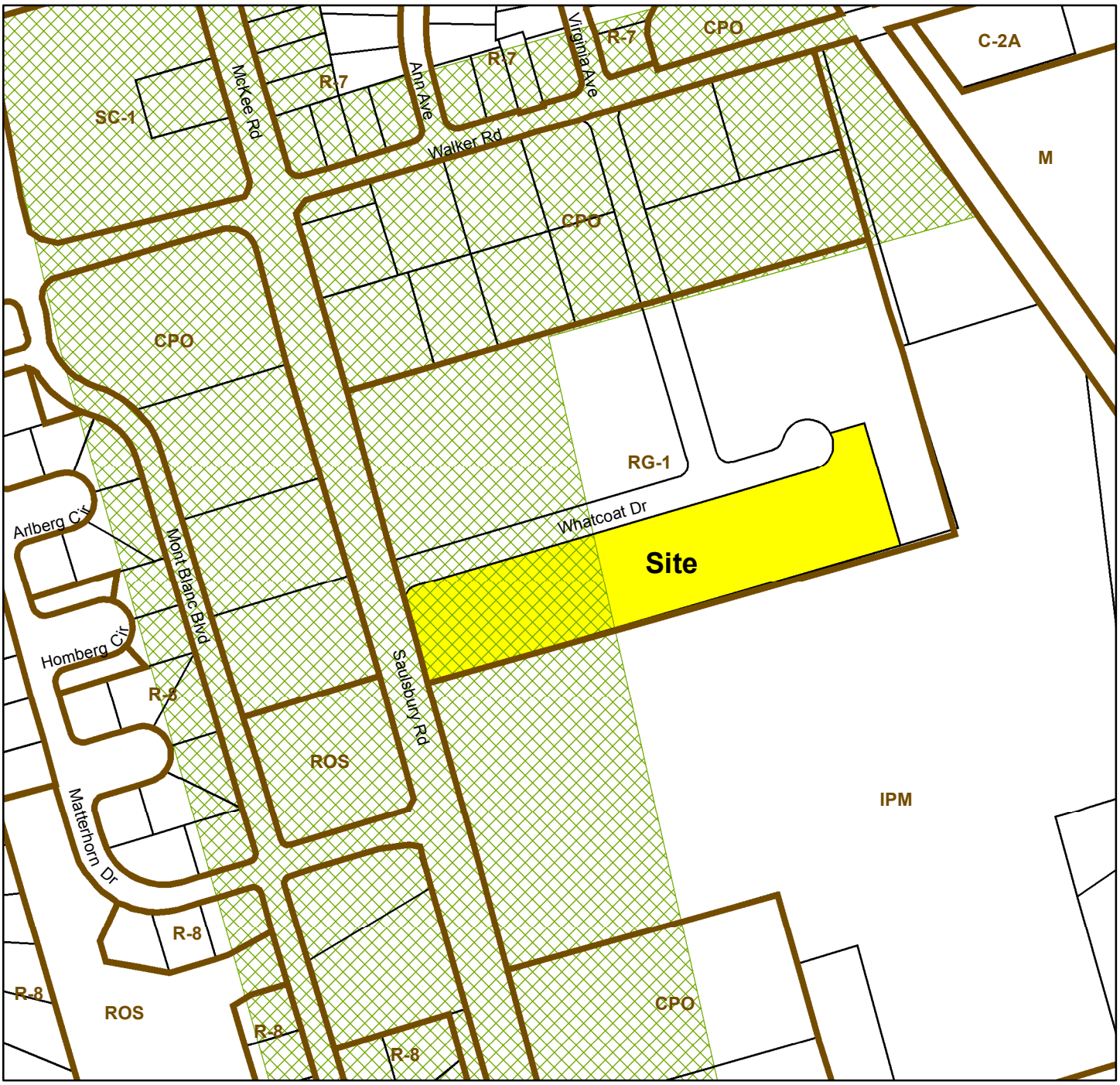
Mr. Tolbert opened a public hearing and after seeing no one wishing to speak, closed the public hearing.

Mr. Holt moved to recommend approval to City Council for Z-15-04 Lands of Whatcoat Community Development Inc. at 904-922 Whatcoat Drive: Rezoning from RG-1 with COZ-1 to RG-2 with COZ-1, seconded by Colonel Welsh and the motion as unanimously carried 6-0 by roll call vote with Mr. Holden, Dr. Jones and Mr. Ambruso absent. Mr. Cregar voting yes, he supports this because it is also in their Comprehensive Plan to include this area as a high density area which apartments will be a part of that. Colonel Welsh voting yes, for the same reasons. Mr. Holt voting yes, it is keeping with the Comprehensive Plan. Mr. Baldwin voting yes, it's keeping with the improvement of the area. Ms. Still voting yes, it's keeping with the plan and she thinks it's a great idea. Mr. Tolbert voting yes, concurring with all the comments made and it's consistent with the plan.

City of Dover

Department of Planning & Inspections

Application No.: Z-15-04



Title: Lands of Whatcoat Community Dev Inc
Address: 904-992 Whatcoat Drive
Parcel ID: ED-05-067.19-02-11.00-000
Existing Zoning: RG-1 (General Residence Zone) and COZ-1 (Corridor Overlay Zone)
Proposed Zoning: RG-2 (General Residence Zone) and COZ-1 (Corridor Overlay Zone)
Owner: Whatcoat Community Dev Inc
Date: 11/10/2015

Legend

- Zoning
- Dover Parcels
- Corridor Overlay Zone
- Subject Property

W E S

0 175 350 700 Feet

Z-15-04

CITY OF DOVER FIRE OF MARSHAL

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: December 9th, 2015

APPLICATION: Lands of Whatcoat Community Development Inc. at 904-992 Whatcoat Drive: Rezoning from RG-1 with COZ-1 to RG-2 with COZ-1.

FILE #: Z-15-04 REVIEWING AGENCY: City of Dover, Office of the Fire Marshal

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

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

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

1. No objection to rezoning.

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

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

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: DECEMBER 2, 2015

CITY OF DOVER Electric & Public Works Departments

APPLICATION: **LANDS OF WHATCOAT COMMUNITY DEVELOPMENT INC. AT 904-992 WHATCOAT DRIVE**

FILE #: **Z-15-04**

REVIEWING AGENCY: **City of Dover**

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

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

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

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

CITY AND STATE CODE REQUIREMENTS

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

Our office has no objection to the rezoning of:

ED-05-067.19-02-11.00-000

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

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

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

ADVISORY COMMENTS TO THE APPLICANT

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

1. None.

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

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

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
December 2015

APPLICATION: Lands of Whatcoat

FILE #: Z-15- 04

REVIEWING AGENCY: *Kent Conservation District*

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

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

Source: 2014 Delaware Sediment and Stormwater Regulations

CITY AND STATE CODE REQUIREMENTS:

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

ADVISORY COMMENTS TO THE APPLICANT:

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

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: December 2, 2015

D E L D O T

==========

APPLICATION: Z-15-04 Lands of Whatcoat Community Development INC at 904-992 Whatcoat Drive

FILE#: Z-15-04 REVIEWING AGENCY: DelDOT

CONTACT PERSON: Waylon Sprowl PHONE#: 760-2262

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

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

CITY & STATE CODE REQUIREMENTS:

- The Department has no comments for the above mentioned project.
  - DelDOT Planning has issued a LONC for this Project

ADVISORY COMMENTS TO THE APPLICANT:

If you have any questions or need to discuss any of the above comments, please call the above contact person and the planning department as soon as possible.

FINAL READING

CITY OF DOVER
PROPOSED ORDINANCE #2015-23

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: *

S:\ORDINANCES\2015\DRAFT\ORDINANCE #2015-23 REZONING - 904, 910, 930, 950, 956, 970, 986, 992 WHATCOAT DRIVE\Ordinance #2015-23 Rezoning Property at 904-992 Whatcoat Drive-FINAL READING.wpd

Actions History
January 11, 2016 - Scheduled for Public Hearing/Final Reading by City Council
December 16, 2015 - Reviewed by Planning Commission
November 23, 2015 - First Reading by City Council

Draft

PETITION TO AMEND ZONING ORDINANCE TEXT

Report to the
Dover City Council
January 11, 2016

Proposed Change:	Amendment to *Zoning Ordinance*, Article 12 –Definitions, to add a definition for "manufactured home" and to amend the definition for "dwelling, one family" to preclude manufactured homes under this designation.
Summary of Amendment:	Following the issuance of a building permit for the construction of a manufactured home on a property within the R-8 (One Family Residence Zone), several residents and members of City Council expressed concerns about the appropriateness of this housing type within the One Family Residence Zones. Staff subsequently reviewed literature available about manufactured housing and has developed recommendations for amending the code to prohibit manufactured housing in the One Family Residence Zones and to update code requirements in the Dover Code of Ordinances, Chapter 66 – Manufactured Homes and Trailers, and Appendix B – Zoning. The recommendation is for an immediate amendment to the definition of "dwelling, one family" and a review and update of other code sections over the next year.
Recommendation of the Planning Commission:	Following a public hearing on December 16, 2015, where no members of the public spoke regarding the proposed ordinance, the Planning Commission unanimously recommended in favor of the proposed text amendment (6-0 with three members absent).
Ordinance Number:	2015-20
File Number:	MI-15-13

Excerpt from DRAFT Planning Commission Minutes of December 16, 2015

MI-15-13 Text Amendment: Definitions of One-Family Dwelling and Manufactured Home- Public Hearing and Review for Recommendation to City Council of Text Amendments to *Zoning Ordinance*, Article 12 – Definitions to amend the definition of "one family dwelling" and to add a definition for "manufactured home." Ordinance #2015-20. *A Public Hearing and Final Reading are scheduled for action before the City Council on January 11, 2016.*

Representatives: None

Mrs. Townshend stated that this is a zoning text amendment. This zoning text amendment came about following the issuance of a Building Permit for the construction of a manufactured home on a permanent foundation on a property within a One Family Residence Zone. In evaluating the permit, they determined that there was nothing in the definitions that allows you to look at a "manufactured home" differently than any other single family home. Several residents and members of City Council expressed concerns about the appropriateness of this and Staff subsequently reviewed literature and determined that their *Zoning Ordinance* is woefully out of date as it relates to "manufactured housing." Terms such as "mobile homes" and "trailers" are dated terms that do not apply to manufactured housing built today that meets the HUD standards of the 1976 HUD Code and it really causes confusion and a number of issues as it relates to how the Code should be administered. This is the first ordinance to help resolve the challenges with their lack of current definitions as it relates to this matter. They are also in the process of reviewing the MHP (Mobile Home Park Zone) but again, mobile homes are the pre-1976 type of housing and what's built today is under a very different standard. They want to resolve confusion and bring their definitions and code requirements up-to-date; and again, this is going to be a multi-phase thing. The first phase is some amendments to the definitions and the first one is an amendment to the definition of "dwelling, one family" and clarifying that a one family dwelling is a permanent dwelling placed on a permanent foundation and designed for use by one family. But then going further to say that a manufactured home is not included as a one family dwelling but modular homes, which they will also need to define as they get into their definitions, which are built in accordance with the locally adopted building codes are considered one family dwellings. They would then go on to define "manufactured home" because at this point it is nowhere in their definitions. In researching this, they have determined that all of the definitions that relate to the things that people are referring to these units as mobile homes or house trailers and the dwelling definitions date back to at least 1968 when things were very different. One of Mr. Eddie Diaz's first projects is to look at what they need to do with the MHP (Mobile Home Park Zone). Even the MHP does not refer to anything based on the 1976 codes; it dates back to a 1969 regulation on mobile homes. There is a lot that needs to be cleaned up but they are starting with one making it clear that a one family dwelling for the purposes of what's permitted in a one family residence zone that it does not include manufactured homes or mobile homes and adding a definition that is consistent with current housing policy for manufactured homes.

Mr. Holt stated that he thinks this is probably developed from a home that was built only 2-3 houses down from where he lives and it is a modular home. Responding to Mr. Holt, Mrs. Townshend stated that it's a manufactured home.

Mr. Holt further stated that the manufactured home was brought in as more than one piece and put together on the site. They have remarkably made it look like it was a stick built home. They have done an excellent job with it. They put a cement block foundation around it. In the neighborhood it looks very good. It's not anything like looking at what a trailer would look like. They have done a good job with it.

Mr. Tolbert stated that it's his understanding that you can't move these homes once they are put on a foundation. Responding to Mr. Tolbert, Mrs. Townshend stated yes.

Mr. Tolbert questioned what a modular home was? Responding to Mr. Tolbert, Mrs. Townshend stated that a modular home is like a Beracah Home where it's built in a factory but brought in in pieces and assembled on-site. It has the same type of building permit and the same inspections that a house that's fully built on-site would have. Manufactured homes are also factory built homes but they are built to a specification that is administered and regulated by HUD not the local building codes. The principal difference is how they are regulated.

Mr. Tolbert stated that they look similar. You can't look at one and tell whether it's a modular home or a manufactured home. Responding to Mr. Tolbert, Mrs. Townshend stated that it depends; she would say that there are times that you could look at three homes and think they are the same construction: one could be a modular home, one could be a manufactured home and one could be a stick built ranch that was entirely built on-site. Unless you get underneath to look at how it's assembled underneath, you are not going to know the difference.

Mr. Tolbert stated that modular homes were delivered in pieces; manufactured homes were brought in two halves. Modular homes aren't brought in two halves? Responding to Mr. Tolbert, Mrs. Townshend stated that it could be; it depends. There are modular homes that are two story homes that are brought in pieces and assembled. It's really just the type of construction; the way it's constructed. A manufactured home is supported by a chasse where a modular is not. She has had the opportunity to answer a lot of questions of whether or not she would want that on her street and when she looks at her street, there are a number of ranches that she assumes to be ranches but she couldn't tell one way or the other.

Colonel Welsh stated that the old Nanticoke Homes are modular homes which is not Beracah Homes. They are nice looking homes. Responding to Colonel Welsh, Mrs. Townshend stated that it is a modular home not a manufactured home.

Colonel Welsh stated that they come in in sections, the foundations are already built.

Mr. Holt stated that a modular home is actually built better because it's built inside under dry conditions but that's just hearsay.

Mr. Tolbert opened a public hearing and after seeing no one wishing to speak, closed the public hearing.

Ms. Still moved to recommend approval to City Council for MI-15-13 Text Amendment: Definitions of One-Family Dwelling and Manufactured Home, seconded by Mr. Cregar and the motion as unanimously carried 6-0 by roll call vote with Mr. Holden, Dr. Jones and Mr. Ambruso absent. Mr. Cregar voting yes, in support of upgrading City Ordinances. Colonel Welsh voting yes, it more clearly defines the Ordinance. Mr. Holt voting yes, it upgrades the Ordinance. Mr. Baldwin voting yes, it upgrades the Code. Ms. Still voting yes, for all the reasons stated. Mr. Tolbert voting yes, it's something that needs to be done to bring the Code up-to-date.

MI-15-13

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: **December 9th, 2015**

CITY OF DOVER FIRE MARSHAL

APPLICATION: **Text Amendment: Definitions of One-Family Dwelling and Manufactured Home**

FILE #: **MI-15-13** REVIEWING AGENCY: **City of Dover, Office of the Fire Marshal**

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

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

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

1. **No objection to text amendment.**

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

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

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: DECEMBER 2, 2015

CITY OF DOVER
Electric &
Public Works
Departments

APPLICATION: **TEXT AMENDMENT: DEFINITIONS OF ONE-FAMILY DWELLING AND MANUFACTURED HOME**

FILE #: **MI-15-13**

REVIEWING AGENCY: **City of Dover Electric and Public Works Departments**

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

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

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

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

CITY AND STATE CODE REQUIREMENTS

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

1. Our office has no objections to the proposed text amendments

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

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

1. None

ADVISORY COMMENTS TO THE APPLICANT

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

1. None.

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

FINAL READING

CITY OF DOVER PROPOSED ORDINANCE #2015-20

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 inserting the text indicated in bold, blue, 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: *

SYNOPSIS

The proposed amendment revises and adds definitions

(SPONSORS: HARE, HUTCHISON, AND TOWNSHEND)

Actions History
01/11/2016 - Scheduled for Public Hearing/Final Reading at City Council meeting
12/16/2015 - Considered by the Planning Commission
11/23/2015 - City Council rescheduled Planning Commission Public Hearing
11/09/2015 - Introduced at City Council meeting

Draft

From:	Townshend, Ann Marie
To:	City Clerks Office
Subject:	FW: 2 S. QUEEN ST.
Date:	Friday, January 08, 2016 2:46:12 PM

From: McGregor, Mike
Sent: Friday, January 08, 2016 9:30 AM
To: Townshend, Ann Marie
Subject: 2 S. QUEEN ST.

Ann Marie,

The structural report is incomplete. It addresses sagging in the center of the floor area. The contractor J&C Builders discusses in his scope of work "all concrete footings are to be inspected for cracks, adequate attachment, scour and spalling". The engineer did not mention even looking at any other foundation areas in his report.

The proposal from Bull Dog Contracting mentions "install 2x12x16 treated lumber at rear foundation of house" and "install 2x12x16 treated lumber at left side foundation of house". These areas were not discussed in the structural report at all. It is not clear if this is an attempt to repair a rotten sill plate or a rim joist. The area should have been inspected by the engineer to determine if there is additional rot or termite damage to any other structural members such as joists or sill plates supporting the building. The grade at the rear or west side of the building is sloped towards the building instead of shedding rain water away from the building it runs directly towards it. This is likely a contributing factor to rotten or termite damaged wood in this area. This condition is not mentioned in the report.

The leaning chimney is not mentioned in the structural report at all.

It may be that the engineer did not know about the city of dover case history report and only observed what he was told was the problem by the owners.

The asphalt siding was used in the 1930's and 1940's as a renovation alternative to painting weathered or rotted wood clapboards and covering deteriorated exterior walls of older homes. This material may contain asbestos. This material is no longer available on the market. Nailing roof shingles over leaking worn out areas is not a proper repair to keep rainwater and moisture out of the building. The proper method of repair would be to remove and replace. None of the proposals discuss the mold observed by the city inspector and noted in the case history. Moisture is possibly entering the building through the deteriorated siding and causing the mold to grow.

Mike McGregor
City of Dover
Dept of Inspections
Inspector II
Phone #(302)736-4457
Fax #(302)736-4217
mmcgregor@dover.de.us

Received

JAN 08 2016

Planning & Inspections

J&C Builders.Inc
Design, Build, Manage

Proposal

Between the Owner: **K Z Forever LLC**

And the Contractor: **J&C Builders Inc.**
4506 Saint Barnabas Road Suite 217
Temple Hills, Maryland 20748

License No DC:	27154XXXX-70104405
License No MD:	16731325
Gen. Liability Ins. No:	GL3821132
Workers Comp. Insurance:	WVA613671 00045
Bond:	71164425

For the Project: **2 S. Queen Street**
Dover, DE 19904

SCOPE OF WORK:

(Foundation)

- All concrete footings are to be inspected for cracks, adequate attachment, scour and spalling
- Remedial action shall be to grout any cracking or spalling.
- This may require in situ repairs or complete demolition and replacement as required by inspection
- New pier foundation to be poured with solid concrete and pinned to bedrock in the same dimensions as existing.

(Miscellaneous projects)

- Enclose and shore up foundation
- Tape, prep, and paint all drywall throughout house
- Replace four broken window panes
- Replace one broken window

tel: 301-355-2313
fax: 301-355-2314
address: 4506 Saint Barnabas Road, Suite 217
Temple Hills, MD 20748

- Replace two exterior doors
- Replace two interior doors
- Seal chimney and attic
- Repair chimney as needed
- Install new exterior siding (estimate/20 squares)
- Replace eight-inch gutter at rear entrance
- Install smoke detectors (as needed)

TIME OF COMPLETION

The approximate commencement date of the project shall be **January 23, 2016**. The approximate completion date of the project shall be **to be determined** after start date, however any change orders and/or unusual weather might delay or otherwise affect the completion date. Barring inclement weather or owner related delays.

THE PROPOSAL PRICE

The cost for project **(labor and materials)** as specified herein shall be set at the sum of: **$7,700.00 (Seven thousand seven hundred dollars)** subject to additions and deductions pursuant to authorized change orders and allowances.

PAYMENT TERMS

The Owner and the Contractor acknowledge that the Owner will pay a sum of **$3,850.00 (Three thousand eight hundred fifty dollars) prior to the start of the project, $1,925.00 (one thousand nine hundred twenty five dollars) at the request of the contractor, and $1,925.00 (one thousand nine hundred twenty five dollars) upon completion.**

DUTIES OF THE CONTRACTOR

All work shall be in accordance to the provisions of the plans and specifications. All systems shall be in good working order.

All work shall be completed in a workman like manner, and shall comply with all applicable national, state and local building codes and laws.

All work shall be performed by licensed individuals to perform their said work, as outlined by law.

OWNER

The Owner shall communicate with subcontractors only through the Contractor. The Owner will not assume any liability or responsibility, nor has control over or charge of construction means, methods, techniques, sequences, procedures, or for safety precautions and programs in connection with the project, since these are solely the Contractor's responsibility.

INSURANCE

The Contractor shall purchase and maintain as needed, Workman's Compensation and Liability insurance coverage as required by law and deemed necessary for his own protection.

GENERAL PROVISIONS

If conditions are encountered at the construction site which are subsurface or otherwise concealed physical conditions or unknown physical conditions of an unusual nature, which differ naturally from those ordinarily found to exist and generally recognized as inherent in construction activities, the Owner will promptly investigate such conditions and, if they differ materially and cause an increase or decrease in the Contractor's cost of, and/or time required for, performance of any part of the work, will negotiate with the Contractor an equitable adjustment in the contract sum, contract time or both.

HAZARDOUS MATERIALS, WASTE AND ASBESTOS

Both parties agree that dealing with hazardous materials, waste or asbestos requires specialized training, processes, precautions and licenses. Therefore, unless the scope of this agreement includes the specific handling, disturbance, removal or transportation of hazardous materials, waste or asbestos, upon discovery of such hazardous materials the Contractor shall notify the Owner immediately and allow the Owner to contract with a properly licensed and qualified hazardous material contractor. Any such work shall be treated as a Change Order resulting in additional costs and time considerations.

J&C Builders.Inc
Design, Build, Manage

WARRANTY

At the completion of this project, Contractor shall execute an instrument to Owner warranting the project for **1 year** against defects in workmanship or materials utilized. The manufacturer's warranty will prevail.

ACCEPTANCE AND OCCUPANCY

Upon completion, the project shall be inspected by the Owner and the Contractor, and any repairs necessary to comply with the contract documents shall be made by the Contractor.

WITNESS our hand and seal on this _____ day of _____, 2015.

Signed in the presence of:

_____ _____

Witness Witness

_____ _____

Contractor Signature Owner Signature

Please Make Checks Payable To: J&C Builders Inc.

tel: 301-355-2313
fax: 301-355-2314
address: 4506 Saint Barnabas Road, Suite 217
Temple Hills, MD 20748

Received

JAN 08 2016

Planning & Inspections

QTY	MATERIAL	PRICE	AMOUNT
	ASST BLK IRON FITTINGS		$24 00

RECOMMENDATIONS

WARRANTY DISCLOSURE

All workmanship guaranteed for 30 days. Material warranty by manufacturer only. Payment due upon completion

Customer Signature _____ Date 12/28/15

Allen and Son

Heating & Air Conditioning
Service and Installation
Residential and Commercial

302-228-5627

LICENSED AND INSURED

INVOICE

JOB PHONE	DATE OF ORDER
JOB NAME/LOCATION 2 SOUTH QUEEN ST DOVER DE	

TO: KZ FOREVER LLC

PHONE
ORDER TAKEN BY
P.O. #

UNIT NAME	MODEL	SERIAL NUMBER

DESCRIPTION	AMOUNT
INSTALLED PROPER DRAIN PIPES FOR PRESSURE RELIEF VALVES FOR TWO WATER HEATERS	

LABOR	HOURS	RATE	AMOUNT		
				TOTAL LABOR	$60 00
				TOTAL MATERIALS	$24 00
				TAX TOTAL	
				TOTAL	$84 00

Received

DEC 23 2015

Planning & Inspections

CHARLES C. MIKULA, P.E.
4 Millstone Court, Dover, DE 19901
(302) 632-1421 (Cell)
(302) 697-0405 (H)

December 22, 2015

Ms. Zonnie Adamolekun
Adazio Realty
9 East Loockerman Street, Suite #301
Dover, DE 19904

Re: Structural Assessment
Address: 2 South Queen Street
Dover DE 19904

Dear Ms. Adamolekun:

I originally visually inspected the house located at the address listed above on November 7, 2015, specifically to assess possible structural concerns with settlement in the floors of the main portion of the house.

I began the assessment in the main room immediately right as you walk into the house. I could not get under the area as the access was too small, so I requested flooring be removed to assess the structural piers and foundation.

I returned to examine the crawlspace, now accessible as the flooring was removed to allow access on November 20, 2015. I visually examined the flooring system and piers supporting the area. Examining the piers revealed relatively tight brick piers for the age of the structure, with some settlement noted. After examining the system, the settlement /sloping issue is attributed to the excessive (by today's standards) span of the flooring members.

Recommendations:

The existing floor beams need additional support. To correct the issue, place 12"w x 12"l x 12"d concrete footers mid-span of the floor beams across the width of the structure. Spacing shall not exceed 6'. Place masonry block on the footers to a height that allows a 4" x 6" pressure treated beam to be placed. Prior to placing the beam, jacking the floor beams back into place is suggested, and then placing the beam on the piers. Secure the beam to the floor joists to prevent movement.

Therefore, in summary, after visual inspection of the crawlspace as described above, and after the recommended repairs have been completed, please contact me to assess the repairs for structural adequacy

If you have any questions regarding this matter, please do not hesitate to call me at (302) 632-1421.

Sincerely,

Charles C. Mikula Sr. P.E.

CHARLES C. MIKULA, SR. REGISTERED NO. 7894 DELAWARE PROFESSIONAL ENGINEER

Received

DEC 23 2015

Planning & Inspections

Charles C. Mikula, P.E.
4 Millstone Court
Dover DE 19901
(302) 632-1421 cell
(302) 697-0405 H

December 22, 2015

Description	Cost
1) Structural Assessment Invoice #2618	$275.00

Ms. Zonnie Adamolekun
Adazio Realty
9 East Loockerman Street, Suite #301
Dover, DE 19904

Address:
2 South Queen Street
Dover DE 19904

Paid Cash in Full

Total Due $0.00

Received

DEC 22 2015

Planning & Inspections

12/22/2015

Zonnie Adamolekum
2 S. Queen St.
Dover, DE 19904

Proposal

Per our site visit we propose to furnish materials and complete this project as follows:

- Install 2x12x16 treated lumber at rear foundation of house
- Install 2x12x16 treated lumber at left side foundation of house
- Mud/tape/caulk wall and ceiling surfaces throughout second floor (No replacement materials are figured into this part of the project.)
- Install drywall in entrance/foyer ceiling area
- Install 2 exterior doors
- Replace 4 broken window panes
- Replace 1 broken window
- Seal chimney in attic area with spray foam
- Cosmetically cover any exposed areas of exterior shingle siding with shingles
- Replace 8' gutter at rear entrance area

This project will be completed on a time and material basis using the following pricing

- **Material** **$2000.00 (material price if for the above listed scope of work only)**
- **Foreman:** **$60.00 per hour**
- **Labor :** **$35.00 per hour per man**
- **Dumpster:** **$250.00 per dumpster**
- **Disposal:** **Based on weight**
- **Permits and Fees:** **Based on cost**

Payment Schedule:

$3000.00 down with $3000.00 draws as they are reached and the remaining balance at completion of this project.

Payment: _____

Payment: _____

Payment: _____

Payment: _____

Estimated completion time for this project is one week.

Bulldog Contracting assumes no responsibility for damages to the existing structure or the condition of this building.

This project comes with no warranty and is not guaranteed to pass any inspections.

Thank you for the opportunity to provide you with this proposal for our services. Please call me with any questions about this proposal.

Sincerely,

Aaron Frank
Owner
302-632-4834
bulldogcontractingde@gmail.com

Print: _____

X_____

Sign: _____

DAVID E. WILSON
ELECTRIC

P.O. Box 261
Woodside, Delaware 19980
302 • 697-3373

CUSTOMER'S ORDER NO.	PHONE 302-363-2127	DATE 12-16 20 15
NAME K2 ~~R~~ forever LLC		
ADDRESS 2 South Queen		

	fix Wire moulding Replace outlets New covers Repairs done 12-16-15	
	Total due	200 00

J&C Builders.Inc
Design, Build, Manage

Proposal

Between the Owner: **K Z Forever LLC**

And the Contractor: **J&C Builders Inc.**
4506 Saint Barnabas Road Suite 217
Temple Hills, Maryland 20748

License No DC:	27154XXXX-70104405
License No MD:	16731325
Gen. Liability Ins. No:	GL3821132
Workers Comp. Insurance:	WVA613671 00045
Bond:	71164425

For the Project: **2 S. Queen Street**
Dover, DE 19904

SCOPE OF WORK:

- All concrete footings are to be inspected for cracks, adequate attachment, scour and spalling
- Remedial action shall be to grout any cracking or spalling.
- This may require in situ repairs or complete demolition and replacement as required by inspection
- New pier foundation to be poured with solid concrete and pinned to bedrock in the same dimensions as existing.

tel: 301-355-2313
fax: 301-355-2314
address: 4506 Saint Barnabas Road, Suite 217
Temple Hills, MD 20748

J&C Builders, Inc
Design, Build, Manage

HAZARDOUS MATERIALS, WASTE AND ASBESTOS

Both parties agree that dealing with hazardous materials, waste or asbestos requires specialized training, processes, precautions and licenses. Therefore, unless the scope of this agreement includes the specific handling, disturbance, removal or transportation of hazardous materials, waste or asbestos, upon discovery of such hazardous materials the Contractor shall notify the Owner immediately and allow the Owner to contract with a properly licensed and qualified hazardous material contractor. Any such work shall be treated as a Change Order resulting in additional costs and time considerations.

WARRANTY

At the completion of this project, Contractor shall execute an instrument to Owner warranting the project for **1 year** against defects in workmanship or materials utilized. The manufacturer's warranty will prevail.

ACCEPTANCE AND OCCUPANCY

Upon completion, the project shall be inspected by the Owner and the Contractor, and any repairs necessary to comply with the contract documents shall be made by the Contractor.

WITNESS our hand and seal on this _____ day of _____, 2015.

Signed in the presence of:

_____ _____

Witness Witness

_____ _____

Contractor Signature Owner Signature

Please Make Checks Payable To: J&C Builders Inc.

tel: 301-355-2313

fax: 301-355-2314

address: 4506 Saint Barnabas Road, Suite 217

Temple Hills, MD 20748

J&C Builders.Inc
Design, Build, Manage

OWNER

The Owner shall communicate with subcontractors only through the Contractor. The Owner will not assume any liability or responsibility, nor has control over or charge of construction means, methods, techniques, sequences, procedures, or for safety precautions and programs in connection with the project, since these are solely the Contractor's responsibility.

INSURANCE

The Contractor shall purchase and maintain as needed, Workman's Compensation and Liability insurance coverage as required by law and deemed necessary for his own protection.

GENERAL PROVISIONS

If conditions are encountered at the construction site which are subsurface or otherwise concealed physical conditions or unknown physical conditions of an unusual nature, which differ naturally from those ordinarily found to exist and generally recognized as inherent in construction activities, the Owner will promptly investigate such conditions and, if they differ materially and cause an increase or decrease in the Contractor's cost of, and/or time required for, performance of any part of the work, will negotiate with the Contractor an equitable adjustment in the contract sum, contract time or both.

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Temple Hills, MD 20748

J&C Builders.Inc
Design, Build, Manage

TIME OF COMPLETION

The approximate commencement date of the project shall be **December 3, 2015**. The approximate completion date of the project shall be **to be determined** after start date, however any change orders and/or unusual weather might delay or otherwise affect the completion date. Barring inclement weather or owner related delays.

THE PROPOSAL PRICE

The cost for project **(labor and materials)** as specified herein shall be set at the sum of: **$2,000.00 (Two thousand dollars)** subject to additions and deductions pursuant to authorized change orders and allowances.

PAYMENT TERMS

The Owner and the Contractor acknowledge that the Owner will pay a sum of **$2,000.00 (Two thousand dollars) prior to the start of the project.**

DUTIES OF THE CONTRACTOR

All work shall be in accordance to the provisions of the plans and specifications. All systems shall be in good working order.

All work shall be completed in a workman like manner, and shall comply with all applicable national, state and local building codes and laws.

All work shall be performed by licensed individuals to perform their said work, as outlined by law.

tel: 301-355-2313
fax: 301-355-2314
address: 4506 Saint Barnabas Road, Suite 217
Temple Hills, MD 20748

DOVER HUMAN RELATIONS COMMISSION

The Dover Human Relations Commission (DHRC) meeting was held on August 25, 2015 at 5:15 p.m. with Chairwoman Smith presiding. Members present were Mr. Henderson (departed at 7:14 p.m. and returned at 7:15 p.m.), Mr. McGiffin (departed at 6:38 p.m.), Mr. Roach (arrived at 5:31 p.m.), Mrs. Sadusky (departed at 7:12 p.m.), and Ms. Stewart. Ms. Hicks was absent.

AGENDA ADDITIONS/DELETIONS

Ms. Smith requested that the agenda be amended to consider Item #3A, Presentation by Dr. Dan Young - TED X Dover, as the first agenda item.

Mr. McGiffin moved for approval of the agenda as amended, seconded by Henderson and unanimously carried.

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 motion to recommend that the DHRC collaborate on the TEDx Dover organization was unanimously carried.

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.

Ms. Smith moved to recommend that she attend mediation training, with Commissioner Henderson being the alternate. The motion was seconded by Ms. Stewart and unanimously carried.

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.

Mr. Roach moved to recommend acceptance of the two (2) volunteers to fill the vacancies in the First and Second Districts, seconded by Ms. Stewart and carried by a vote of three (3) yes (Henderson, Roach, and Stewart) and one (1) no (Smith).

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 ***(Attachment #1)***, 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.

Ms. Smith moved for adjournment, seconded by Mr. Roach and unanimously carried.

Meeting adjourned at 7:50 p.m.

S. Renee Smith
Chair

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Attachments
Attachment #1 - Information Regarding the City of Dover Police Department's Ride-A-Long Program and the Citizen's Police Academy

Dover Police Department's Ride-A-Long Program and Citizen's Police Academy

To schedule your Ride-A-Long date or to learn more about the upcoming Citizen's Police Academy contact Sgt. Glenn Virdin at 736-7116 or email glenn.virdin@cj.state.de.us

DOVER HUMAN RELATIONS COMMISSION

The Dover Human Relations Commission (DHRC) meeting was held on September 29, 2015 at 5:15 p.m. with Chairwoman Smith presiding. Members present were Mr. Henderson, Mr. McGiffin, and Mr. Roach. Ms. Hicks and Mrs. Sadusky were absent. Council President Slavin was present (departed at 6:19 p.m.).

AGENDA ADDITIONS/DELETIONS

Mr. Henderson moved for approval of the agenda, seconded by Mr. McGiffin and unanimously carried.

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.

By unanimous consent, member 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.

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

Meeting adjourned at 6:41 p.m.

S. Renee Smith
Chair

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DOVER HUMAN RELATIONS COMMISSION

The Dover Human Relations Commission (DHRC) meeting was held on October 27, 2015 at 5:15 p.m. with Chairwoman Smith presiding. Members present were Ms. Bogle, Ms. Griffith, Mr. Henderson (departed at 6:13 p.m. and returned at 6:18 p.m.), Mr. McGiffin (departed at 5:45 p.m.), Mr. Roach (arrived at 5:23 p.m.), and Mrs. Sadusky (departed at 6:39 p.m.).

AGENDA ADDITIONS/DELETIONS

Mr. Henderson moved for approval of the agenda, seconded by Mr. McGiffin and unanimously carried.

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.

Mr. Henderson moved to accept the survey as written for the City staff, with a new draft to be provided for the online survey. The motion was seconded by Mr. McGiffin and unanimously carried.

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.

Ms. Smith moved to nominate Mr. McGiffin to serve as Chair of the Government Policy, Programs, and Practices (GPPP) Committee. The motion was seconded by Ms. Griffith and unanimously carried.

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.

Mrs. Sadusky moved to nominate Ms. Griffith to serve as Chair of the Communications Committee, seconded by Mr. Roach and unanimously carried.

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.

Mr. Roach moved to recommend that Council consider having a "Reach One, Teach One Challenge" for the City of Dover, seconded by Mr. Henderson and unanimously carried.

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. Smith noted that there was a member of the public present who wished to comment.

Mr. Roach moved to allow Ms. Joyce Wilson to comment, seconded by Mr. Henderson and unanimously carried.

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.

Mr. Roach moved for adjournment, seconded by Mr. Henderson and unanimously carried.

Meeting adjourned at 7:04 p.m.

S. Renee Smith
Chairwoman

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DOVER HUMAN RELATIONS COMMISSION

The Dover Human Relations Commission (DHRC) meeting was held on November 17, 2015 at 5:16 p.m. with Chairwoman Smith presiding. Members present were Ms. Bogle, Ms. Griffith (departed at 6:56 p.m.), Mr. Henderson, Mr. Roach (arrived at 5:35 p.m.), and Mrs. Sadusky (arrived at 5:17 p.m. and departed at 6:02 p.m.). Mr. McGiffin was absent.

AGENDA ADDITIONS/DELETIONS

Mr. Henderson moved for approval of the agenda, seconded by Ms. Griffith and unanimously carried.

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. DanYoung, 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 ***(Attachment #1)***. 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 motion to recommend 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, unanimously carried.

Mr. Henderson moved to recommend that the City post the event on its Facebook page, website events page, and Twitter account, if available, seconded by Ms. Bogle and unanimously carried.

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.

Mr. Henderson moved to recommend 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, seconded by Mrs. Sadusky and unanimously carried.

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 a 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.

Ms. Smith moved to request $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, seconded by Ms. Griffith and unanimously carried.

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.

Mr. Henderson moved to recommend 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, seconded by Ms. Griffith and unanimously carried.

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.

Mr. Roach moved to take a brief recess, seconded by Ms. Bogle and unanimously carried.

Meeting recessed at 6:27 p.m.

Mr. Henderson moved to reconvene the meeting, seconded by Ms. Bogle and unanimously carried.

Meeting 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 motion 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 unanimously carried.

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 motion 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, carried unanimously.

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 motion 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 unanimously carried.

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.

Mr. Henderson moved to recommend beginning to take pictures of events that the Commission is having and for Diane Bogle to be the primary photographer for the photo gallery, seconded by Mr. Roach and unanimously carried.

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.

Mr. Henderson moved to tentatively schedule a meeting for December 10, 2015 at 5:15 p.m., seconded by Ms. Griffith and unanimously carried.

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

Ms. Smith moved for adjournment, seconded by Ms. Bogle and unanimously carried.

Meeting adjourned at 7:13 p.m.

S. Renee Smith
Chairwoman

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Attachment
Attachment #1 - Flyer - Free Film and Discussion Series - Delaware State Human Relations Commission/Division of Human Relations

Delaware State Human Relations Commission /Division of Human Relations
invites you to join in a series of community learning opportunities

Free Film & Discussion Series

My humanity is bound up in yours, for we can only be human together.
Desmond Tutu

FILM: ***"Cracking the Codes"*** –This film asks America to talk about the causes and consequences of systemic inequity. Designed for dialogue, the film works to disentangle internal beliefs, attitudes and pre-judgments within. *Cracking the Codes* helps to deepen and shift the framing of racial disparities. We continue to primarily focus on individuals, when institutional and structural inequities are the bigger problem. The film features moving stories from 24 racial justice leaders that offer learning benefits to all participants.

DATE	TIME	LOCATION
NOV. 9	5:30-8	WILMINGTON LIBRARY DUPONT ROOM 10 E. 10TH STREET **WILMINGTON**
NOV. 19	6:00-8	FIRST STATE COMMUNITY ACTION AGENCY, 100 RAILROAD AVENUE **GEORGETOWN**
DEC. 8	5:30-8	DOVER PUBLIC LIBRARY 35 LOOCKERMAN PLAZA **DOVER**

UPCOMING FILMS

A Class Apart: A Mexican American Civil Rights Story - From a small-town Texas murder emerged a landmark civil rights case. The little-known story of the Mexican American lawyers who took Hernandez v. Texas to the Supreme Court, challenging Jim Crow-style discrimination.

Trans – Is an extraordinary and very personal journey into the transgender world through the memorable stories and the unusual lives of a remarkable group of people.

Home of the Brave – About the only white woman murdered in the civil rights movement and why we hear so little about her. Told through the eyes of her children, the film follows the on-going struggle of an American family to survive the consequences of their mother's heroism and the mystery behind her killing.

Viva La Causa – Focuses on the 1960s grape strike and boycott led by Cesar Chavez and Dolores Huerta . It shows how thousands of people from across the nation joined in a struggle for justice for the most exploited people in our country—the workers who put food on our table.

Individuals, agencies, groups, civic and church organizations *Join the Conversation!*
For more information and to REGISTER visit: www.delawarehumanrelations.gov
or
call 1(877) 54-HUMAN

DELAWARE HUMAN RELATIONS COMMISSION

Educating, Promoting and Enforcing Laws Against Discrimination

Film Series Partners:

New Castle County Library System
Dover Public Library
Dover Human Relations Commission
First State Community Action Agency

PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE

The Parks, Recreation, and Community Enhancement Committee meeting was held on December 14, 2015, at 3:30 p.m. with Chairman Anderson presiding. Members present were Mr. Hosfelt, Mr. Caldwell, and Mrs. Horsey. Mr. Lewis was absent. Members of Council present were Mr. Cole (arrived at 3:55 p.m.), and Mr. Hutchison. Mayor Christiansen was also present.

AGENDA ADDITIONS/DELETIONS

Mr. Hosfelt moved for approval of the agenda, seconded by Mrs. Horsey and unanimously carried.

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.

Mr. Hosfelt moved to recommend 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. The motion was seconded by Mrs. Horsey and unanimously carried.

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 ***(Attachment #1)***. 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.

Mr. Hosfelt moved to recommend 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. The motion was seconded by Mr. Caldwell and unanimously carried.

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

By unanimous consent, members agreed to consider Agenda Item #3B, Concerns - Park Lighting (Kirkwood and Division Streets), prior to Item #3B, Concerns - Availability of Soccer Fields, due to the absence of the party interested in Item #3B.

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.

Mr. Hosfelt moved to recommend approval of Staff's recommendation regarding lighting and fencing at the Kirkwood and Division Street property. The motion was seconded by Mr. Caldwell and unanimously carried.

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 ***(Attachment #2)***. 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 motion to defer this matter until the Committee's next meeting, scheduled in January, was unanimously carried.

Mr. Hosfelt moved for adjournment, seconded by Mr. Caldwell and unanimously carried.

Meeting adjourned at 4:56 p.m.

David L. Anderson
Chairman

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Attachments
Attachment #1 - Presentation - "Non-Conforming Uses" dated December 14, 2015
Attachment #2 - Memorandum from Ann Marie Townshend dated December 14, 2015 RE: Schutte Park Fields

Non-Conforming Uses

PARKS, RECREATION & COMMUNITY ENHANCEMENT COMMITTEE

DECEMBER 14, 2015

ATTACHMENT #1
PR&CE Committee Meeting of 12-14-2015

Zoning Ordinance, Article 7

- Non-conforming uses
  - Use is not permitted under Article 3 of the Zoning Ordinance.
  - Presumably use predates zoning, a rezoning of the property, or an amendment to the text of the Zoning Ordinance
- Non-conforming building
  - Use is permitted under Article 3 of the Zoning Ordinance
  - Does not conform to the area requirements (setbacks, lot sizes, etc.)
  - Presumably predates zoning or current area requirements

Non-Conforming Uses

- 1.1 Any nonconforming use, except those nonconforming uses specified in subsection 1.5, may be continued indefinitely, but:
  - 1.11 Shall not be enlarged, extended, reconstructed or placed on a different portion of the lot or parcel of land occupied by such uses on the effective date of this ordinance, nor shall any external evidence of such use such as traffic, noise, vibration, smoke, dust, odor, heat or glare be increased by any means whatsoever; or
  - 1.12 Shall not be changed to another nonconforming use without a special permit from the board of adjustment, and then only to a use which, in the opinion of said board, is of the same or a more restricted nature; or
  - 1.13 Shall not be reestablished if such use has been discontinued for any reason for a period of one year or more, or has been changed to, or replaced by, a conforming use. Intent to resume a nonconforming use shall not confer the right to do so.

Non-Conforming Uses

- 1.2 Except as provided in paragraph [subsection] 1.4 below, no building which houses a non-conforming use shall be:
  - 1.21 Structurally altered or enlarged; or
  - 1.22 Moved to another location where such use would be nonconforming; or
  - 1.23 Restored for other than a conforming use after damage from any cause exceeding 75 percent of the replacement cost of such building, exclusive of foundations. Any such building damage[d] to a lesser extent may be restored, but not enlarged, and the nonconforming use reinstated within one year of such damage; [however,] if the restoration of such building is not completed within the said one-year period, the nonconforming use of such building shall be deemed to have been discontinued, unless such nonconforming use is carried on without interruption in the undamaged portion of such building.

Non-Conforming Uses in Residential Zones

- 1.51 In any residence zone, any nonconforming use of open land, including such uses as a parking lot, junkyard, or open storage yard for materials or equipment, may be continued for three years after the effective date of this ordinance, or after annexation of the property into the City of Dover, provided that, after the expiration of that period, such nonconforming use shall be terminated (see also article 6, section 1.12). Any "house trailer," as that term is defined in article 12 hereof, that was located within the limits of the City of Dover at the effective date of this ordinance [November 22, 1976], or that was in place on any land subsequently annexed into the City of Dover, in any zone other than the mobile home park zone (MHP), shall constitute a nonconforming use and shall be permitted to be maintained as a nonconforming use indefinitely. However, such house trailer shall be required to connect to city sewer and water mains, if available, and such house trailer shall be subject to and shall comply with all other city codes and ordinances applicable to structures and residences.

Non-Conforming Uses in Residential Zones

- 1.53 In any residence zone, any non-conforming use of buildings which is not permitted under the provisions of this ordinance may be continued for a period of:
  - (a) Twenty years after the effective date of this ordinance, or
  - (b) Forty years after the initial construction of the building containing such use or of any addition thereto adding 50 percent or more to the floor area occupied by such use, whichever is the longer period, provided that, after the expiration of that period, such nonconforming use shall be terminated. However, no such nonconforming use shall be permitted to continue for a period exceeding two years, unless such use shall be operated in conformance with performance standards established in article 5, section 8.
- Other provisions relate to signage and student homes in residential zones

How Do We Address Non-Conforming Uses?

- Before issuing a permit or license
  - Check to make sure it hasn't been vacant for a year
  - If there has been a fire, verify that the repair cost doesn't exceed 75% of replacement
  - Check for other criteria
    - Has it been changed to a conforming use?
    - Are there other factors that would cause it to expire?
- Most cases are in Downtown Residential District – Former multi-family conversions

We Have Not....

- Reviewed uses in residential zones 20 years after effective date or 40 years after initiation of use (Section 1.53)
- Addressed non-conforming uses in continuous existence
- Challenges with doing this:
  - Significant research needed on code amendment dates, rezonings, and each property deemed to be non-conforming
  - Some non-conforming uses are also permitted as conditional uses, should these be grandfathered?
  - Need consistency across city and zones
  - Unintended consequences of enforcement– could adversely affect many properties, including churches, service organizations, etc.

MEMORANDUM

Department of Planning, Inspections & Recreation
P.O. Box 475
Dover, Delaware 19903
Phone: 302.736.7196 Fax: 302.736.4217

Date: December 14, 2015

To: Parks, Recreation & Community Enhancement Committee

From: Ann Marie Townshend, AICP

RE: Schutte Park Fields

I have spent much of the last week talking with internal staff and the Dover Recreation League President for Delaware Union to try and develop a compromise that will accommodate the needs of the City's recreational soccer league and Delaware Union's recreational program. In discussions with our Sports Coordinator, he is concerned that too much density in play on the Schutte Park fields could adversely impact multiple City of Dover recreational programs. In addition to having insufficient parking to meet the demands of more densely placed soccer fields, Mr. Pickering is concerned that the intensity of activity on the fields would leave them in poor condition for our summer field hockey league, which begins shortly after soccer season ends. Additionally, due to the parking demand that this would create, little if any programming could be planned inside the John W. Pitts Center on Saturdays during the spring. At the request of Councilman Anderson, I contacted Capital School District, and they have indicated that the fields at William Henry Middle School could be available to Delaware Union for their recreational program. The following are what I believe are the best alternatives to accommodate both programs.

1. Delaware Union could hold their recreational soccer season for the spring 2016 at William Henry. If our staff can be helpful in facilitating interaction with the Capital School District, we would be glad to help.
2. Delaware Union could hold their recreational soccer season for spring 2016 at Schutte Park on Saturdays beginning at 1:00 p.m. and/or Sundays all day.
3. The unimproved field area on the west side of Schutte Park could be evaluated and potentially used by Delaware Union. This may create challenges, because there is no parking, direct road access or restroom facilities. A temporary parking area would need to be developed, and access to Wyoming Mill Road would need to be negotiated with DelDOT.

I look forward to working with all parties involved to find a solution that is amenable to all programs and parties involved.

LEGISLATIVE, FINANCE AND ADMINISTRATION COMMITTEE

The Legislative, Finance, and Administration Committee meeting was held on December 14, 2015, at 6:00 p.m. with Chairman Hare presiding. Members present Mr. Sudler (arrived at 6:02 p.m.), Ms. Maucher, and Mr. Shevock. Mr. Cole was absent. Council President Slavin and Mayor Christiansen were also present.

AGENDA ADDITIONS/DELETIONS

Ms. Maucher moved for approval of the agenda, seconded by Mr. Shevock and unanimously carried.

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.

Mr. Shevock moved to recommend authorizing the carryover of five (5) marked police vehicles, seconded by Ms. Maucher 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.

Mr. Shevock moved to recommend approval of Staff's recommendation, seconded by Mr. Sudler and unanimously carried.

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.

Ms. Maucher moved to recommend authorization to negotiate an extension of the current contract with ADP until January 1, 2018, seconded by Mr. Sudler, and unanimously carried.

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.

Mr. Shevock moved to recommend acceptance of the Comprehensive Annual Financial Report (CAFR) as presented, seconded by Mr. Sudler, and unanimously carried.

By unanimous consent, the meeting adjourned at 6:16 p.m.

William F. Hare
Chairman

WFH/TM/mfk/js/tm
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ACTION FORM

PROCEEDING: Legislative and Finance Committee	**AGENDA ITEM NO.:**
DEPARTMENT OF ORIGIN: Police	**DATE SUBMITTED:** 12/3/15
PREPARED BY: Captain Timothy Stump / Administrative Division Commander	
SUBJECT: City of Dover Proposal for Usage of Bank Settlement Funds for Public Safety	
REFERENCE: JFC Approval of State of Delaware 10-13	
RELATED PROJECT: Neighborhood Building Blocks Fund Grant Funding	
APPROVALS: City Manager, Controller/Treasurer	
EXHIBITS: None	
EXPENDITURE REQUIRED: $614,569	**PROJECT BUDGET:** $614,569
FUNDING SOURCE (Dept./Page in CIP & Budget): State Grants for Public Safety	
TIMETABLE: Grant approval was received and funding is forthcoming. Once received and accepted, the items will be ordered.	
RECOMMENDED ACTION: Approve the grant project as requested.	

BACKGROUND

Violent criminal activity within the city of Dover continues to be on the rise. The Police Department investigated seven (7) murders within the past year. As a result of concerns for public safety, the Dover Police Department applied for grant funding from the Neighborhood Building Blocks Fund (NBBF) program in March 2015. The program is administered by the Delaware Economic Development Office and funded from State of Delaware Bank Settlement proceeds. Funds were requested to continue the Police Cadet program through June 2018, purchase fourteen (14) additional cameras for the city-wide camera network and building enhancements in the Police Department for the monitoring of the city-wide camera program. The total amount of funds requested was $534,998. Unfortunately, funding was not available in that funding cycle, so our application was tabled for the next cycle.

Funding from the NBBF Program was discussed again during August 2015, at a meeting of the Downtown Dover Partnership group. Chief Bernat discussed the possibility of resubmitting our NBBF application again with the Attorney General's Office. Funding was not available for all the requirements we originally requested, so Chief Bernat pared it down to cover four (4) additional cameras for key areas in the city and the maintenance for these cameras. As a result of that discussion, $35,000 was approved for these four (4) cameras in late October 2015.

Violent crime continues to present concerns for Public Safety agencies within the state. Chief Bernat met and discussed our funding requests with local state legislators who advised him on the content of the department's request which is provided in the attachment to this form. The State Legislature met and discussed the issues during the first week in December 2015 and approved $579,569 for the Dover Police Department.

ACTION REQUESTED

The Legislative and Finance Committee and Council approve the receipt of this grant and the purchases identified.

Grant Funding Breakout

Program Item	Amount
OCTOBER 15 APPLICATION APPROVED BY THE NEIBORHOOD BUILDING BLOCKS FUND	
4 Additional City Cameras and Maintenance (with 3 year extended warranty)	$35,000
DECEMBER APPLICATION APPROVED BY THE STATE OF DELAWARE JOINT FINANCE COMMITTEE	
Cadet Program	
Salaries (2/15/16 through 6/15/17) - temporary part-time employees working 19 hrs/week	97,700
Social Security	6,057
Medicare	1,417
Worker's Compensation	395
Cadet Payroll Subtotal	$105,569
Police Extra Duty Foot Patrols & Street Crimes Unit Overtime Foot Patrols over a 12 month period - funds will yield about 4,800 additional hours at the average overtime rate of $57.19/hour (4 officers X 4 hours X 5 days a week X 52 weeks = 4160 hours plus 640 hours OT for Community Events – see below.	275,000
Total Payroll Costs	**$380,569**
Other Costs	
14 Additional City Cameras & Maintenance (with 3 year extended warranty)	145,000
Upgrade the Police Communications Center to enhance the monitoring of existing and new cameras within the city.	25,000
Community Events Funding - host basketball and social gatherings to build trust in the community. Program funding will pay for food, music and entertainment, such as movies at the Dover Police Station, Schwartz Center and outdoor theater areas.	25,000
Update outdoor basketball court located at the corner of Kirkwook & Division Streets - new lights with light sensitive timers (turn off at 10 pm) & chain nets on basketball hoops	4,000
Total Other Costs	**$199,000**
Grand Total Funding Approved by December JFC	**$579,569**
GRAND TOTAL FUNDING APPROVED	**$614,569**

Department Grant Application Analysis Form
For Use in Evaluating Grant Opportunities

General Information

Department: Police Staff Contact: Capt Stump

Grant/Project Title: Bank Settlement Funds for Public Safety

Brief Grant/Project Description: Non-recurring Neighborhood Building Blocks Grant funding managed by the State of Delaware Economic Development Office. Funding for this program comes from the State of Delaware bank settlements.

Application Information

Due Date: 12/1/15 New ☒ Related Grants: NBBF Grant

Recurring ☐ Previous years' grants

Anticipated Award Date: 12/3/15 Anticipated Notification Date: 12/3/15

Start Date: 1/1/16 End Date: 12/31/16

Award Amount: _____ Cash ☐ Reimbursement ☐

Approx. reimbursement turn-a-around time _____

Council Approval Needed: Yes ☒ No ☐

(Council approval is needed for grant projects > $25,000, when match amounts equal or exceed $25,000, or when expressly required by the granting authority.)

Which apply?

Match amount ☐

Project shortage ☐

Other grant requirement ☒

Grant/Project Costs

Budget Category	Award Amt	Match Amt	Match Source
Contractual			
Equipment/Supplies	$234,000		
Indirect Cost (ie, vehicle repairs, mileage, IT, telephone)			
Personnel (Cadet Payroll)	105,569		
Police Extra Duty	275,000		
Travel/Training			
Other (ie, informant/buy money)			
Total	$614,569	$ 0.00	
	GRANT TOTAL	$614,569	**Award + Match**

Department Grant Application Analysis Form

For Use in Evaluating Grant Opportunities

Other Information

1. Are any of this project's costs included in the City budget?
   No, but maintenance for 84 related city-wide cameras are funded in the Police Department's budget.

2. Are there any long-term costs or commitments?
   Cadet Costs should be picked up the city after the grant term ends in June 2017. In addition, Maintenance costs for the additional city-wide cameras will be picked up by the department budget after the end of the five year warranty period.

3. How will this program/project be funded after the grant expires?
   From the city budget.

4. What is the maximum amount of funds available from this funding source?
   The amounts shown on the preceding table are the maximum amounts available.

5. If the Department receives only a portion of the amount requested, how will the project be funded?
   The funds are explicitly authorized for Dover PD's use, so the full amount will be available.

6. Are there other departments in the City eligible for this funding?
   No.

7. Are other departments in the City willing to collaborate on this project?
   Not Applicable.

8. Will this project duplicate or compete with other services or programs provided by the City or other local agency?
   No.

CITY OF DOVER

COST CENTER REQUEST FOR BUDGET AMENDMENT

Department: Police
From Account #:
To Account #: 710-0000-351-20-00

Fiscal Year: 2016
Date of Request: 01/05/2016
(Check Only One)

- [ ] Change Within Budget
- [x] Supplemental Appropriation
- [ ] Departmental Transfers

By: Paul M. Bernat
Digitally signed by Paul M. Bernat
DN: cn=Paul M. Bernat, o=Dover Police Department, ou=Chief of Police, email=paul.bernat@cj.state.de.us, c=US
Date: 2016.01.05 08:40:35 -05'00'
(Signature)

	Element Object	Account Name	Original Budget	Net Previous Changes	Current Revised Budget		Requested Change or Supplement	Adjusted Budget	YTD Expense
FROM									
TO	331-20	Misc State & Local Grants	$ 25,000.00	$ 0.00	$ 25,000.00		$ 614,600.00	$ 639,600.00	$ 19,105.66
	1	2	3	4	5		6	7	8

Request Justification:

Adjustment needed to accommodate the new funding that will be received from the State of Delaware. A portion will be received on a reimbursable basis ($35,000) and the remainder was funded up front ($579,569). The grant periods for these funds will run through June 2017 (FY17), so all the funds will not be spent during FY16.
A Committee Action Form for these funds is being processed for council review and approval of this new program.

Instructions: Complete all appropriate items. Figures in columns four and seven must be preceded by a "plus" or a "minus" sign. Round all figures to nearest dollar. Use the reverse side of this form if additional space is needed to justify request. Form must bear the live signature(s) of cost center manager(s). Before submitting request to Finance Department for consideration, obtain verification from the accounting department that all all figures are correct. Submit copy of request to the City Manager. A copy will be returned noting the action taken.

Approval: _____ _____
City Manager Controller/Treasurer

Date of Action: _____

Approved as: Requested ☐ Approved as Modified ☐ Denied ☐

Deferred Until: _____

For Finance Department Use Only **Processed:** _____ **By:** _____

COD FINANCE FORM 98

CITY OF DOVER

COST CENTER REQUEST FOR BUDGET AMENDMENT

Department: Police
From Account #:
To Account #: 710-1700-545-XX-XX

Fiscal Year: 2016
Date of Request: 01/05/2016
(Check Only One)

- [ ] Change Within Budget
- [x] Supplemental Appropriation
- [ ] Departmental Transfers

By: Paul M. Bernat (Signature)

Digitally signed by Paul M. Bernal
DN: cn=Paul M. Bernal, o=Dover Police Department, ou=Chief of Police, email=paul.bernal@cj.state.de.us, c=US
Date: 2016.01.05 08:40:12 -05'00'

	Element Object	Account Name	Original Budget	Net Previous Changes	Current Revised Budget		Requested Change or Supplement	Adjusted Budget	YTD Expense
FROM									
TO	10-13	Temporary Help (Cadet Pgm)	$ 71,400.00	$ 0.00	$ 71,400.00		$ 105,600.00	$ 177,000.00	$ 33,013.80
	20-26	Police Equip & Prog Supp	$ 166,600.00	-$ 3,000.00	$ 163,600.00		$ 29,000.00	$ 192,600.00	$ 41,173.61
	30-31	Contractual Services	$ 0.00	$ 3,000.00	$ 3,000.00		$ 205,000.00	$ 208,000.00	$ 1,113.84
	50-01	Police Extra Duty	$ 74,400.00	$ 0.00	$ 74,400.00		$ 275,000.00	$ 349,400.00	$ 27,025.35
	1	2	3	4	5		6	7	8

Request Justification:

Please adjust the 710 grant fund in the amounts above to accommodate spending on the new funding that will be received from the State of Delaware Bank Settlement funds for Public Safety ($579,569) and Neighborhood Building Blocks Fund Program ($35,000). The grant periods for these funds will run through June 2017 (FY17), so all the funds on the grant will not be spent during FY16.
A Committee Action Form for these funds is being processed for council review and approval of this new program.

Instructions: Complete all appropriate items. Figures in columns four and seven must be preceded by a "plus" or a "minus" sign. Round all figures to nearest dollar. Use the reverse side of this form if additional space is needed to justify request. Form must bear the live signature(s) of cost center manager(s). Before submitting request to Finance Department for consideration, obtain verification from the accounting department that all all figures are correct. Submit copy of request to the City Manager. A copy will be returned noting the action taken.

Approval: _____ City Manager

_____ Controller/Treasurer

Date of Action: _____

Approved as: Requested ☐ Approved as Modified ☐ Denied ☐

Deferred Until: _____

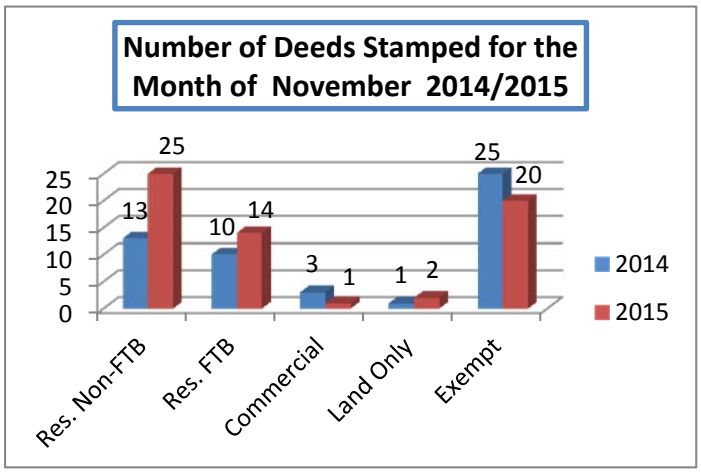
For Finance Department Use Only **Processed:** _____ **By:** _____

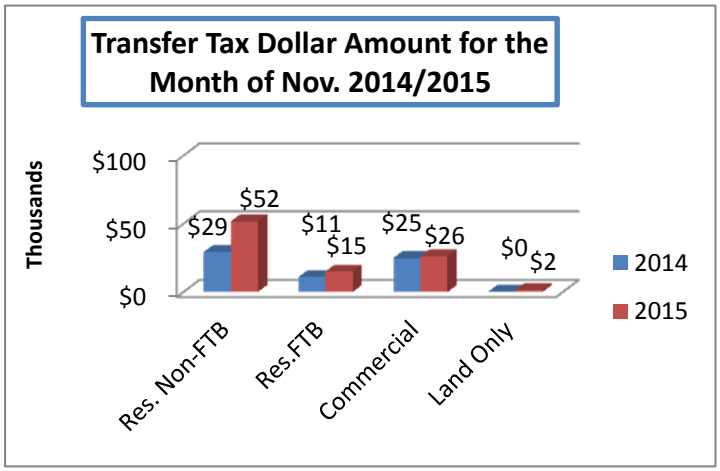
COD FINANCE FORM 98

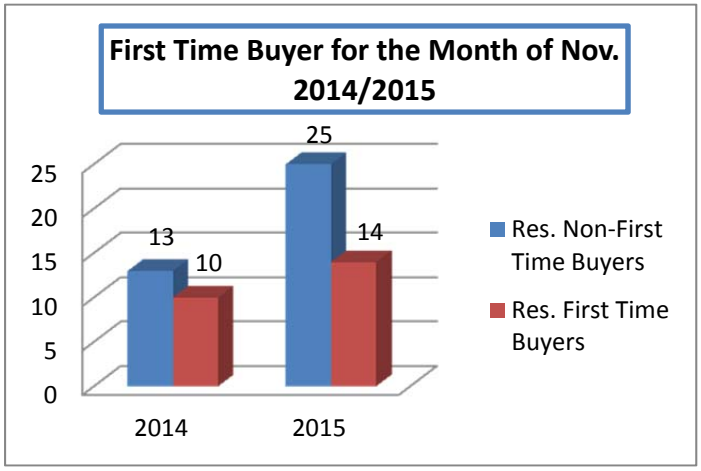
Monthly Report
November 2015

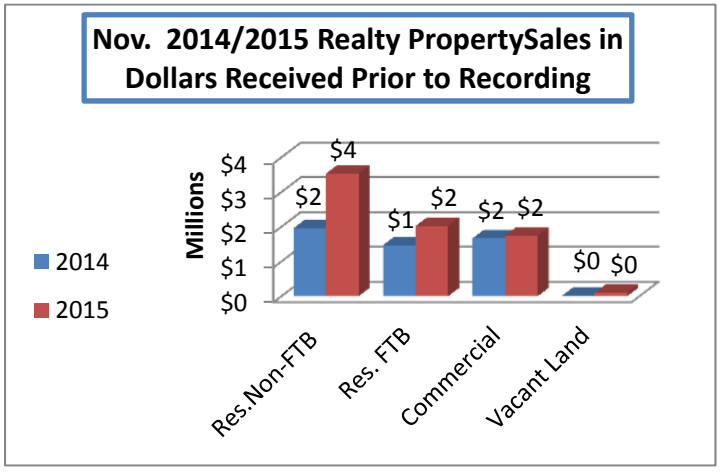


Office of City Assessor









Major Updates

	September - 15	October - 15	November- 15
Assessment Change	$84,800	-$2,478,060	-$246,300

Residential Sales Ratio Report

Sales in Study	Total Assessed Value	Total Sale Price	Ratio	PRD
23	$3,096,100	$3,229,625	0.96	1.05

Ratio – Assessed Value divided by Sale Price.
PRD – Mean – A PRD above 1.03 tends to indicate assessment regressivity – high valued properties are under appraised relative to low valued properties. A PRD below .98 tends to indicate assessment progressivity – high valued properties are relatively over appraised.

Points of Interest

Scanning & Filing

- All new deeds are being scanned and attached to the CAMA software for easy retrieval.

- All appeal documents and correspondence are being scanned and attached to the CAMA software for easy retrieval.

- All old property record cards are being scanned and indexed into Fortis.

Assessor's Office

-Delinquent Tax Bills and Tax Sale Notices were mailed to those property owners who owe 2 years in Property Taxes.

CITY OF DOVER
SALES RATIO REPORT

PARID	NBHD	LUC	ADDRESS	UNITS	STYLE	YRBLT	STORIES	SFLA	GRADE	CDU	TOTAL APPR	SALE DT	PRICE	ASR
ED05-057.17-01-26.00	18	R10	51 GRISTMILL PL	1	8	1991	2	1955	C+	AV	154,500	16-NOV-15	150,000	1.03
ED05-066.16-02-16.00	3	R10	45 LOST TREE CT	1	8	1987	2	2390	B-	AV	184,700	10-NOV-15	205,200	.90
ED05-067.05-01-65.00	18	R10	15 HEMSTED CT	1	13	1988	2	2119	B	AV	157,400	13-NOV-15	152,000	1.04
ED05-067.09-01-28.00	18	R10	247 MERION RD	1	5	1977	2	1850	C+	AV	186,100	23-NOV-15	187,500	.99
ED05-067.11-01-10.00	10	R10	928 WOODCREST DR	1	16	1971	1	1832	C	AV	156,100	20-NOV-15	168,500	.93
ED05-067.14-04-28.00	18	R10	109 RED OAK DR	1	5	1994	2	3427	B-	GD	246,500	09-NOV-15	245,000	1.01
ED05-067.15-02-36.00	2	R10	139 N ANN AVE	1	14	1960	1	672	C-	AV	72,900	08-NOV-15	73,000	1
ED05-067.16-02-28.00	10	R10	600 LAKEWOOD PL	1	3	1937	1	1390	C	AV	127,100	13-NOV-15	167,700	.76
ED05-068.09-01-80.00	8	R10	635 VENUE DR	1	13	2000	2	2034	B	GD	207,700	12-NOV-15	189,000	1.10
ED05-068.14-04-28.00	7	R10	134 SPRUANCE RD	1	13	1986	2	990	C-	FR	64,600	30-NOV-15	47,975	1.35
ED05-068.14-04-42.00	7	R10	162 SPRUANCE RD	1	13	1985	2	1045	C-	FR	63,000	20-NOV-15	39,000	1.62
ED05-068.18-05-74.00	7	R10	827 E DIVISION ST	1	14	1950	1	906	C	GD	119,400	06-NOV-15	125,000	.96
ED05-076.03-01-10.00	14	R10	15 LESTER CT	1	5	2007	2	1894	C+	AV	174,100	16-NOV-15	165,000	1.06
ED05-076.03-04-68.00	11	R10	412 BEUVALE LN	1	14	2009	1	1714	B+	AV	225,900	20-NOV-15	263,000	.86
ED05-076.06-01-67.00	103	R50	1 GRAND HALL	1	20	1973	1	779	B	GD	56,200	04-NOV-15	52,000	1.08
ED05-076.08-04-20.00	9	R10	12 N KIRKWOOD ST	1	1	1925	2	1504	C	AV	72,400	06-NOV-15	75,900	.95
ED05-077.05-02-43.00	10	R10	31 MAPLE PKWY	1	1	1920	2	1792	C+	AV	142,200	19-NOV-15	170,000	.84
ED05-077.11-05-33.00	6	R10	2 MER WAY	1	8	2012	2	2266	B-	AV	180,200	05-NOV-15	225,000	.80
ED05-077.17-03-45.00	4	R10	834 S STATE ST	1	3	1920	1	1560	C-	AV	115,900	13-NOV-15	110,000	1.05
ED05-085.08-03-73.00	12	R10	277 FIDDLERS GRN	1	16	1967	1	1724	C+	GD	153,600	20-NOV-15	167,850	.92
ED05-087.06-01-22.00	4	R10	1113 JANES RD	1	14	1952	1	714	C	FR	69,400	02-NOV-15	86,000	.81
ED05-087.06-01-26.00	4	R10	1065 JANES RD	1	14	1952	1	822	C	FR	73,100	05-NOV-15	80,000	.91
LC05-058.18-01-36.00	1	R10	109 SUSAN PL	1	11	2006	1	1560	C-	GD	93,100	16-NOV-15	85,000	1.10

CITY MANAGER'S MONTHLY REPORT



NOVEMBER 2015

Monthly Highlights

Customer Services

- In the month of November, we processed 5,043 credit card payments for the month totaling $1,002,963.78.

Human Resources

- Continued contract negotiations.

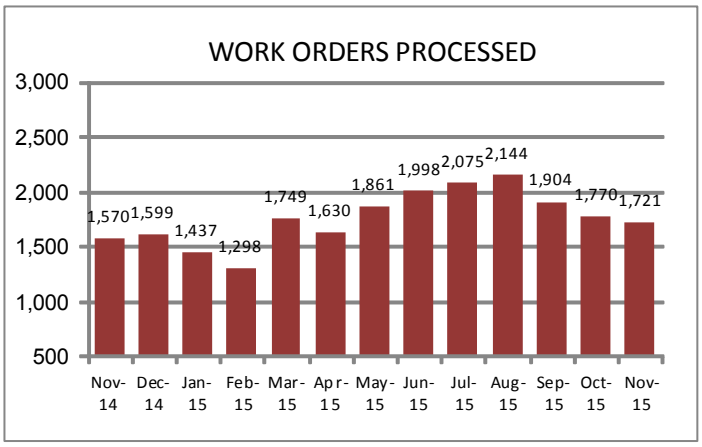
Library

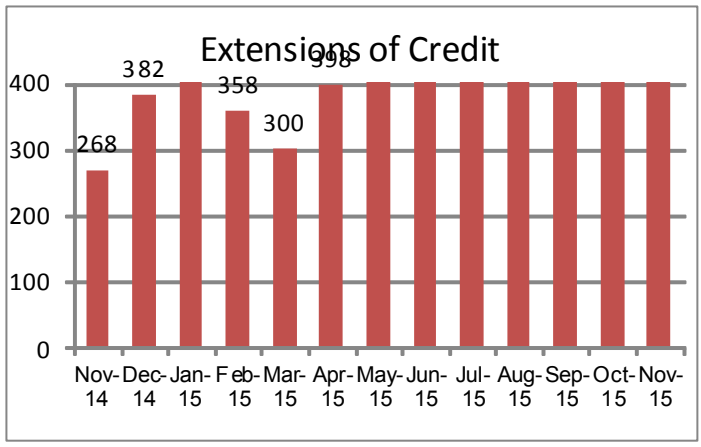
- 962 attended 35 programs for adults.
- 438 attended 33 programs for teens.
- 917 attended 35 programs for children.
- 15 volunteers completed 272.5 hours of service.
- 257 attended 37 programs/classes coordinated through the Job Center.

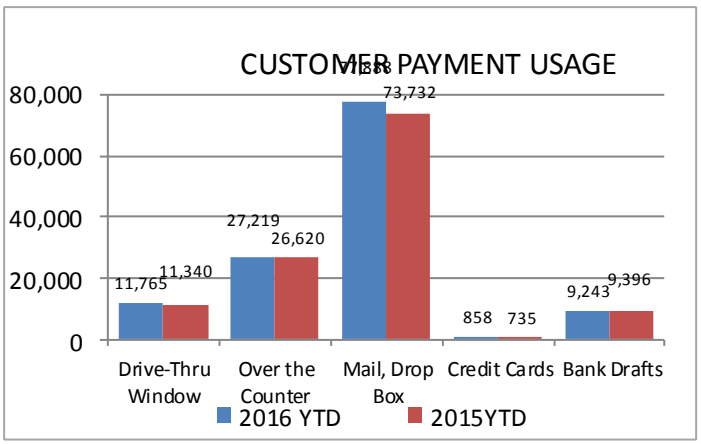
Public Works

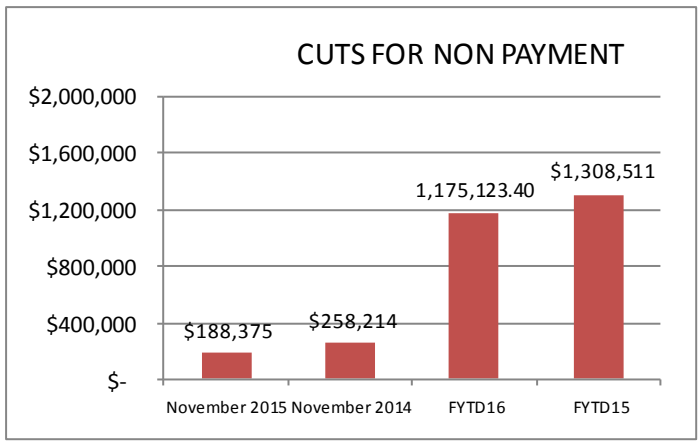
- Working on CIP and additional funding for future street program and other projects.

CUSTOMER SERVICES









Major Program Updates	Nov 2015	Nov 2014	Difference	FY 2016 Year-to-Date	FY 2015 Year-to-Date
Number of Customers Served	19,724	20,496	(772)	108,332	109,060
Final Bills	565	548	17	3,404	3,607
Estimated Bills	234	78	156	1,151	858
Penalties Posted	$ 18,084	$ 17,216	867	$ 82,319	$ 95,559
Extensions of Credit - Amount Extended	$ 112,922	$ 75,342	37,580	$ 607,935	$ 393,583
Balance Transfers	$ 786	$ 971	(185)	$ 94,765	$ 14,355
Utility Collections	$ 32,071	$ 14,327	17,744	$ 229,900	$ 105,223
Special Assessments	$ -	$ -	-	$ -	$ -
Miscellaneous Billings	$ 33,329	$ 138,506	(105,177)	$ 741,243	$ 397,809
CNP through Disconnect Collars	$ -	$ -	-	$ -	$ -
Court Cases	$ -	$ -	-	$ -	$ -
Tamperings	$ -	$ -	-	$ -	$ -
Taxes Levied (includes carry forward)	$ -	$ 676,600	(676,600)	$ -	$ -
Billing Adjustments	$ -	$ 419	(419)	$ -	$ -
Total Taxes Collected	$ -	$ 45,773	(45,773)	$ -	$ -
Taxes Outstanding	$ 478,475	$ 631,246	(152,771)	$ -	$ -
Payments in Lieu	$ -	$ -	-	$ -	$ -

HUMAN RESOURCES

Category	Nov 14	Dec 14	Jan 15	Feb 15	Mar 15	April 15	May 15	June 15	July 15	August 15	Sept 15	Oct 15	Nov 15	Total
Caucasian*	288	290	287	286	289	289	291	290	291	290	296	300	301	N/A
Minorities*	61	62	63	62	63	61	63	63	64	64	67	66	65	N/A
Hired	0	5	1	0	9	5	9	3	8	2	12	1	2	57
Terminated/Resigned/ Retired/Other	3	2	3	2	5	7	4	4	4	1	4	1	2	42
Transferred/Promoted	5	1	0	0	0	0	0	4	0	1	0	0	1	12
Jobs Posted	3	3	3	2	7	2	2	2	1	7	9	4	0	45
Workers Comp. Injuries	5	1	1	3	3	3	2	2	0	4	6	7	1	38
Workers Comp. Hours	32	2	17	29	312	97	231	115	260	42	24	211	63	1435
Insurance Claims	1	5	4	1	3	0	2	2	0	3	1	3	2	27

Full-time Employees: 337 **Part-time Employees:** 29 (*4 Pitts Center, 1 Recreation, 12 Library, 2 Customer Service, 1 Central Services, (9) Police Department)
-Numbers do not reflect, temporary, seasonal, relief fire dispatchers, committee or council members.
** August 2015 Pitts Center Number reduced to 4 to reflect error in July 2015
Positions Hired: Civil Engineer, Mechanic I
Position Transferred: Motor Equipment Operator II to Water Treatment Plant Operator
Position Resigned/Retired/Terminated: Fire Dispatcher, Field Supervisor I

Recruitment Information (Positions closed in November)

Position	Total	Female	Male	Unknown	Black	White	Hispanic	Asian/Pacific Islander	American Indian/Alaskan Native	Unknown	In Dover	Out Dover
Gardener I	16	4	12	-	2	11	1	-	-	2	6	10
Gardener II	7	1	6	-	2	5	-	-	-	-	4	3

Unfilled/Open Positions by Department*

Unfilled/Open Positions By Department	Nov 14	Dec 14	Jan 15	Feb 15	Mar 15	April 15	May 15	June 15	July 15	Aug 15	Sept 15	Oct 15	Nov 15
Electric	2	2	2	4	3	2	3	2	1	2	2	2	3
Public Works	12	12	12	13	15	13	17	16	18	17	16	16	14
Police	1	1	10	10	4	4	2	3	5	5	1	2	2
All Other Departments	5	3	3	4.5	4.5	5	4	6	11	9.5	7.5	7	8.5
Totals	20	18	28	29.5	26.5	24	26	27	35	33.5	26.5	27	27.5

**Not used for Budgeting Purposes*

***The following has been updated to reflected the Fiscal 2015-16 Budget**

Electric: Generation Manager, Substation Technician Crew Leader, Ground worker

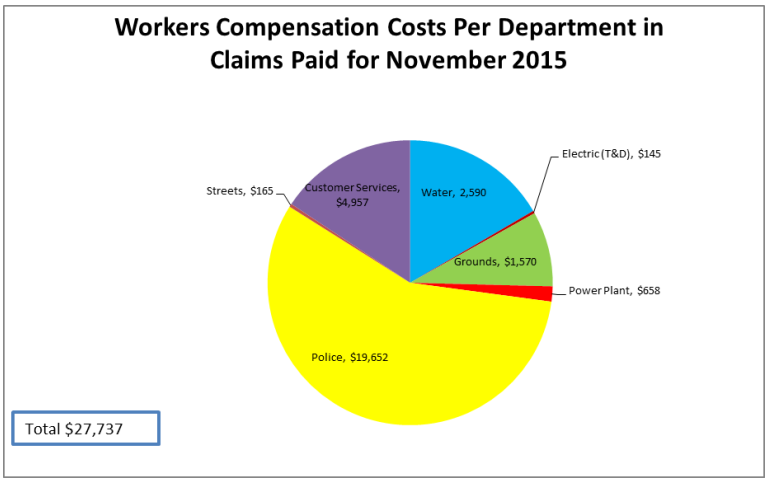
Public Works: Utility Maintenance Mechanic I/Wastewater; Public Works Inspector (Public Works); Motor Equipment Operator I (Streets); Motor Equipment Operator II (Streets); (3) Motor Equipment Operator I (Sanitation); Gardner II (Grounds); Gardner I (Grounds); (2) Motor Equipment I Water/ wastewater; Water Treatment Plant Operator I; Public Works Operations Manager

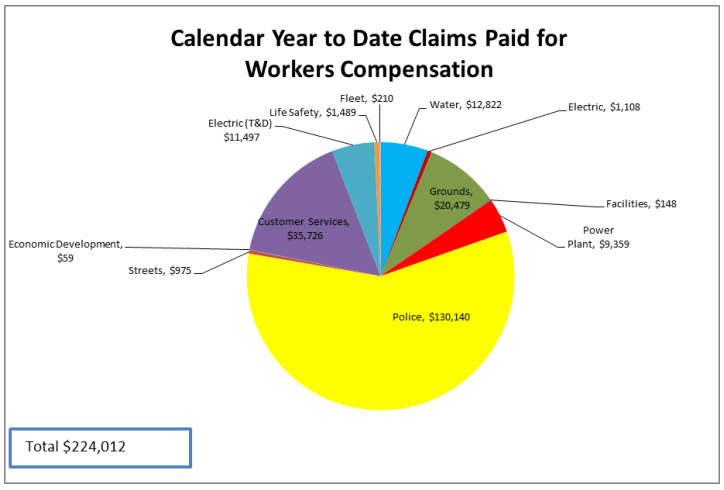
Police: Sex Offender Registration Officer, Police Officer

All Other Departments: (1) Customer Service Clerk (part-time), Librarian II; (2) Librarian I (part-time); Library Clerk I (part-time), Administrative Assistant (Information Technology-part-time); Library Page (part-time); AS400/System Operator (Information Technology); Planner I (Planning & Inspections); Accountant I, Finance (part-time); Key Accounts Representative (Customer Service), Fire Dispatcher

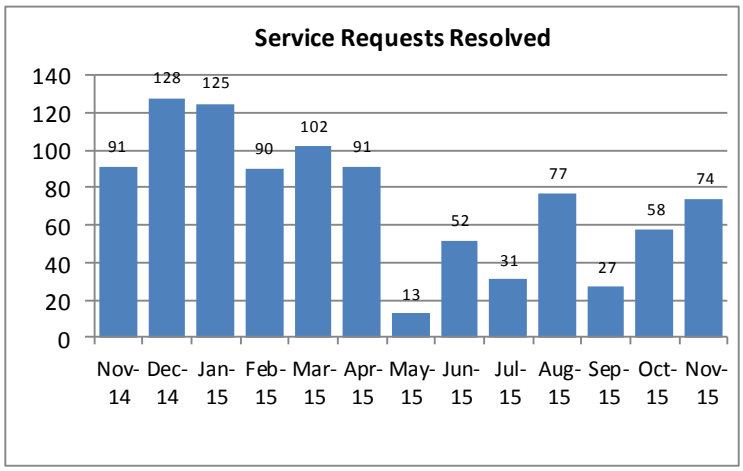
Turnover Statistics						
	2010	2011	2012*	2013 *	2014	2015
Total Turnover %	5.57	6.75	11.00	10.91	6.02	10.39
Termination Turnover %	0.27	1.08	0.29	1.47	.57	.28
Resignation Turnover %	2.12	4.05	5.21	5.01	2.29	6.74
Retirement Turnover %	3.18	1.62	5.50	4.42	3.15	3.65
*** Healthcare cost sharing implemented**						
**** Healthcare cost sharing implemented for DOE**						

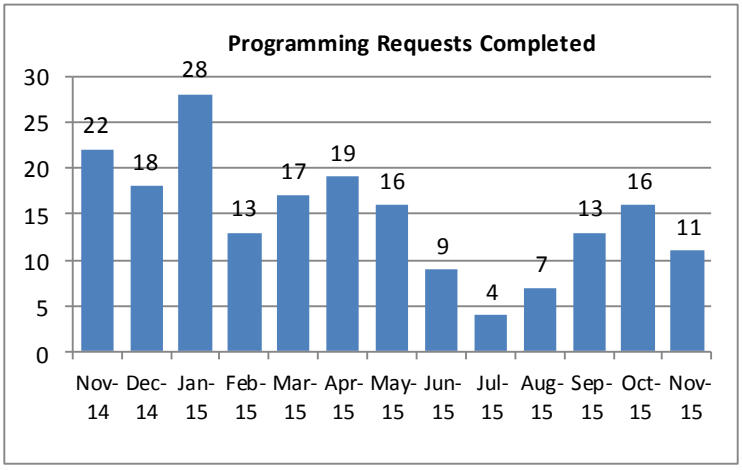
Average Employees						
	2010	2011	2012*	2013*	2014	2015
Total Number of Employees Separating from Service	21	25	38	37	21	37
Average Number of Full-time Employees	362	356	333	325	331	333
Average Number of Part-time Employees	16	15	12	14	18	24

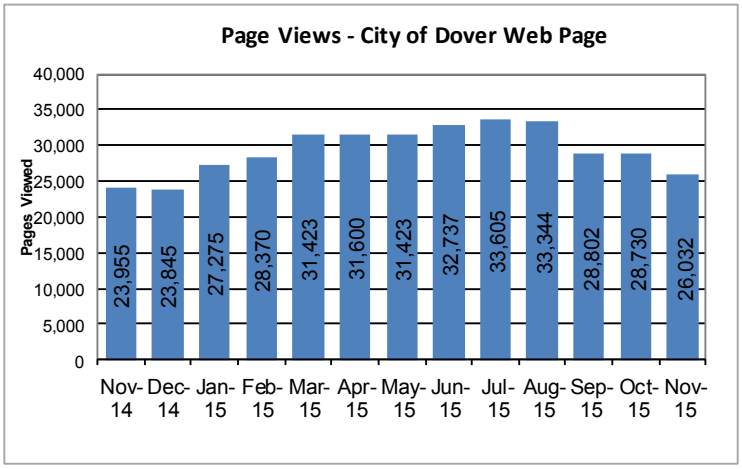




INFORMATION TECHNOLOGY



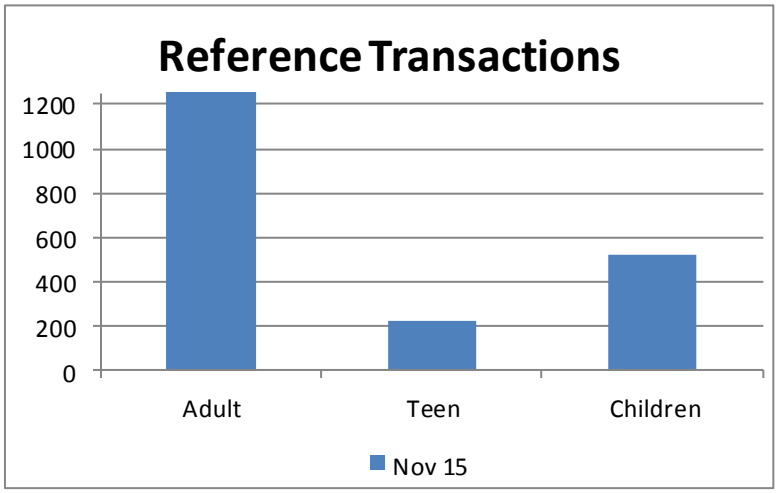




Performance Indicators	Current Month	Last Month	Same Month Last Year
iSeries Availability	100%	100%	100%
Server Availability	100%	100%	100%
AS/400 Connections *(concurrent/authorized users)*	N/A	N/A	N/A
PCs Supported	373	373	365
Scheduled PCs Replaced	-	-	-
Servers Supported	35	35	30
People Trained	28	12	23

Availability Statistics based on 7:00 AM until 5:00 PM Monday—Friday

LIBRARY



Adults – 1,310 Teens – 227 Children – 521

Circulation	Nov 15		FYTD 16		Nov 14		FYTD 15
Dover residents	17,179		99,476		19,445		109,530
Ebooks	2,534		11,986		1,881		9,518
Kent residents*	10,774		59,808		12,995		71,985
Non-county residents	1,843		10,330		2,121		10,893
Registrations							
Dover residents	683		2,251		313		1,936
Kent residents*	58		203		41		234
Non-county residents	17		40		10		35
Other							
Visiting Patrons	24,774		142,024		27,235		138,863
Meeting Room Usage	1,206		7,160		2,062		8,724
Photocopier Usage	1,058		6,092		1,000		5,420
Computer Printing Usage	3,115		15,571		3,143		15,233
Computer Users	4,284		23,301		4,283		24,271
Wireless Computer Users	1,711		9,864		1,690		8,594
Holds (Total)	6,595		35,499		5,632		33,936

***Breakout of Kent County Residential Statistics**

Circulation	Registrations
Harrington: 148	Harrington: 3
Milford: 106	Milford: 1
Smyrna: 518	Smyrna: 0
Outside City Limits: 10,002	Outside City Limits: 54

Total Registered Users: (Card Holders)

City: Kent County: 12,051 Outside Kent County: 1,052

Other Points of Interest:

Inter/Interlibrary: 62 items loaned out
33 items borrowed

Technical services: 1,744 items added
2,735 items deleted

Volunteers: 272.5 hours of service completed

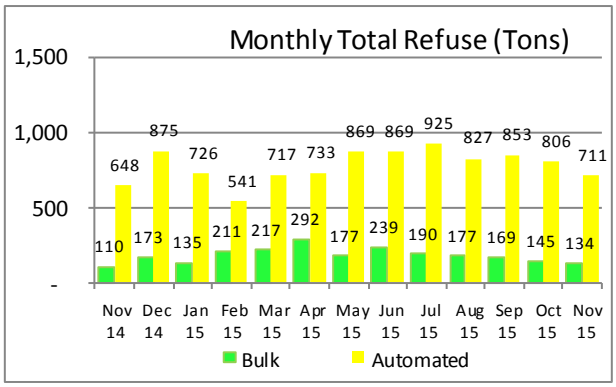
PUBLIC WORKS

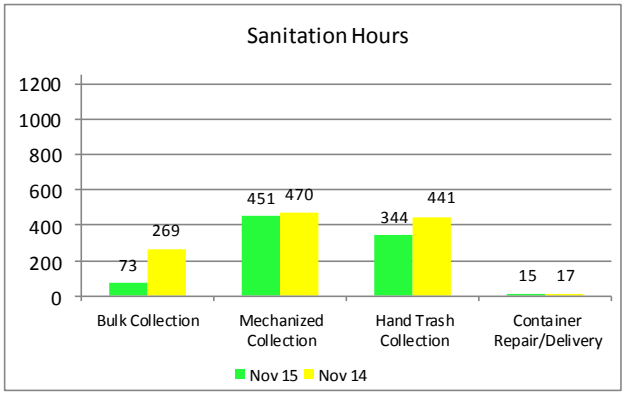
Administration

Administrative review and inspection services continued on all residential and commercial developments. The following residential subdivisions are in various phases of construction:

Oak Shadows	Emerald Pointe	Eden Hill (Residential)
Patriot Village	Clearview Meadows	Village of Cannon Mill

Sanitation





	NOVEMBER 15	FYTD 16	NOVEMBER 14	FYTD 15
Trips to DSWA Sandtown Landfill	153	875	148	907
Total Tonnage to DSWA	844.80	4,938.12	767.92	7,860.54
90-Gallon Containers Delivered	53	366	12	192
300-Gallon Containers Delivered	0	0	2	28
Total Man Hours-containers Delivered	15	87	17	176

CURBSIDE RECYCLING STATS	TOTAL # OF HOUSEHOLDS COLLECTED	TOTAL # OF ACCOUNTS	WEIGHT/LBS.	AVE. LBS.
November 2015	19,324	9,213	268,480	13.89

PUBLIC WORKS
continued

Streets	NOVEMBER 15	FYTD 16	NOVEMBER 14	FYTD 15
Signed Installed	1	31	0	112
Signs Repaired	14	39	0	49
Curbs Painted Yellow (feet)	165	1,281	0	683
New Post Installed	5	42	0	18
Storm Catch Basins Repaired	0	9	0	8
Storm Catch Basin Repairing (Hrs.)	0	38	0	60
Storm Catch Basins Cleaned	1	356	20	60
Storm Catch Basins Cleaning (Hrs.)	1	42	9	37
Hot Mix Patching (Tons)	0	0	0	6
Hot Mix Patching (Hrs.)	0	0	0	73
Cold Mix Patching Hrs.)	0	19	0	101
Concrete Work (Hrs)	8	40	1	136
Concrete Patching (Cubic Yards)	0	0	0	0
Ditch Work (Hrs).	0	28	0	0
Street and Alley Maintenance (Hrs)	0	4	12	278
Street Sweeping (Miles)	0	5,801	0	5,327
Street Sweeping (Cubic Yards)	0	456	0	1,288
Leaves Collected (Cubic Yards)	7,034	7,787	4,313	5,351
Leaf Collection (Miles)	3,132	3,881	2,067	2,502

Grounds

Total Work Orders = 18	General = 9	Arborist = 9

Arborist Crew	November 2015	November 2014
Trees Trimmed	46	21
Trees Removed	4	2
Stumps Removed	6	0
Root Pruning	0	0

- A three man crew worked on Christmas lights

Beautification Crew
- No beautification crew.
- Removing plants, as needed, due to cold/frost wilt/damage.

Mowing Crew
- Mowing of all areas including parks, around City facilities, ditches, and right-of-ways.
- One mowing crew began general clean-up of the grounds on the mowing route.

Athletic Field Maintenance
- Prepared athletic fields for games
- Began fall aerating and fertilizing program on various fields.

Litter Removal
- Litter crew has been doing an outstanding job with emptying trash cans and picking up litter.

Miscellaneous
- Continuing the relocation of the Grounds Maintenance Operation and Equipment Maintenance Shop, from PWII, to the Schutte Park Facility
- All staff participated in decorating for the December 3rd Capital Christmas Celebration.

PUBLIC WORKS continued

Geographic Information Systems (GIS)

Delaware Chamber of Commerce	Modify web application and map for Capital Holiday Celebration
Public Works	GIS Day. Time spent setting up, working at & breaking down.
Public Works	Update sanitary sewer system at multiple parts of the City
Public Works	Create GIS Day Power Point
Public Works	Prepare for GIS Day
Public Works	GIS Day

Fleet and Facilities Management

Fleet Maintenance

PM Work Orders Completed:	**5**	Number of Tire Repairs:	**9**	Number of Road Repairs:	**6**
Other Work Orders:	**67**	Repair Hours:	**184**	Road Repair Hours:	**6**
Total Work Orders:	**72**	Fabrication Hours:	**4**	Misc. Hours:	**4**
PM Hours:	**23**				

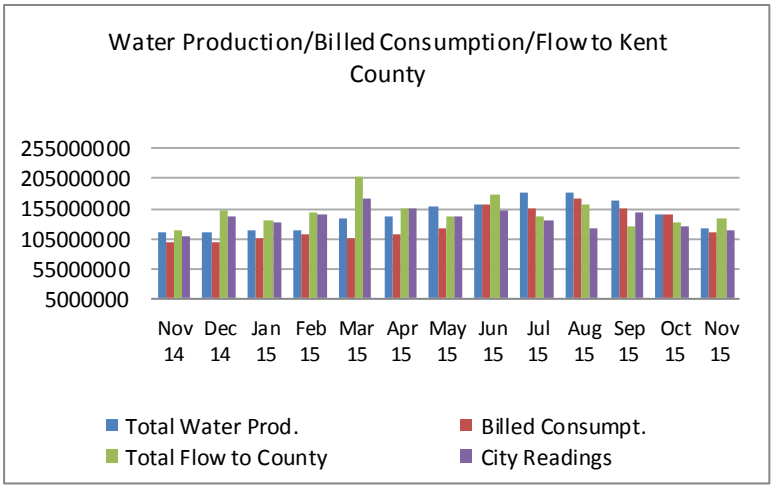
 # Of Scheduled PM's: 19
 # Of Scheduled PM's: Completed: 2

Major Program Updates

MEASURE	November 2015	November 2014	DIFFERENCE
Fleet Maintenance - Scheduled Preventative Maintenance appointments being kept *(Quantity and Percentage)*	2 out of 19 10.53. % Winter is upon us and vehicles are destined to have problems as the temperatures drop. If you have noticed problems with your vehicle and haven't made time to schedule for repairs, now is the time.	2 out of 10 20%	**- 9.47%**
Facilities Maintenance			
Facilities - Routine work orders completed within 5 days *(Quantity and Percentage)*	18 out of 19 94.74 %	1 out of 1 100%	**- 5.26%**
Facilities - Emergency work orders completed within 2 days *(Quantity and Percentage)*	2 out of 2 100%	18 out of 18 100%	**0%**

PUBLIC WORKS
continued

Water/Wastewater



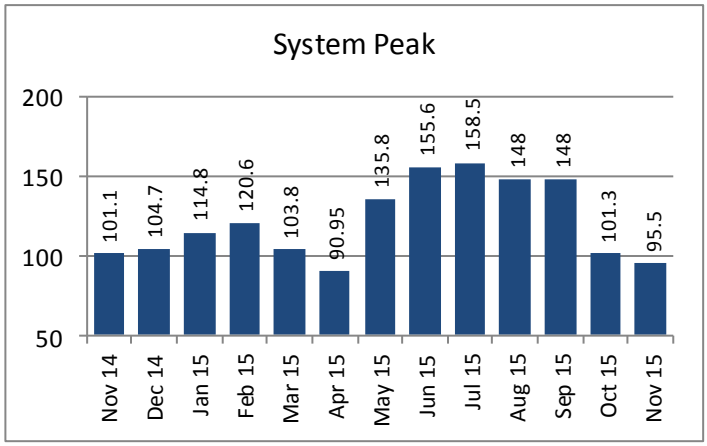
ENGINEERING SUMMARY

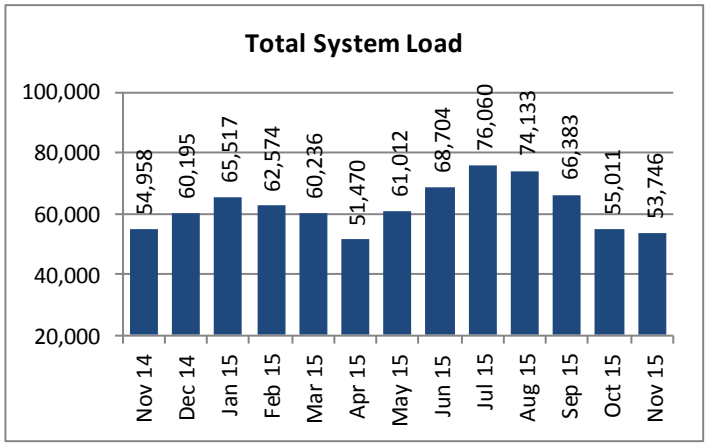
Major Program Updates	NOVEMBER 15	NOVEMBER 14	DIFF	FY16 YTD	FY15 YTD
State and Federal Violations	0 violations	0 violations	-	-	-
Water Quality Complaints	2	0	+ 2	39	51
Plan Review Completed With-in 30 days of Submission	2 plans 100%	9 plans 100%	-7	28	52

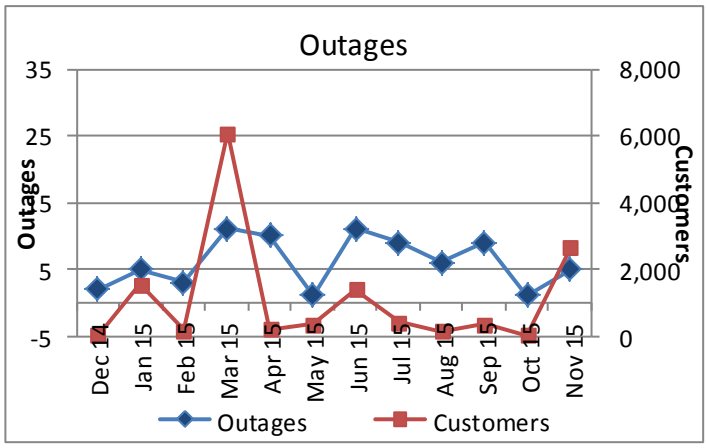
OPERATIONAL SUMMARY

Task	NOVEMBER 15	NOVEMBER 14	CURRENT FY
Water Production - Daily Average	4,054,733	3,832,467	799,215,000
Average Field Response Time (goal is <30 minutes)	17.34	19.03	17.17
Water Mains Repaired	2	4	2
Water Service Lines Repaired	0	1	9
Wastewater Mains Repaired	2	1	4
Wastewater Service Lines Repaired	2	1	2
Sewer Lines Flushed - linear feet	51,917	92,185	280,934
Sewer Mains Videoed -linear feet	552	1,723	8,244
Total Fire Hydrants in Service	1,820	1,820	1,820
Total Water Meters in City Distribution System	14,372	14,156	14,372

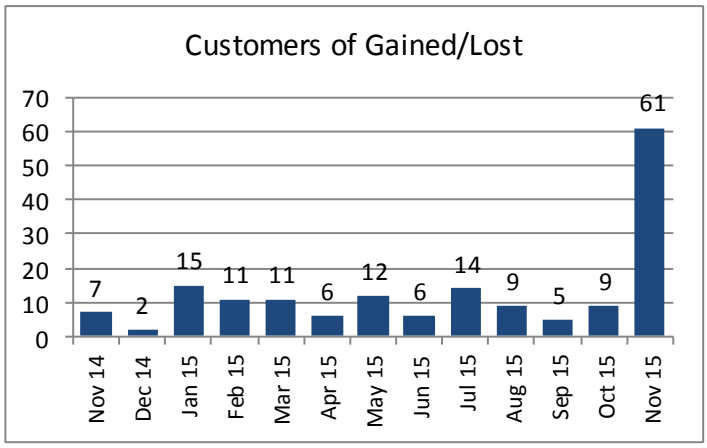
ELECTRIC DEPARTMENT







Outages: 5 Customers: 2629



Electric Monthly Outage Report

The annual outage goal will be less than 295 minutes per customer, which is a Delaware Standard. This will be measured by calculating the System Average Interruption Duration Index.

FY 16 YTD	FY 15	FY 14
23.56	50.49	65.76

Controllable Outages *Annual goal is less than 40*		**Average Response Time** *Goal is less than 30 minutes*	
Month	**Year-to-date**	**Month**	**Year-to-date**
0	8	24 Minutes	28.59 Minutes

PROGRAM UPDATES	NOV 16	NOV 15	FY16 YTD
Tree Trimming	250	475	1561
Number of Oil Releases	3	0	0
Lost Time Accidents – All Electric Utility Divisions	0	0	0
New Services	61	7	98

ELECTRIC DEPARTMENT

November 2015 Electric (EE Capitol Improvement Projects (CIP)		
Project Number	**Description**	**Update**
EE1312	**General Scott Switchgear Replacement**	Progress: Switchgear has been delivered and install upon piers. Starting to dig in conduit. Substation will be off line through approx. Jan 16. Material has been allocated. Decks are completed. Will be designing Fiber Optic in July. Commissioning is in work.
		Schedule: FY16 construction in progress.
EE1500	**69kV Rebuild (Horsepond to Long Point)**	Progress: New owner of farm south of Morgan Branch. In discussion about possible relocation of some poles for irrigation.
		Schedule: FY15 is for Design |FY16 budget is for construction.
EE1505	**DNREC R&R**	Progress: State of Delaware requested project to be delayed, start date unknown.
		Schedule: Project on Hold | funds moved for other FY15 projects
EE1509	**West Dover Connector - State of DE**	Progress: Work to begin this fiscal year
		Schedule: Planning on starting on Saulsbury Road after Playtex & Garrison Oak.
EE1513	**Town Pointe Distribution Feeders**	Progress: City crews continuing the installation underground wire. Phase 1 of 5 is approx.. 35% complete.
		Schedule: Project boring has begun.
EE1516	**Chestnut Grove Subdivision**	Progress: Developer contacted Electric Engineering about conduit installation beginning soon.
		Schedule: Not Scheduled | Contractor responsible for conduit installation in development | No activity at job site
EE1520	**69kV Cable Replacement – North St. Substation**	Progress: Currently investigating the cables placement & engineering design. Design continues in FY16 & construction in FY17.
		Schedule: FY16 construction to begin.
EE1524	**Lenders Lake Apartments**	Progress: Material has been issued to contractor for installation. Equipment set. Project is 95% complete for Phase 1, Phase 2 planning underway, communicating with Engineering about design
		Schedule: Line Crew installed conductors/transformers.
EE1526	**Playtex Addition (Edge well)**	Progress: COD portion complete
		Schedule: Awaiting word from Diamond Electric, EST. 15 Dec completion
EE1537	**Kirby & Holloway Restaurant**	Progress: Primary Design complete. Waiting for primary fee payment.
		Schedule: No work scheduled
EE1538	**North Street Sidewalk Improvements**	Progress: Currently in Design and waiting on customer approval.
		Schedule: No Work Scheduled
EE1540	**College Road Substation PT Replacement**	Progress: Currently design is complete
		Schedule: Waiting on Material

ELECTRIC DEPARMENT

EE1544	**Nottingham Meadows - Wellington Ave**	Progress: Currently design is complete. Contractor has received material for installation. Homes are under construction. 50% Complete
		Schedule: No Work Scheduled | Contractor responsible for conduit installation in development
EE1607	**Horsepond URD Distribution Feeder**	Progress: Permit received. Environment concerns addressed. Directional Bores Complete.
		Schedule: Contracted work has begun.
EE1618	**Lakeland Distribution Feeder**	Progress: Drawings completed. Owner has been contacted.
		Schedule: Work to begin after EE1607.
EE1635	**McKee Road Warehouse (Edge well)**	Progress: Service Locate & W.O. are complete and in file awaiting payment from Edge well.
		Schedule: Work to begin once payment is received.
EE1636	**Clearview Meadows Phase 4**	Progress: Primary conductors and equipment installed. Pump station has been energized. Need contractor to work on conduit to start lights.
		Schedule: In progress
EE1637	**DOVER TOWN CTR FLEX SITE - Transformer**	Progress: Same as Outback. We received check.
		Schedule: Same as Outback
EE1638	**Dover Town Center (Old Wal-Mart)**	Progress: Drawing complete. Transformers have been set. Waiting on contractor to complete secondary work
		Schedule: Primary work is complete
EE1639	**Outback Steakhouse**	Progress: Drawing complete and City Crews to install primary after conduit is installed. We received check.
		Schedule: Awaiting Contractor to install conduit.
EE1640	**Round Barn Farm**	Progress: Installing 480 volt service for new grain elevator. Waiting on customer
		Schedule: Preliminary Stages of design
EE1641	**Reed Street Interior Bldg./Security Improvements**	Progress: Researching bids from design firms for repairs
		Schedule: Awaiting bid information
EE1642	**Del-Homes Warehouse**	Progress: New service to warehouse. Dividing space into 6 customers. Putting plan together for next month. Owner will begin conduit installation in December
		Schedule: Preliminary Stages of design
EE1643	**Winner Volkswagen**	Progress: New service to new show room. Design complete. Waiting on payment
		Schedule: Preliminary Stages of design
EE1644	**Retreat Pump Station Renovation**	Progress: Station upgrade from 120/240 Volt to 208Y/120 volt. Design completed and waiting on public works
		Schedule: Preliminary Stages of design
EE1645	**Dover Family Cos-metics**	Progress: Preliminary design complete. Primary fee calculated. Waiting on payment from customer
		Schedule: Final Stages of design next month

PrimeCare Medical Transport, LLC.

P.O. Box 839
Milford, DE 19963
302-422-0900
Fax: 302-422-1082

PrimeCare Medical Transport, LLC.

NOVEMBER

Total 911 ambulance runs	639
Gone on arrival/cancel	82
Transport refusals	30
Stand-by scene	02
Average response time	44 sec.
Average time to the scene	06 min. 31 sec.
Average time on scene	09 min. 28 sec.
Average time to the hospital	06 min. 56 sec.
Average daily responses	21
Average daily transports	17
Total patients transported	508

City Planner's Monthly Report

Planning, Inspections & Recreation

NOVEMEBER 2015

Planning, Inspections & Recreation Highlights

- Planning Staff participated as part of the project team and attended the public workshops associated with the **Division Street/Forest Street Design Week Charrette** (Western Capital Gateway).
- A series of updates to the **Schedule of Fees** for various permits, licenses and applications began the review process for adoption in November and will be considered by City Council in December. (Ordinances #2015-21 and #2015-22)
- The **Delaware Population Consortium** adopted it's Annual Population Projections on November 5, 2015. The DPC estimates the population of the City of Dover to be 37,618 as of July 1, 2015.
- **Youth Soccer League -** Our youth inaugural Youth Soccer League proved to be a great accomplishment for 172 local kids. Our partners in the YMCA and Holy Cross contributed to the overall success of the inaugural league, as well. The $40 registration fee, which included a team t-shirt was pleasing to many families. We believe the affordable fee contributed to the diverse population that participated. Appreciation of the affordable option to introduce child(ren) to soccer, many for the first time, was definitely voiced to us. Not wanting to leave the younger children with nothing to do, this Winter we are hosting an indoor soccer league on Friday nights for 3 - 8 year olds. Due to program needs in the John W Pitts Recreation Center, we are limited to just 32 participants in three divisions. We are already half full and expect another successful affordable, safe, and fun indoor soccer program. This program is set to kick off January 8.

- **Winter Youth Basketball League -** Our annual Youth Basketball League held a Skills Day on November 21. Skills Day allows our sports coordinator to adequately balance teams of equal ability players of skills, age, size, & gender. As typical, a waiting list exists for the annual indoor league. The registration fee of $50 includes a team t-shirt and again is an affordable option for a diverse population. We anticipate team assignments, practice and game schedules to be available by December 10 and league practices are anticipated to begin on December 12.



- **"Pie Five" Pizza Company** at 1211 North DuPont Highway received its Certificate of Occupancy in November.

- **"VIP" Tailors / Cleaners** at 1053 North DuPont Highway received its Certificate of Occupancy in November.



Planning, Inspections & Recreation Revenue

Revenue Stream	FY '16 Budget		FY '16 Actual (YTD)	
Business License	$1,425,000	$	1,452,451	102%
Trailer License	$21,000	$	19,863	95%
Building Permits	$600,000	$	295,323	49%
Cert. of Occupancy	$6,500	$	3,060	47%
Public Occupancy	$9,700	$	850	9%
Lodging House	$14,100	$	148	1%
Plumbing/Heating/Air	$75,000	$	30,315	40%
Rental Inspection Fee	$350,000	$	8,996	3%
Miscellaneous	$15,000	$	4,571	30%
Fire Protection Fees	$62,000	$	34,044	55%
Code Enf. Fines	$25,000	$	27,350	
Vacant Building Reg.	$100,000	$	76,352	76%
Total P&I Revenue	**$2,703,300**	$	1,953,325	72%
Recreation	$149,800	$	70,782	48%

Looking Forward……

⇒ A new planner coming on board

TRAINING

⇒ On November 3, 2015 Greg Akers, Mike McGregor, Chris Scott attended Codes Training Strong Tie (Simpson) and Deck and Porch Framing Connection Seminar training in Georgetown, Delaware.

⇒ On November 18, 2015 Greg Akers, Mike McGregor, Chris Scott attended IEBC Fundamentals training in Dover, Delaware.

PLANNING OFFICE

The Planning Office is part of the review process for certain types of construction activity permits (Building Permits, Sign Permits, etc.) and Certificate of Occupancy permits. For November 2015, Planning Staff was involved with review of 70 Permits and 14 Certificates of Occupancy permits. (2015 calendar year total of 895 Permits and CO's compared to 825 for 2014). Planning Staff also reviews new applications for Business Licenses and Rental Dwelling Permits.

COMPREHENSIVE PLAN IMPLEMENTATION

Planning Staff continues to focus on the various implementation items identified in the *2008 Comprehensive Plan* as amended.

- A proposed package of Text Amendments to the *Zoning Ordinance* related to the Recreational and Commercial (RC) zone and temporary activities known as Ordinance #2015-17 continued the formal review process in November. Following a public hearing on November 17, 2015 the Planning Commission recommended approval of the Ordinance including action on a series of amendments (SA#1-6). A public hearing and final action is scheduled for December 14, 2015 with City Council. (MI-15-04)
- A Review of Chapter 66 – Manufactured Homes and Trailers and Appendix B: Zoning was discussed at the City Council meeting of November 9, 2015 and a First Reading of Ordinance #2015-20 was completed for Text Amendments to the *Zoning Ordinance* related to the manufactured homes. The first set of Amendments focuses on amendments to the definitions of "one-family dwelling" and "manufactured home." It was referred to the Planning Commission for review in December. (MI-15-13)
- The Planning Office is also involved in the following studies and projects: City Recreational Needs Assessment, Restoring Central Dover Community Plan, and Transportation Improvement Districts.

Construction Activity

- For the Leander Lakes Apartments project, the foundation and building construction continues on the community center building and four apartment buildings. In November, a Building Permit was approved for a sixth apartment building. The apartment complex is located south of Forrest Avenue/Route 8 and west of Dover High Drive. (S-12-18)

- The new location in Greentree Shopping Center of AAA-Mid Atlantic received its Certificate of Occupancy in November. The new location provides light automobile service along with travel and insurance services. (S-15-06)

	NOV 15	TOTAL FOR 2015 (as of July 2015)
New Home Permits Issued	3	22
Value of Commercial Projects	$616,472	$16,268,541
Downtown Incentives (Fees Waived)	$4,403.00	$24,646.20

BOARD AND COMMISSION ACTIVITY

Planning Commission

The Planning Commission met on November 16, 2015. The next Planning Commission meeting is scheduled for December 21, 2015. The following applications were considered:

- **S-15-14 Creekstone Center Development on South Governors Avenue** – Conditional approval granted of the Site Development Master Plan to permit construction of a commercial complex Phases 2-4 consisting of two 2-story, 18,080 S.F. commercial/office buildings and one 5-story, 77,745 S.F. retail/ office building to join Phase 1 of a 2-story 18,080 S.F. office building previously completed.
- **MI-15-04 Text Amendment: RC Zone and Temporary Outdoor Activities** —Commission recommended approval of the proposed text amendment to City Council and including the recommendations for the reviewed amendments. The amendments update uses in the RC Zone and establish permitting procedures for temporary outdoor activities and temporary camping in the RC zone.

Board of Adjustment

The Board of Adjustment met on November 18, 2015. The next regular scheduled meeting of the Board of Adjustment is scheduled for December 16, 2015. The following application was considered:

- **V-15-14 1159 North DuPont Highway-Grotto Pizza**—The Board moved to deny the sign variance V-15-14 based on the testimony given and because the applicant did not demonstrate Exceptional Practical Difficulty and the extra sign would be out of character for the area and possibly setting a precedent within that area.

Historic District Commission

The Historic District Commission met on November 19, 2015. The next Historic District Commission meeting is scheduled for December 17, 2015. As part of their Annual Meeting, the Historic District Commission elected Chazz Salkin as Chairman and Joseph McDaniel as Vice-Chairman.

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

CDBG FY15 Projects

Homeownership Assistance Program
CDBG funds will be used to provide homeownership assistance to first-time homebuyers who purchase affordable housing in the Downtown Development District (DDD) Target Area. One (1) family is mortgage ready and is currently under contract to purchase 34 South New Street.

Dover Interfaith Mission for Housing
CDBG funds will be used for operations cost for the shelter. This project is underway.

Connections Community Support Program
CDBG funds will be used to provide rapid re-housing/rental assistance services for homeless households within the City. This project is underway.

Milford Housing Homeowner Rehabilitation Program
CDBG funds will be used to rehabilitate existing owner occupied housing in the City that is in violation of the City's Housing Code and complete emergency home repairs to eliminate housing conditions that threaten the health and safety of low income homeowners.

Habitat for Humanity
CDBG funds will be used to rehabilitate an existing home to provide affordable housing to a family in the Downtown Development District Target Area. Habitat is currently under contract to purchase 111 S. Queen Street on November 2, 2015.

Peoples Place Whatcoat Homeless Shelter
CDBG funds will be utilized for minor renovations to a facility that shelters the homeless. This Project is underway.

Mayors Challenge to End Veterans Homelessness
The Mayor's Task Force for Ending Veterans Homelessness has met its goal by housing 36 homeless veterans within 200 days. The task force is now planning to meet its next goal by housing 14 veterans within the next 100 days that will fulfill the Mayor's Challenge to End Veterans Homelessness by housing 50 homeless veterans by December 28, 2015.

Code Enforcement Activity—NOVEMBER

Case Type	# cases current month	# cases YTD	% staff initiated current month	% staff initiated YTD
No valid Rental Permit	0	138		96%
No valid Building Permit	3	53	100%	70%
Tall grass and weeds	10	574	20%	75%
Unregistered vehicle	3	29	75%	72%
Abandoned vehicle	8	84	63%	73%
Annual Housing Inspection	15	289	87%	88%
Property Maintenance – Exterior	36	546	69%	74%
Electric Termination	14	212	100%	87%
Dover Code of Ordinances	48	499	75%	66%
Zoning	16	96	75%	66%
Total Cases	**153**	**2520**		
Total # of Inspections For Month	**301**			





Dangerous Buildings

1124 Forrest Avenue and 1128 Forrest Avenue

Dangerous Buildings, Vacant Buildings & Demolitions

- *312 W. Loockerman Street*—Notice was sent to the lien holders to make repairs to the vacant structure by January 6, 2015, or City Staff would schedule a date with Council to declare the building dangerous and request to have the building demolished. On February 19th the City Historic District Commission ruled that Demolition by Neglect was occurring and recommended the owner have 6 months to make repairs or to have the building demolished. The asbestos abatement has been completed and the demolition bid was awarded to Gateway Construction.
- *363 Rita-Wilma Way*—The two abandoned mobile homes on this lot have been condemned as unfit for human occupancy and boarded. Both mobile homes have been demolished by the property owner.
- *110 Rustic Lane*—This building was condemned by City Staff and the dangerous building process has begun. The home was boarded and a lien search has been requested. The property will be presented to City Council on July 27th. The owner of the property was giving until September 10th to demolish the property. The asbestos survey has been completed with the demolition awarded to Sunnyfield Contractors. The demolition was completed.
- *222 W. Reed Street*—The demolition was completed.
- *325 N. New St*—Property has been declared dangerous and will be brought forward to City Council on December 9th to request the City have it demolished.
- *35 N. Queen Street*—Property is condemned and a lien search is complete, home has been placed on the market for sale.
- *113 Davis Circle*—Property is condemned and a lien search has been requested.

- *Vacant Buildings*—During the month of November seventeen (17) additional buildings were registered as vacant, and $15,000.00 in vacant building registration fees were collected.

Fire Marshal's Office, Building Inspections & Licensing Summary

LIFE SAFETY	Current	July 15-June16	Nov 2014	Nov 14-June15
Inspections	**NOV 15**	**FYTD 16**	**NOV 14**	**FYTD 15**
Annual Fire/Life Safety Inspections	44	140	9	213
Fire/Code/DCO Complaints	60	182	33	321
Inspection Deficiencies from AFI	215	550	32	446
C/O & Acceptance Tests	20	71	4	51
Administrative Walk Thru	11	54	12	39
Plan Review	33	66	-	-
Accidental	$18,000	$191,900	$8,000	$59,500.00
Incendiary	$200	$25,200	$ 0.00	$110.00
Undetermined	$13,600	$181,600	$0.00	$0.00
PERMITTING AND LICENSING				
Permits Issued	**NOV 15**	**FYTD 16**	**NOV 14**	**FYTD 15**
Administrative Permit	1	15	1	24
Building Addition/Renovation Permits	29	170	31	384
Building Permits	21	27	6	167
Demolition Permits	9	32	4	53
Fence Permits	5	33	6	107
Fire Prevention Permits	29	73	5	72
Mechanical Permits	42	152	33	286
Plumbing Permits	30	172	34	261
Sign Permits	48	110	8	191
Swimming Pool Permits	1	2	1	15
Business Licenses	42	1123	21	2370
Merchant Licenses	18	260	1	392
Contractor Licenses	31	752	14	1337
Lodging House Licenses	0	6	0	45
Mobile Homes	2	264	17	422
Public Occupancy	6	72	2	360
Rental Dwelling	14	127	20	3044
BUILDING INSPECTIONS				
Inspections	**NOV 15**	**FYTD 16**	**NOV 14**	**FYTD 15**
Building	285	1743	241	1827
Plumbing/Mechanical	313	1723	195	1292
Certificate of Occupancy	14	66	5	63

Fire Marshal's Office—At a Glance

The FMO had a busy month conducting Mercantile Inspections throughout the City totaling 44 Annual Fire /Life Inspections. In addition, Deputy Jason Osika was able to attend an Emergency Medical Responder Re-Certification Class at the Delaware State Fire School to renew his certification.

The FMO received two previously ordered 2016 Ford Utility Interceptors (SUV) to replace two outdated older fleet vehicles. The Fire Marshal's Office is looking forward to putting the new vehicles into service!

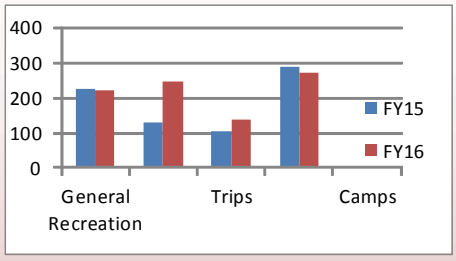


Recreation Division

City of Dover Parks & Recreation

Enrollment Summary

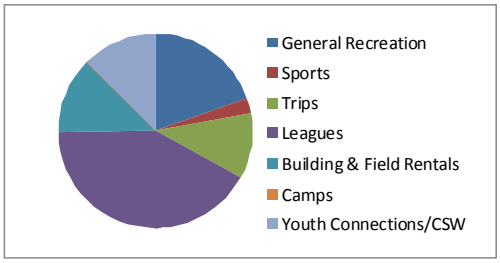
NOVEMBER FY 16 verses NOVEMBER FY 15

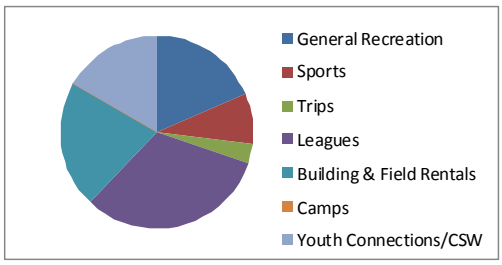




Category	FY15	FY16
General Recreation	226	224
Sports	131	248
Trips	105	139
Leagues	251	271
Camps	N/A	N/A

Revenue Breakdown: November 2015 verses November 2014





General Recreation	**$1,900.50**
Sports	**$1,415.00**
Trips	**$925.00**
Leagues	**$23,170.00**
Building & Field Rentals	**$1,000.00**
Camps	**$0.00**
Youth Connections/CSW	**$700.00**

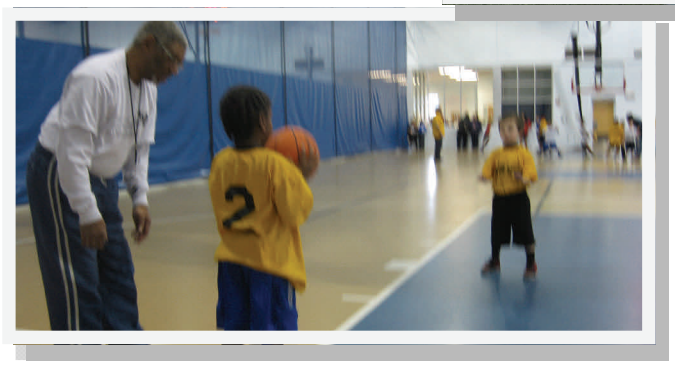
General Recreation	**$1,563.00**
Sports	**$1,068.00**
Trips	**$2,319.00**
Leagues	**$17,610.00**
Building & Field Rentals	**$1,100.00**
Camps	**$0.00**
Youth Connections/CSW	**$1,477.00**











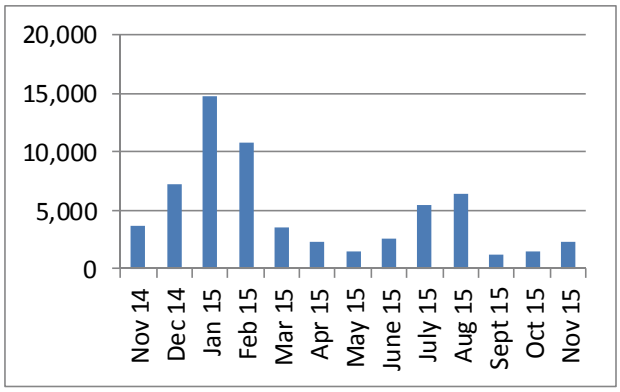




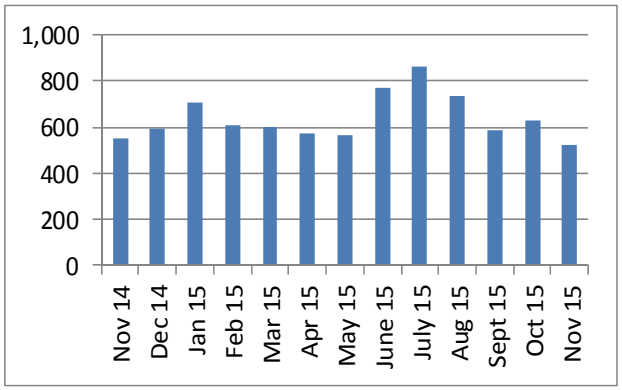


John W. Pitts Recreation Center – NOVEMBER 2015

Total Program Attendance



Facility Usage By The Hour



Facility Usage By The Hour	NOV 15		FYTD 16		NOV 14		FYTD 15
Open Gym	432		1,843.75		415		2,016.5
Fitness Classes	30.5		177		35.75		207.75
Leagues	29		319		45		191
Camps	0		860		0		731.5
Sports Classes	14.5		38.5		15		96.5
Meetings & Rentals	12.5		96		40		153
Enrichment Classes	3.5		7.5		2		4
Total Facility Usage Hours	522		3,341.75		552.75		3,400.25

Daily Program Attendance**	NOV 15		FYTD 16		NOV 14		FYTD 15
Total	2,243		16,628		3,634		13,352
Open Gym	510		1,633		610		1,881
Fitness Classes	207		1,149		236		1,353
Leagues	1,293		11,442		730		4,640
Camps	0		1,086		0		1,141
Sports Classes	130		219		193		923
Meetings & Rentals	89		1,071		1,854		3,395
Enrichment Classes	10		28		11		19

Since our opening in late April 2008, we have had 402,955 guests at the John W. Pitts Recreation Center.

November Open Gym Registrations and Packages Sold

Packages Sold:	NOV	MTD	YTD	FYTD
Daily:	14	$42	42	$126
Individual Quarterly:	0	0	2	$45
Individual Annual:	0	$0	0	$0
Family Quarterly:	0	$0	0	$0
Family Annual:	0	$0	0	$0
Revenue:		**$42**		**$171**

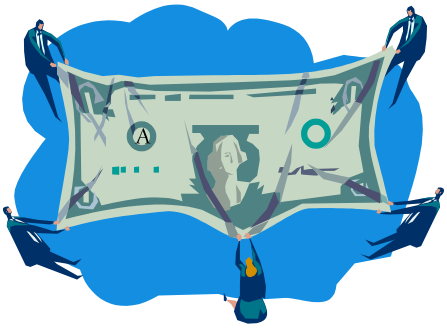


CITY OF DOVER
FINANCE AND PROCUREMENT & INVENTORY DEPARTMENTS
NOVEMBER 2015 - MONTHLY BUDGET REPORTS















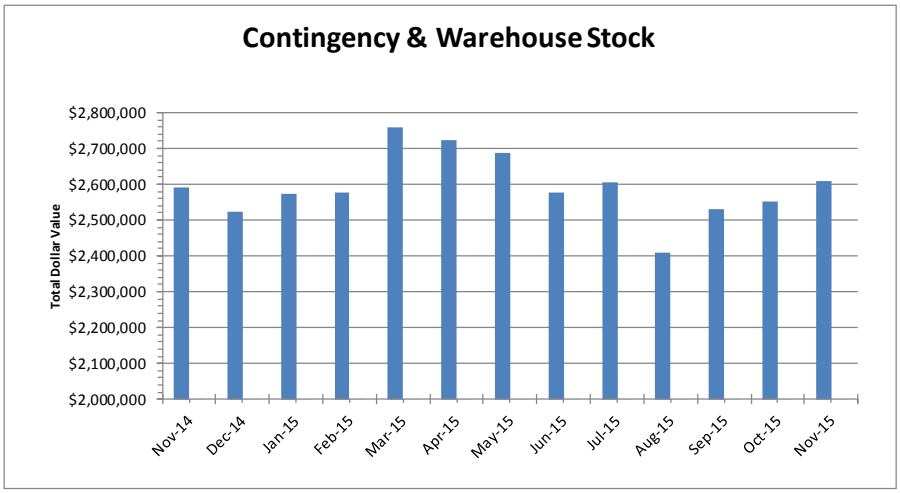
PLEASE NOTE – THIS REPORT PROVIDES TOP LINE INFORMATION ON THE OPERATING FUNDS. IF YOU WOULD LIKE ADDITIONAL INFORMATION, PLEASE FEEL FREE TO CONTACT THE FINANCE DEPARTMENT.

CITY OF DOVER
ACTIVITY REPORTS
NOVEMBER 2015

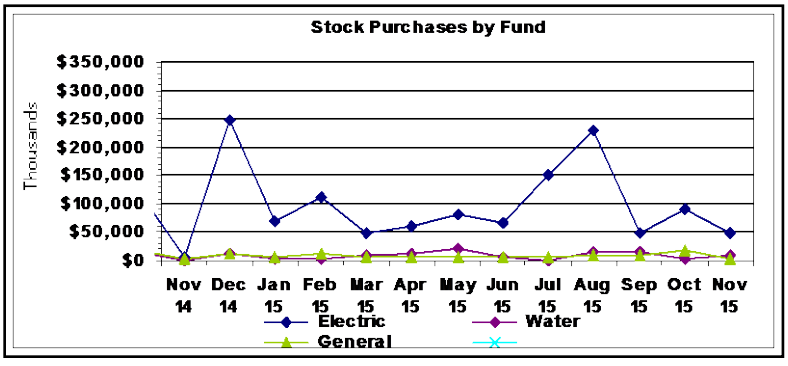
FINANCE DEPARTMENT ACTIVITY LEVELS

	FY15 YTD			FY16 YTD		
BANK TRENDS						
Number of Deposits Made (Hand, ACH & Wire, Lockbox)	2,962			3,010		
Total Amount of All Deposits	$ 56,831,469			$ 63,242,717		
PAYROLL						
	Hours	%	Amount	Hours	%	Amount
Gross wages per registers	**372,047**	**100.0%**	**$ 8,787,307**	**386,995**	**100.0%**	**$ 9,166,706**
Wages and Hours Worked						
Regular	298,808	80.3%	$ 6,540,044	309,996	80.1%	$ 6,770,303
All over time	14,180	3.8%	$ 586,257	16,009	4.1%	$ 690,469
Other Paid or Unpaid Wages and Hours						
Vacation	22,139	6.0%	$ 593,827	21,246	5.5%	$ 582,729
Sick	8,843	2.4%	$ 223,913	6,785	1.8%	$ 166,984
Terminal Leave - Retiree Vacation/Sick Payout	14,689	3.9%	$ 474,818	14,355	3.7%	$ 457,590
Comp Time	3,763	1.0%	$ 106,257	3,135	0.8%	$ 91,176
Personal	590	0.2%	$ 17,750	468	0.1%	$ 14,625
Leave Without Pay	1,593	0.4%	$ -	2,553	0.7%	$ -
Other (description below)	7,454	2.0%	$ 244,442	12,451	3.2%	$ 397,760
Other includes: pay adjustments, military differential pay, training, committee meetings, worker compensation tracking/adjustments, etc.						
Other Activity						
Number of Pay Periods	11			11		
Number of Payroll Checks & Direct Deposits Issued	4,067			4,270		
Number of Pension Checks Issued	1,268			1,266		
Total Pension Benefits Paid - Defined Benefit Plan	$ 2,164,932			$ 2,176,130		
ACCOUNTS PAYABLE						
Number of Check Vouchers	2,498			2,500		
Number of EFT Vouchers	989			1,011		
Vouchers Dollar Amount Disbursed	$ 30,946,236			$ 31,907,461		

PROCUREMENT & INVENTORY ACTIVITY LEVELS



Value: $2,608,186.35 Line Items: 1421



Fuel Use		
Unleaded:	9,275.5	gallons
Diesel:	6,377.4	gallons
Total Cost:	$ 25,179.44	

City of Dover
Finance Department
Monthly Report – November 2015
General Fund Summary

	Budget	Revised Budget	YTD	Balance	42% Budget
Beginning Balance	$ 3,977,500	$ 3,977,500	$ -	$ 3,977,500	0.0%
Revenues					
Court of Chancery Fees	1,065,100	1,065,100	274,440	790,660	25.8%
Police Extra Duty, Fines & Revenue	1,235,300	1,235,300	486,024	749,276	39.3%
Franchise Fees	672,300	672,300	168,572	503,728	25.1%
Grants	623,500	623,500	-	623,500	0.0%
Intrafund Services	5,231,200	5,231,200	2,003,206	3,227,994	38.3%
Library & Recreation Revenues	671,000	671,000	267,967	403,033	39.9%
Licenses & Permits	2,861,300	2,861,300	1,996,332	864,968	69.8%
Property Taxes (Includes BID Revenue) (1)	12,894,200	12,894,200	12,457,686	436,514	96.6%
Miscellaneous Revenues	57,700	57,700	45,290	12,410	78.5%
Sanitation Revenues	2,580,000	2,580,000	1,061,210	1,518,790	41.1%
Garrison Farm Rent Revenue	93,700	93,700	62,744	30,956	67.0%
Transfers-In from Special Funds & Utilities					
Municipal Street Aid Fund	564,200	564,200	168,317	395,883	29.8%
Civil Traffic Penalties	450,000	450,000	187,056	262,944	41.6%
Transfer Taxes	1,340,000	1,340,000	1,146,621	193,379	85.6%
Verizon & Other Reserves	63,200	63,200	-	63,200	0.0%
Police Grants/Extra Duty	74,400	74,400	27,025	47,375	36.3%
Water/Wastewater Fund	850,000	850,000	354,166	495,834	41.7%
Electric Fund	10,000,000	10,000,000	4,166,666	5,833,334	41.7%
Total Revenues	41,327,100	41,327,100	24,873,322	16,453,778	60.2%
Total Beginning Balance & Revenues	**$ 45,304,600**	**$ 45,304,600**	**$ 24,873,322**	**$ 20,431,278**	54.9%
Expenditures					
City Clerk & Council	$ 501,500	$ 505,000	$ 192,960	$ 312,040	38.2%
Mayor, City Manager & Human Resources	1,210,300	1,222,700	500,816	721,884	41.0%
Police & Police Extra Duty	15,761,400	15,913,900	6,270,826	9,643,074	39.4%
Public Services	4,669,500	4,691,400	1,805,525	2,885,875	38.5%
Engineering	181,400	181,400	34,595	146,805	19.1%
Procurement & Inventory, Facilities Mgmt., Fleet Maint.	2,036,200	2,050,000	808,057	1,241,943	39.4%
Planning, Inspections, Life Safety, Code Enf., & Economic Dev.	2,338,300	2,349,700	914,174	1,435,526	38.9%
Finance, Info Tech & Customer Services	2,807,800	2,824,900	1,165,463	1,659,437	41.3%
Library & Recreation	2,239,500	2,250,900	900,338	1,350,562	40.0%
Fire Department	745,400	745,400	333,832	411,568	44.8%
Assessor	234,800	238,000	104,647	133,353	44.0%
Contribution to DDP	70,000	70,000	17,500	52,500	25.0%
Miscellaneous Grant Expense	25,000	25,000	-	25,000	0.0%
Other Employment Expenses	520,100	272,900	-	272,900	0.0%
Bank & CC Fees	10,600	10,600	6,759	3,841	63.8%
Insurance	690,000	690,000	168,675	521,325	24.4%
OPEB - Retiree's Health Care Contribution	1,895,600	1,895,600	789,835	1,105,765	41.7%
Police Pension Trust Contribution - State Grant	500,000	500,000	-	500,000	0.0%
Appropriation to Police Pension Fund	570,000	570,000	237,500	332,500	41.7%
Street Lights	797,700	797,700	337,584	460,116	42.3%
Debt Service	660,800	660,800	414,217	246,583	62.7%
Transfers Out					
Inventory Write-offs	10,000	10,000	10,000	-	100.0%
Capital Projects Fund	2,625,400	2,625,400	1,312,700	1,312,700	50.0%
Verizon Reserve	50,000	50,000	-	50,000	0.0%
Uncollectibles: Trash & Other	50,000	50,000	50,000	-	100.0%
Total Expenditures	41,201,300	41,201,300	16,376,003	24,825,297	39.7%
Budget Balance - Working Capital	4,103,300	4,103,300	-	4,103,300	0.0%
Total Budget Balance & Expenditures	**$ 45,304,600**	**$ 45,304,600**	**$ 16,376,003**	**$ 28,928,597**	36.1%
Reserve Balances					
Contingency	$ 720,300	$ 720,300	$ 723,365		

(1) Property Taxes are the taxes billed and not cash received. The outstanding receivable balance as of 11/30/15 is $420,566 as compared to $413,872 in November 2014.

City of Dover
Finance Department
Monthly Report – November 2015
Water/Wastewater Fund Summary

	Budget	Revised Budget	YTD	Balance	42% Budget
Beginning Balance - Water	$ 861,600	$ 861,600	$ -	$ 861,600	0.0%
Beginning Balance - Wastewater	293,400	293,400	-	293,400	0.0%
	1,155,000	1,155,000	-	1,155,000	0.0%
Revenues					
Water Fees	6,200,000	6,200,000	2,444,929	3,755,071	39.4%
Wastewater Fees	3,728,000	3,728,000	1,680,765	2,047,235	45.1%
Wastewater Treatment Services	3,026,500	3,026,500	1,327,679	1,698,821	43.9%
Groundwater Inflow Adjustment	1,864,300	1,864,300	849,458	1,014,842	45.6%
Water Tank Space Leases	341,900	341,900	111,409	230,491	32.6%
Miscellaneous Service Fee	67,000	67,000	27,213	39,787	40.6%
Impact Fees - Water	250,000	250,000	107,472	142,528	43.0%
Impact Fees - Wastewater	250,000	250,000	95,338	154,662	38.1%
Total Revenues	15,727,700	15,727,700	6,644,263	9,083,437	42.2%
Total Beginning Balance & Revenues	**$ 16,882,700**	**$ 16,882,700**	**$ 6,644,263**	**$ 10,238,437**	39.4%
Expenses					
Water/Wastewater Operating Divisions					
Engineering & Inspection	$ 517,500	$ 521,200	$ 193,706	$ 327,494	37.2%
Water Department	673,300	677,600	265,050	412,550	39.1%
Water Treatment Plant	1,910,000	1,917,300	636,433	1,280,867	33.2%
Wastewater Department	968,600	968,600	325,113	643,487	33.6%
Kent County Treatment Charge	4,130,000	4,130,000	1,646,904	2,483,096	39.9%
Intrafund Service Fees	1,492,700	1,492,700	561,245	931,455	37.6%
Retiree's Health Care	178,600	178,600	74,415	104,185	41.7%
Debt Service	1,132,100	1,132,100	523,745	608,355	46.3%
Other Employment Expenses	20,000	4,700	-	4,700	0.0%
Bank & CC Fees	46,200	46,200	9,682	36,518	21.0%
Transfers Out					
General Fund	850,000	850,000	354,166	495,834	41.7%
Contingency Reserve	32,000	32,000	-	32,000	0.0%
Water I & E Fund	1,800,000	1,800,000	900,000	900,000	50.0%
Wastewater I & E Fund	1,500,000	1,500,000	750,000	750,000	50.0%
Total Expenses	15,251,000	15,251,000	6,240,459	9,010,541	40.9%
Budget Balances					
Budget Balance - Working Capital - Water	1,048,600	1,048,600	-	1,048,600	0.0%
Budget Balance - Working Capital - WW	583,100	583,100	-	583,100	0.0%
Total Budget Balances	1,631,700	1,631,700	-	1,631,700	0.0%
Total Budget Balances & Expenses	**$ 16,882,700**	**$ 16,882,700**	**$ 6,240,459**	**$ 10,642,241**	37.0%
Reserve Balances					
Contingency-Water	$ 137,700	$ 137,700	$ 105,631		
Contingency-Wastewater	$ 191,100	$ 191,100	$ 191,009		
Impact Fee Reserve - Water	$ 202,000	$ 202,000	$ 429,322		
Impact Fee Reserve - Sewer	$ 1,309,500	$ 1,309,500	$ 1,749,984		
Bond Coverage Ratio (Covenant 1.20)	4.30	4.30	5.53		

City of Dover
Finance Department
Monthly Report – November 2015
Electric Revenue Fund Summary

	Budget	Revised Budget	YTD	Balance	42% Budget
Beginning Balance	$ 6,177,600	$ 6,177,600	$ -	$ 6,177,600	0.0%
Revenues					
Direct Sales to Customers	78,279,200	78,279,200	35,478,110	42,801,090	45.3%
Utility Tax	1,281,100	1,281,100	594,324	686,776	46.4%
Weyandt Hall Rents	202,600	202,600	48,855	153,745	24.1%
Miscellaneous Revenues	725,200	725,200	491,123	234,077	67.7%
Interest Earnings	47,900	47,900	9,253	38,647	19.3%
Transfer from Rate Stabilization	3,000,000	3,000,000	750,000	2,250,000	25.0%
Total Revenues	83,536,000	83,536,000	37,371,665	46,164,335	44.7%
Total Beginning Balance & Revenues	**$ 89,713,600**	**$ 89,713,600**	**$ 37,371,665**	**$ 52,341,935**	41.7%
Expenses					
Power Supply & Generation					
Hedged Energy	$ 23,402,600	$ 23,402,600	$ 10,835,104	$ 12,567,496	46.3%
Power Supply Management	996,000	996,000	415,000	581,000	41.7%
Capacity Charges	10,225,100	10,225,100	4,404,432	5,820,668	43.1%
Dover Sun Park Energy	2,313,900	2,313,900	886,652	1,427,248	38.3%
Renewal Energy Credits (Incl. Solar)	1,036,800	1,036,800	156,318	880,482	15.1%
RGGI	175,000	175,000	-	175,000	0.0%
PJM Charges - Energy	7,966,100	7,966,100	1,228,213	6,737,887	15.4%
PJM Charges - Transmission & Fees	7,932,500	7,932,500	2,549,011	5,383,489	32.1%
Total Power Supply	54,048,000	54,048,000	20,474,730	33,573,270	37.9%
Plant Operations	6,434,600	6,382,900	2,406,827	3,976,073	37.7%
Generation Fuels	1,167,300	1,167,300	553,810	613,490	47.4%
Capacity Credits	(10,472,100)	(10,472,100)	(3,889,531)	(6,582,569)	37.1%
PJM Spot Market Energy	(1,708,300)	(1,708,300)	(664,214)	(1,044,086)	38.9%
PJM Credits	(360,000)	(360,000)	(308,353)	(51,647)	85.7%
Total Generation	(4,938,500)	(4,990,200)	(1,901,461)	(3,088,739)	38.1%
Total Power Supply & Generation	49,109,500	49,057,800	18,573,269	30,484,531	37.9%
Electric Operating Divisions:					
Transmission/Distribution	4,068,600	4,084,700	1,487,281	2,597,419	36.4%
Electrical Engineering	1,335,800	1,338,900	465,350	873,550	34.8%
Administration	839,300	890,500	269,166	621,334	30.2%
Meter Reading	360,500	362,300	161,590	200,710	44.6%
Systems Operations	679,800	687,700	269,594	418,106	39.2%
Intrafund Services	3,738,500	3,738,500	1,441,961	2,296,539	38.6%
Utility Tax	1,281,100	1,281,100	594,324	686,776	46.4%
OPEB Trust Contribution - Unfunded Liability	1,030,000	1,030,000	-	1,030,000	0.0%
Retirees Health Care	537,800	537,800	224,085	313,715	41.7%
Interest on Deposits	20,500	20,500	7,892	12,608	38.5%
Green Energy Payment to DEMEC	128,000	128,000	57,857	70,143	45.2%
Accounts Receivable Write-Offs	200,000	200,000	200,000	-	100.0%
Other Employee Expenses	72,000	43,600	-	43,600	0.0%
Bank & CC Fees	242,300	242,300	114,228	128,072	47.1%
Debt Service	3,402,000	3,402,000	2,649,984	752,016	77.9%
Transfers Out:					
General Fund	10,000,000	10,000,000	4,166,666	5,833,334	41.7%
Electric Improvement & Extension Fund	3,500,000	3,500,000	875,000	2,625,000	25.0%
Transfer to Insurance Reserve	10,000	10,000	-	10,000	0.0%
Transfer to Contingency Reserve	13,000	13,000	-	13,000	0.0%
Total Expenses	80,568,700	80,568,700	31,558,247	49,010,453	39.2%
Budget Balance - Working Capital	9,144,900	9,144,900	-	9,144,900	0.0%
Total Budget Balance & Expenses	**$ 89,713,600**	**$ 89,713,600**	**$ 31,558,247**	**$ 58,155,353**	35.2%
Reserve Balances					
Contingency Reserve	$ 844,600	$ 844,600	$ 826,139		
Insurance Reserve	$ 758,700	$ 758,700	$ 743,758		
Rate Stabilization Reserve	$ 4,602,600	$ 4,602,600	$ 6,784,722		
Bond Coverage Ratio (Covenant 1.25)	2.62	2.62	6.20		
Megawatt Hours Sold & Purchased					
Sales to Customers MWh (excluding Street Light MWh)	712,390	712,390	322,780		45.3%
Sales per MWh	$ 109.88	$ 109.88	$ 109.91		100.0%
Purchased/Generated MWh	741,522	741,522	328,761		44.3%
All In MWh Supply & Generation	$ 66.23	$ 66.23	$ 56.49		85.3%

City of Dover
Finance Department
Monthly Report – November 2015
General Capital Project Fund Summary

	Budget	Revised Budget	YTD	Balance	42% Budget
Beginning Balance - Projects	$ 154,800	$ 2,732,300	$ -	$ 2,732,300	0.0%
Revenues					
State Grant - Other	-	-	41,454	(41,454)	0.0%
Interest Earnings	5,000	5,000	1,336	3,664	26.7%
Income from Sale of Assets	20,300	51,900	5,665	46,235	10.9%
Transfer from General Fund for Projects	2,625,400	2,625,400	1,312,700	1,312,700	50.0%
Total Revenues	2,650,700	2,682,300	1,361,155	1,321,145	50.7%
Total Beginning Balance & Revenue	**$ 2,805,500**	**$ 5,414,600**	**$ 1,361,155**	**$ 4,053,445**	25.1%
Expenditures					
Fire	$ 145,600	$ 445,800	$ 445,594	$ 206	100.0%
Grounds Maintenance	201,100	201,100	-	201,100	0.0%
Life Safety	55,700	55,700	55,479	221	99.6%
Police	262,100	280,700	206,102	74,598	73.4%
Streets	1,428,500	3,652,800	789,539	2,863,261	21.6%
Sanitation	449,000	449,000	-	449,000	0.0%
City Manager	24,700	24,700	-	24,700	0.0%
Fleet Maintenance	84,000	84,000	-	84,000	0.0%
Bank Fees	-	-	217	(217)	0.0%
Total Expenditures	2,650,700	5,259,800	1,496,931	3,762,869	28.5%
Budget Balance - Projects	154,800	154,800	-	154,800	0.0%
Total Budget Balance & Expenditures	**$ 2,805,500**	**$ 5,414,600**	**$ 1,496,931**	**$ 3,917,669**	27.6%
Reserve Balances					
Capital Asset Replacement Reserve	$ 916,500	$ 916,500	$ 918,956		
Parkland/Recreation	$ 296,700	$ 296,700	$ 322,146		

City of Dover
Finance Department
Monthly Report – November 2015
Water/Wastewater Improvement & Extension Fund Summary

	Budget	Revised Budget	YTD	Balance	42% Budget
Beginning Balance - Water	$ 833,500	$ 4,747,500	$ -	$ 4,747,500	0.0%
Beginning Balance - Wastewater	$ 1,027,600	$ 4,504,600	$ -	$ 4,504,600	0.0%
Revenues					
Miscellaneous Revenues	-	20,200	61,432	(41,232)	304.1%
Interest Earnings	25,000	25,000	31,638	(6,638)	126.6%
Transfer from Operating Fund for Water	1,800,000	1,800,000	900,000	900,000	50.0%
Transfer from Operating Fund for Wastewater	1,500,000	1,500,000	750,000	750,000	50.0%
Transfer from Impact Fee Reserve - Wastewater	165,000	165,000	-	165,000	0.0%
Total Revenues	3,490,000	3,510,200	1,743,070	1,767,130	49.7%
Total Beginning Balance & Revenues	**$ 5,351,100**	**$ 12,762,300**	**$ 1,743,070**	**$ 11,019,230**	13.7%
Expenses					
Water	$ 2,028,600	$ 5,442,600	$ 1,358,792	$ 4,083,808	25.0%
Wastewater	1,822,100	5,299,100	861,506	4,437,594	16.3%
Bank Fees	-	-	1,423	(1,423)	0.0%
Total Expenses	3,850,700	11,026,100	2,221,721	8,804,379	20.1%
Budget Balance - Working Capital - Water	617,400	773,400	-	773,400	0.0%
Budget Balance - Working Capital - Wastewater	883,000	962,800	-	962,800	0.0%
Total Budget Balances	1,500,400	1,736,200	-	1,736,200	0.0%
Total Budget Balances & Expenses	**$ 5,351,100**	**$ 12,762,300**	**$ 2,221,721**	**$ 10,540,579**	17.4%
Reserve Balances					
Capital Asset Replacement - Water	$ 518,500	$ 518,300	$ 512,830		
Capital Asset Replacement - Wastewater	$ 515,200	$ 512,700	$ 511,657		

City of Dover
Finance Department
Monthly Report – November 2015
Electric Improvement & Extension Fund Summary

	Budget	Revised Budget	YTD	Balance	42% Budget
Beginning Balance	$ 3,623,600	$ 6,684,100	$ -	$ 6,684,100	0.0%
Revenues					
Interest Earnings	26,700	26,700	21,981	4,719	82.3%
Bond Proceeds	-	-	2,108,003	(2,108,003)	0.0%
Transfer from Electric Revenue Fund	3,500,000	3,500,000	875,000	2,625,000	25.0%
General Service Billing	1,900,000	1,900,000	178,474	1,721,526	9.4%
Total Revenues	5,426,700	5,426,700	3,183,458	2,243,242	58.7%
Total Beginning Balance & Revenues	**$ 9,050,300**	**$ 12,110,800**	**$ 3,183,458**	**$ 8,927,342**	26.3%
Expenses					
Electric Generation	$ 1,655,000	$ 2,299,800	$ 424,334	$ 1,875,466	18.5%
Transmission/Distribution	2,887,600	3,602,900	505,782	3,097,118	14.0%
Electrical Engineering	1,724,300	3,401,700	427,988	2,973,712	12.6%
Meter Reading	-	23,000	-	23,000	0.0%
Bank & CC Fees	-	-	3,819	(3,819)	0.0%
Total Expenses	6,266,900	9,327,400	1,361,923	7,965,477	14.6%
Budget Balance - Working Capital (Unaudited)	2,783,400	2,783,400	-	2,783,400	0.0%
Total Budget Balance & Expenses	**$ 9,050,300**	**$ 12,110,800**	**$ 1,361,923**	**$ 10,748,877**	11.2%
Reserve Balances					
Depreciation Reserve	$ 10,066,400	$ 10,066,400	$ 9,999,772		
Future Capacity Reserve	$ 10,218,000	$ 10,218,000	$ 10,150,429		

City of Dover
Finance Department
Monthly Report – November 2015
Community Transportation Improvement Fund

	Budget	Revised Budget	YTD	Balance	42% Budget
Beginning Balance	$ 144,000	$ 512,900	$ -	$ 512,900	0.0%
Revenues					
Grants Revenue	500,000	500,000	47,940	452,060	9.6%
Interest Earned	500	500	41	459	8.2%
Total Revenues	500,500	500,500	47,981	452,519	9.6%
Total Beginning Balance & Revenues	**$ 644,500**	**$ 1,013,400**	**$ 47,981**	**$ 965,419**	4.7%
Expenses					
Program Expenses - Del Dot	$ 644,000	$ 1,012,900	$ 190,983	$ 821,917	18.9%
Total Expenses	644,000	1,012,900	190,983	821,917	18.9%
Budget Balance - Working Capital	500	500	-	500	0.0%
Total Budget Balances & Expenses	**$ 644,500**	**$ 1,013,400**	**$ 190,983**	**$ 822,417**	18.8%

City of Dover
Finance Department
Monthly Report – November 2015
Police Grant Funds

	Budget	Revised Budget	YTD	Balance	42% Budget
Beginning Balance	$ 125,000	$ 125,000	$ -	$ 125,000	0.0%
Revenues					
State & Federal Grants Received	527,300	527,300	158,788	368,512	30.1%
Interest Earnings	-		261	(261)	0.0%
Total Revenues	527,300	527,300	159,049	368,251	30.2%
Total Beginning Balance & Revenues	**$ 652,300**	**$ 652,300**	**$ 159,049**	**$ 493,251**	24.4%
Expenses					
Cadet Program	$ 80,300	$ 80,300	$ 31,308	$ 48,992	39.0%
Equipment & Program Supplies	410,600	379,600	32,996	346,604	8.7%
Technology Equipment	20,000	20,000	2,825	17,175	14.1%
Telephone/Fax	15,000	15,000	5,326	9,674	35.5%
Training/Conference/Food/Travel	17,000	45,000	21,880	23,120	48.6%
Consulting/Audit Fees	1,000	1,000	-	1,000	0.0%
Contractual services	-	3,000	928	2,072	30.9%
Operating Transfers - Out	74,400	74,400	27,025	47,375	36.3%
Total Expenses	618,300	618,300	122,288	496,012	19.8%
Budget Balance - Working Capital (Unaudited)	34,000	34,000	-	34,000	0.0%
Total Budget Balances & Expenses	**$ 652,300**	**$ 652,300**	**$ 122,288**	**$ 530,012**	18.7%

City of Dover
Finance Department
Monthly Report – November 2015
Library Grant Fund

	Budget	Revised Budget	YTD	Balance	42% Budget
Beginning Balance	$ 17,300	$ 17,300	$ -	$ 17,300	0.0%
Revenues					
Grants Received	278,900	305,500	146,918	158,582	48.1%
Federal Grants	2,500	2,500	2,500	-	100.0%
Total Revenues	281,400	308,000	149,418	158,582	48.5%
Total Beginning Balance & Revenues	**$ 298,700**	**$ 325,300**	**$ 149,418**	**$ 175,882**	45.9%
Expenses					
Program Expenses/Supplies-State Grants	$ 26,600	$ 27,500	$ 8,760	$ 18,740	31.9%
Program Expenses/Supplies-Federal Grants	-	2,500	-	2,500	0.0%
Office Supplies	24,000	30,800	12,463	18,337	40.5%
Printing/Duplicating	13,200	12,500	5,522	6,978	44.2%
Postage	100	100	-	100	0.0%
Books	129,200	133,300	-	133,300	0.0%
Furniture	3,100	7,000	3,795	3,205	54.2%
Audio Visual Supplies	75,100	77,200	17,252	59,948	22.3%
Training/Conference/Food/Travel	2,000	8,800	564	8,236	6.4%
Contractual Services	900	-	-	-	0.0%
Office Equipment/Repairs & Maintenance	6,000	6,300	4,587	1,713	72.8%
Other Equipment - Lease	1,200	2,000	765	1,235	38.3%
Total Expenses	281,400	308,000	53,708	254,292	17.4%
Budget Balance - Working Capital	17,300	17,300	-	17,300	0.0%
Total Budget Balances & Expenses	**$ 298,700**	**$ 325,300**	**$ 53,708**	**$ 271,592**	16.5%

City of Dover
Finance Department
Monthly Report – November 2015
After School Program/Substance Abuse Prevention Fund

	Budget	Revised Budget	YTD	Balance	42% Budget
Beginning Balance	$ 41,000	$ 41,000	$ -	$ 41,000	0.0%
Revenues					
Grants Received	55,700	55,700	14,015	41,685	25.2%
Recreation Revenue	33,000	33,000	17,054	15,946	51.7%
Total Revenues	88,700	88,700	31,069	57,631	35.0%
Total Beginning Balance & Revenues	**$ 129,700**	**$ 129,700**	**$ 31,069**	**$ 98,631**	24.0%
Expenses					
Temporary Help/Benefits	$ 60,200	$ 60,200	$ 29,355	$ 30,845	48.8%
Program Expenses/Supplies	55,700	55,700	11,651	44,049	20.9%
Total Expenses	115,900	115,900	41,006	74,894	35.4%
Budget Balance - Working Capital	13,800	13,800	-	13,800	0.0%
Total Budget Balances & Expenses	**$ 129,700**	**$ 129,700**	**$ 41,006**	**$ 88,694**	31.6%

City of Dover
Finance Department
Monthly Report – November 2015
CDBG Fund

	Budget	Revised Budget	YTD	Balance	42% Budget
Beginning Balance	$ 2,100	$ 2,100	$ -	$ 2,100	0.0%
Revenues					
Grants Received	265,400	272,800	38,523	234,277	14.1%
Interest Earnings	-	-	61	(61)	0.0%
Total Revenues	265,400	272,800	38,584	234,216	14.1%
Total Beginning Balance & Revenues	**$ 267,500**	**$ 274,900**	**$ 38,584**	**$ 236,316**	14.0%
Expenses					
Closing Cost/Down Payment Program	$ 60,000	$ 60,900	$ 20,000	$ 40,900	32.8%
Connection Community Supply Program	7,400	7,400	-	7,400	0.0%
Dover Interfaith Ministry	27,000	27,000	6,296	20,704	23.3%
MHDC Emergency Home Repair	88,200	88,200	-	88,200	0.0%
Habitat For Humanity	40,000	40,000	-	40,000	0.0%
NCALL Research Inc.	-	6,500	-	6,500	0.0%
Peoples Place	6,800	6,800	-	6,800	0.0%
Salaries	36,000	36,000	15,335	20,665	42.6%
Total Expenses	265,400	272,800	41,631	231,169	15.3%
Budget Balance - Working Capital	2,100	2,100	-	2,100	0.0%
Total Budget Balances & Expenses	**$ 267,500**	**$ 274,900**	**$ 41,631**	**$ 233,269**	15.1%

Monthly Report

November 2015

Economic Development Office

2015_11

- Attended Grey Fox Grille grand opening
- Attended DDP Parking Committee meeting
- Meeting with DEDO regarding STAR Campus project availability
- Attended Greater Kent Committee Meeting
- Provided Justin Cressler contact information for DNREC Secretary
- Coordinated grand opening of Produce Junction with Kay Sass and Steve Salecki from Produce Junction
- Attended Tourism Annual Luncheon
- Reviewed HUD-1 on 111 S New Street
- Addressed DSHA parking issues
- Requested appraisal of 22-24 W Loockerman Street
- Requested special board meeting for Kent County Tourism
- Attended MILCON Breakfast
- Reviewed Downtown Dover Partnership insurance renewals
- Attended Chamber of Commerce Board Meeting at Dover Downs
- Followed up with potential Sun-Roc building user
- Discussed Family Court expansion with Mayor
- Attended DDP Promotions Committee meeting
- Assisted Hirsh Industries in getting sewer and plumbing permit through Public Works
- Discussed Playtex Plant One contract with Playtex Management and met with potential developer for that property
- Provided McGinnis Realty with information on the Garrison Oak Technology Park for a potential developer
- Provided an interview with Delaware Today regarding economic growth in Dover
- Attended Capital Gateway planning sessions
- Meeting with Mike Maupin from Mautiste Development and Karen Kollias from NCALL regarding the Acme site
- Attended Bayhealth Business and Investment Committee meeting
- Attended Economic Development Committee to discuss hold or sell 22-24 W Loockerman St
- Interview with Dave Skocik at the Biggs Museum regarding Downtown Development
- Attended Plant Managers meeting at Delaware Tech
- Attended GOTP progress meeting
- Attended Kent County Tourism Board meeting

- Met with representative from Clear Channel regarding radio ads and broadcast for Holiday events
- Attended Dover Air Force Base Honorary Commander Tour
- Follow-up meeting with Mike Maupin and Gregg Moore regarding Acme site
- Reviewed McGinnis' appraisal of Loockerman Way Plaza
- Assisted Dean Pletz with Downtown Development District grant application
- Set-up meeting with Gregg Moore and Mimi Rayl from Housing Development Corporation Mid-Atlantic to discuss Acme site
- Attended LEADS Group meeting
- Attended Kent County is Open for Business

Measures:

1 Maintain an unemployment rate for the City of Dover that is lower than national and state averages

	2013-2014 Actual	**2014-2015 Actual**	**2015 - 2016 Actual**
Results	<10% unemployment rate in June 2014 6.1 % - US Rate 6.9 % - DE Rate 8.3% - City of Dover Rate June 2014 Actual	< 10% unemployment rate in June 2015 5.3 % - US Rate 4.7 % - DE Rate 7.4% - City of Dover Rate June 2015 Actual	<10% unemployment rate in June 2016 5.0% - US Rate 5.1 % - DE Rate 5.8% - City of Dover Rate November 2015 Actual

2 Monitor number of contacts with small businesses and with out-of-town companies interested in locating in Dover

	2013-2014 Actual	**2014-2015 Actual**	**2015 - 2016 Actual**
Results	≥20 contacts with potential small businesses; **23 contacts YTD** ≥11 contacts with out-of-town companies interested in locating in Dover **13 Contacts YTD**	≥20 contacts with potential small businesses; **20 Contacts YTD** ≥11 contacts with out-of-town companies interested in locating in Dover **16 Contacts YTD**	≥20 contacts with potential small businesses; **16 Contacts YTD** ≥11 contacts with out-of-town companies interested in locating in Dover **11 Contacts YTD**

2015_11 Downtown Dover Partnership

- Provided technical assistance to four (4) prospective small business individuals on overall business development within the City of Dover and the Downtown Dover Business District
- Provided technical assistance to three (3) prospective small business individuals on locating available space within the City of Dover and Downtown Business District to lease
- Updated Downtown Development District Vacant Property Database
- Provided twenty-one hours (21) technical assistance to thirty-four (34) merchants within the downtown business corridor
- Coordinated media (newspaper announcement), website, social media press releases and logistics for Special Events which occurred during and following this reporting period which included:
    - Home for the Holidays Event' 15
    - Winter Wonderland Project' 15
    - Capital Holiday Celebration' 15
    - Shop Small Business Saturday held on November 28th.
    - Home for the Holidays Parade' 15
    - First Friday in November' 15 held on November 6th.
    - Installation of Christmas Tree on Plaza and new Christmas Tree on Duncan Lot – West Side.
- Met with the Capital Holiday Celebration Planning Committee on finalizing logistics for the City's Tree Lighting Ceremony
- Submitted series of work orders for the West Side Tree Lighting Project
- Submitted a series of work order for the Loockerman Way Tree Lighting and Winter Wonderland Project
- Coordinated and facilitated logistics for the Grey Fox Grille Grand Opening
- Coordinated and facilitated logistics for the Delaware Veteran's Parade held on November 7th
- Completed and submitted the USDA Quarterly Project Status Report
- Met with Rob Nicholson, Delmarva VoIP, to discuss IT Services for small businesses within the BID District
- Met with Lee Thompson, Advantech, to discuss obtaining permit for the use of Loockerman Way Plaza
- Met with Sydney Artz, Schwartz Center, to discuss requested changes to the Downtown Evening Parking Map
- Telephone conference with Bonnie Mankin, Delaware State News, to discuss the Holiday Viewers Guide

- Attended the Delaware Hispanic Sub-Committee Meeting to discuss the development of a Referral Program
- Telephone conference with Andrea Trabelis, Planner, to discuss interview summary of Capital Gateway Study
- Attended the DDP Marketing and Promotion Committee Meeting
- Disseminated and provided weekly updates on events occurring throughout the City to merchants within the BID District
- Facilitated planning meeting with Clay Hammond and DDP to discuss the development of a roundtable meeting with minority entrepreneurs in downtown Dover
- Provided contact information to Larrell Livingston on the 15 W. Loockerman Street Vacant Property
- Provided contact information to Anthony Nixon and Jacqueline Reyes on the 142 W. Loockerman Street Vacant Property
- Represented the DDP Office at the MILCON Breakfast (DAFB) on November 9th
- Telephone conference with James Provo, SBA State Office, to discuss the revised Resource Guide
- Met with Councilman Anderson to discuss Youth Advisory Committee First Night Project
- Met with Joe Parks, ERA Harrington, to discuss leasing information on the 111 W. Loockerman Street Vacant Retail Space
- Met with Brandon Cohen, Cloud Geeks, to discuss the USDA Small Business Development Project

Dover Police Department

Monthly Report

To

Mayor and City Council

"To Protect and Serve"

November 2015

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

January 11, 2016

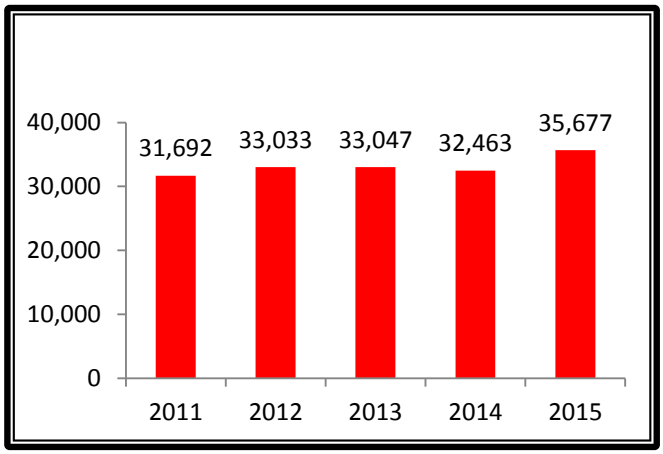
Honorable Robin Christiansen, Mayor
Members of Dover City Council
City Hall
Dover, DE 19901

Mayor Christiansen and Council Members:

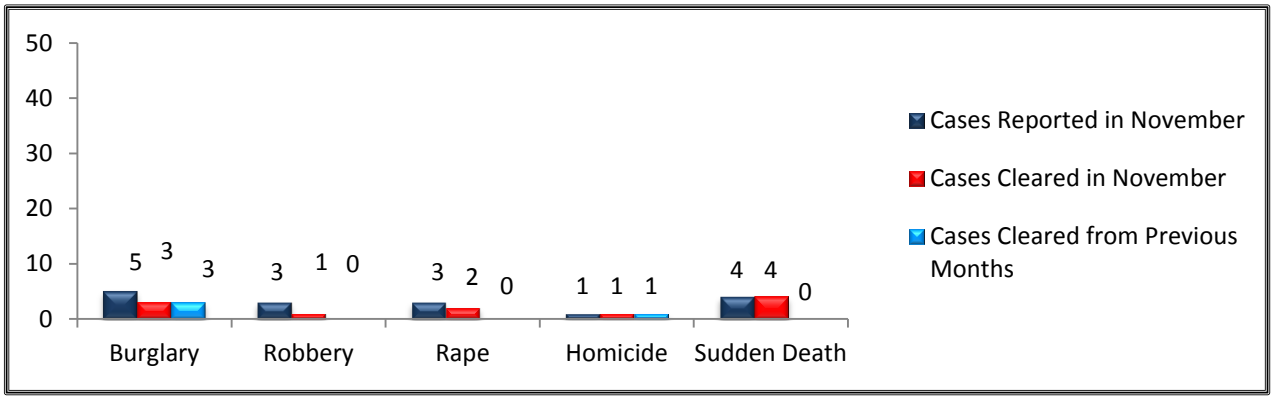
The following is the monthly report for Dover Police Department activities for the month of November 2015:

COMPLAINTS

Total complaints received through November 30th, numbered 35,677 this is an increase of 3,214 complaints over the same time period last year.



CRIMINAL INVESTIGATIONS



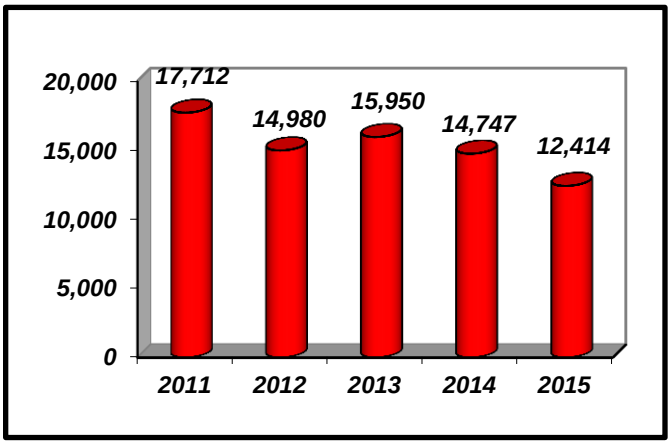
COMMUNITY POLICING - SAFE STREETS, QUALITY OF LIFE (QOL) & CADETS

SAFE STREETS ENFORCEMENT & QOL	Contacts
ABANDONED VEHICLES	2
ALCOHOL VIOLATIONS/DUI'S	1
ASSIST OTHER	7
WARRANTS ON FILE	1
BIKE ON SIDEWALK	0
CITY PARK VIOLATIONS	0
CRIMINAL ARRESTS	30
DRUG RELATED ARRESTS	30
LOUD MUSIC	1
MISCELLANEOUS VIOLATIONS	1
PARKING VIOLATIONS	5
PEDDLER	0
MEETINGS	124
GUNS	11
CURFEW CHECKS	119
CRIME PREVENTION CHECK	2
TRAFFIC ARRESTS	29
WARNINGS	6
FUGITIVE	8
TOTAL CONTACTS	**377**

CADETS	Contacts
PARKING	21
DCO'S	34
OPEN CONTAINER	10
LOUD NOISE	0
LEWDNESS	1
OTHER	2
BUSINESSES CONTACTED	93
LIBRARY CHECKS	30
COMPLAINTS ASSIGNED	81
SPECIAL EVENT	3
TOTAL CONTACTS	**275**

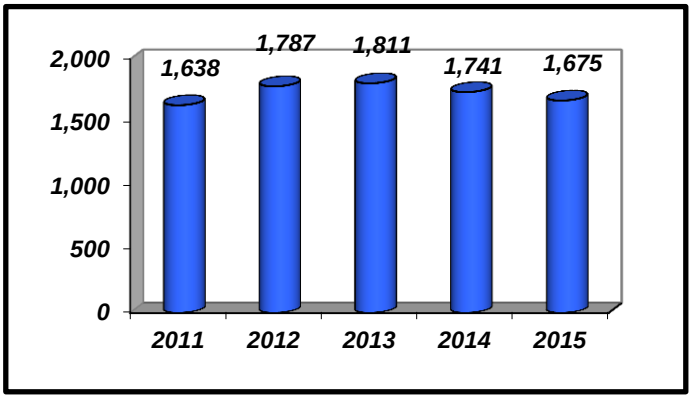
TRAFFIC ARRESTS

The department issued 12,414 traffic citations through this reporting period. This is a decrease of 2,333 citations over the number issued during the same period last year.



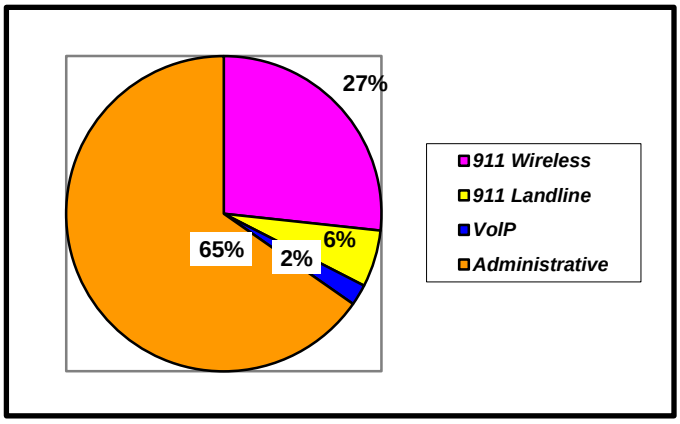
TRAFFIC CRASHES

Through November 30th, Dover Police investigated 1,675 traffic crashes. This is a decrease of 66 crashes investigated during the same period last year.



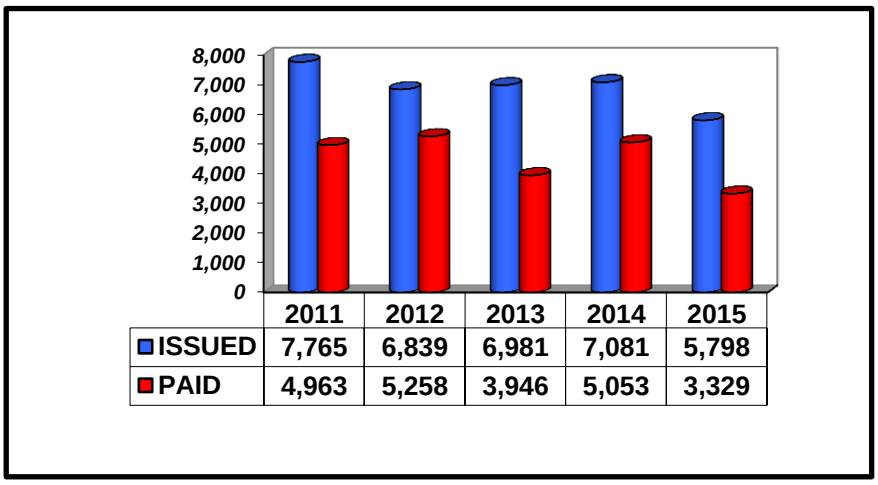
911 CENTER

During the month of November, the Dover Police Department handled a total of 8,761 calls averaging 292 calls per day. Dispatchers handled 2,340 calls on the 911 wireless lines, 511 calls on the 911 landlines, and 189 calls on the Voice Over Internet Protocol lines, the remaining 5,721 were administrative calls.



CITY ORDINANCE SUMMONS

*Through November 30th, we issued 5,798 city ordinance summons, a decrease of 1,283 summonses over the same period last year. *Note: Of those summonses issued in November, 6 DCO's were issued for handicapped parking violations, 0 for fire lane parking violations, 48 for false alarms (0, for 1-2, 30, for 3-5 alarms, 12, for 6-9 alarms, 4, for 10-15 alarms, and 2, for 16 or more alarms) and 8 for noise violations (3, for vehicle violations and 5, for residence violations).*

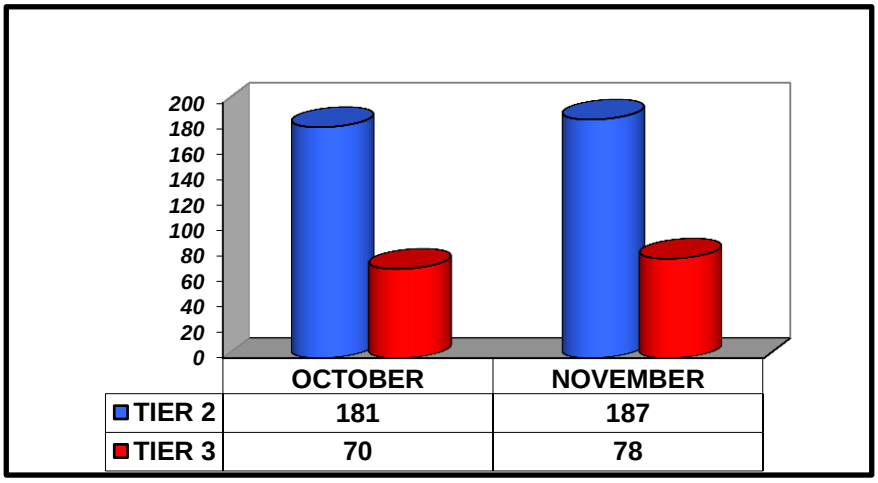


	2011	2012	2013	2014	2015
ISSUED	7,765	6,839	6,981	7,081	5,798
PAID	4,963	5,258	3,946	5,053	3,329

SEX OFFENDER STATISTICS/NOVEMBER

	VERIFICATIONS	NOTIFICATIONS	MONTHLY REVERIFICATIONS	NON COMPLIANT WARRANTS
TIER 1	0	0	0	0
TIER 2	13	1209	0	4
TIER 3	19	2427	0	0

ACTIVE SEX OFFENDERS THAT RESIDE IN THE CITY OF DOVER (please note, Tier 1 offenders are not contacted by Dover Police Sex Offender Agents).



Please visit our website at www.doverpolice.org for up to date information on crimes and activities in the City of Dover.

Respectfully Submitted,

Paul M. Bernat

Paul M. Bernat
Chief of Police

COMMITTEE ACTION FORM

PROCEEDING: City Council	**AGENDA ITEM NO.:**
DEPARTMENT OF ORIGIN: Electric Department	**DATE SUBMITTED**: 12/15/2015
PREPARED BY: Paul Waddell, Engineering & Systems Operations Superintendent	
SUBJECT: Evaluation of Bid #16-0018EL, Directional Boring Contract	
REFERENCE: N/A	
RELATED PROJECT: N/A	
APPROVALS: Electric Director, City Manager	
EXHIBITS: N/A	
EXPENDITURE REQUIRED: As required; Estimated at $200,000 annually	**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.); Water/Wastewater 412-6800-568-30-31; or Capital project funding as applicable.	
TIMETABLE: Contract to be issued upon final approval.	
RECOMMENDED ACTION: Staff recommends 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.	

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. This contract is priced as a "time and material" contract and may exceed $200,000 annually. This bid is for directional boring which would include the underground installation of conduit in established areas to minimize yard/right-of-way restoration and for road crossings.

Bids were solicited and advertised according to City Policy by the City's Contract and Procurement Manager under Bid #16-0018EL and bids were received from three (3) potential vendors. All of the bids were complete and the potential vendors were deemed to be capable and competent; therefore, pricing was the determining factor in bid award. Due to the variety of pricing strategies quoted by each vendor, staff created a bid analysis by developing an itemized list of most of the major projects that were completed in FY 15. Each bidder's boring, labor, and equipment fees were then inserted into the spreadsheet to determine the lowest bidder. Using this methodology, Joseph R. Smith was the low bidder; the next lowest bidder was Tuckahoe Underground, LLC who was 3.5% higher. Funding will be from the appropriate Operations or Capital budget for which the work is being performed.

The following table is a summary of the scenario pricing:

Bidder	Price
Joseph R. Smith, Inc.	**$23,966.90**
Tuckahoe Underground LLC	$24,816.70
Guardian Construction Co	$31,457.10

COMMITTEE ACTION FORM

PROCEEDING: City Council	**AGENDA ITEM NO.:**
DEPARTMENT OF ORIGIN: Electric Department	**DATE SUBMITTED**: 12/15/2015
PREPARED BY: Paul Waddell, Engineering & Systems Operations Superintendent	
SUBJECT: Evaluation of Bid #16-0019EL, Fiber Optic Systems Maintenance Contract	
REFERENCE: N/A	
RELATED PROJECT: N/A	
APPROVALS: Electric Director, City Manager	
EXHIBITS: N/A	
EXPENDITURE REQUIRED: As Needed; Estimated at + $25,000/year **AMOUNT BUDGETED**: N/A **FUNDING SOURCE (Dept./Page in CIP & Budget)**: Possibly both Electric Engineering and T&D Division "Contractual Services" operation budgets such as 480-8200-562-30-31 (Electric T&D); 480-8300-563-30-31 (Electric Eng.); or Capital project funding as applicable.	
TIMETABLE: Contract to be issued upon final approval.	
RECOMMENDED ACTION: Staff recommends awarding a three (3) year Fiber Optic Systems Maintenance Contract to KCI Communications Infrastructure, as per the pricing included in the bid submittal.	

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 priced as a "time and material" contract and may exceed $25,000 annually based on requirements. This bid is for Fiber Optic Systems Maintenance which includes splicing, terminating, and supplying/installing related equipment. City of Dover Electric Department employees do not have the equipment or training to perform this splicing and because of the limited amount of splicing required, it is not feasible to purchase the equipment. It is also noteworthy that this contractor will perform fiber optic work for other City Departments when required.

Bids were solicited and advertised according to City Policy by the City's Contract and Procurement Manager under Bid #16-0019EL. Bids were solicited from three companies and the City received bids from only one vendor. The bid was complete and the potential vendor was deemed to be capable and competent. Staff has reviewed this proposal and determined that the submitted pricing is fair and reasonable and recommend awarding the contract to KCI Communications Infrastructure.

The estimated annual expense for this service is likely to exceed $25,000.00 per year.

COMMITTEE ACTION FORM

PROCEEDING: City Council	**AGENDA ITEM NO.:**
DEPARTMENT OF ORIGIN: Electric Department	**DATE SUBMITTED**: 12/15/2015
PREPARED BY: Paul Waddell, Engineering & Systems Operations Superintendent	
SUBJECT: Evaluation of Bid #16-0020EL, Landscaping Services Contract	
REFERENCE: N/A	
RELATED PROJECT: N/A	
APPROVALS: Electric Director, City Manager	
EXHIBITS: N/A	
EXPENDITURE REQUIRED: As Required; Estimated at +$25,000/year	**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.	
TIMETABLE: Contract to be issued upon final approval.	
RECOMMENDED ACTION: Staff recommends 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.	

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 priced as a "time and material" contract. This bid is for miscellaneous landscape work that includes the repair of rights-of-way and private property disturbed by City activities during maintenance and/or construction activity.

Bids were solicited and advertised according to City Policy by the City's Contract and Procurement Manager under Bid #16-0020EL. Bids were solicited from four (4) companies and the City received bids from two (2) different companies. All of the bids were complete and the potential vendors were deemed to be capable and competent; therefore, pricing was the determining factor in bid award. Staff used the hours, labor and equipment needed on a previous project for the evaluation criteria and entered each bidders proposed rates in this evaluation. JR Smith, had the lowest total project cost. Staff is recommending that the contract be awarded to the lowest bidder, as evaluated through the job scenario, Joseph R. Smith Inc., Denton, MD.

The following table is a summary of the scenario pricing:

Bidder	**Price**
Joseph R. Smith, Inc.	**$2,811.37**
Jonny Nichols	$3,505.35

ACTION FORM

PROCEEDING: City Council
DEPARTMENT OF ORIGIN: Public Works **DATE SUBMITTED**: 12/31/15
PREPARED BY: Sharon Duca, P.E., Public Works Director/City Engineer
SUBJECT: Evaluation of Bids – Retreat Pump Station Replacement
REFERENCE: CIP- Retreat Pump Station Replacement
RELATED PROJECT: N/A
APPROVALS: City Manager, Controller
EXHIBITS: Attachment A – Aerial Map
EXPENDITURE REQUIRED: $447,500 **BUDGET REMAINING**: $360,340
FUNDING SOURCE (Dept./Page in CIP & Budget): Department of Public Works- Wastewater Management, CIP Project #WW1507, CIP Project Name: Retreat Pump Station Replacement Account No.: 417-6900-569.40-31. The financial shortfall ($87,160) will be covered by a budget transfer from project WW1601 – Inflow / Infiltration Removal, Account No.: 417-6900-569.40-31.
TIME TABLE: Notice to proceed to be issued within thirty (30) days of Council approval. Project anticipated to be completed in 180 calendar days.
RECOMMENDED ACTION: 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.

BACKGROUND AND ANALYSIS

This capital investments project includes the replacement of the Smith & Loveless package pumping station installed in 1980. The station has exceeded its anticipated life expectancy of 20-25 years and is in need of a capacity upgrade due to increased growth in the basin. The existing pump rate will be increased to 150 GPM. The pump station is currently located on the side of Pine Valley Road, just east of Medinah Court. This pump station replacement will improve the City's wastewater system by increasing the structural integrity, pump efficiency, and wastewater flow capacity of the pump station. The City requested an alternate bid price for bituminous pavement for the pump station. This option will decrease maintenance at the station.

The bid was initially advertised to the public as an Invitation to Bid in accordance with the City's purchasing policy by the City's Purchasing Agent under ITB #16-0009PW. Bids were opened on October 8, 2015. The City of Dover received one (1) bid from Brandywine Construction Co. that was over the project budget, $450,000 base bid with $10,000 paving option ($460,000). City staff decided to re-bid the project. The bid was then advertised to the public as an Invitation to Bid in accordance with the City's purchasing policy by the City's Purchasing Agent under ITB #16-0022PW. Bids were opened on December 17, 2015. The City of Dover received one (1) bid from Brandywine Construction Co. Based on the proposed quantities. The contract values are as follows:

CONTRACTOR	LOCATION	BASE BID	ALTERNATE PAVING OPTION	TOTAL COST
BRANDYWINE CONSTRUCTION CO.	NEW CASTLE, DE	$440,000.00	$7,500.00	$447,500.00

City staff reviewed the submission and found that the Brandywine Construction Co. bid met all requirements for the qualifications of the project. As stated above, the City has bid this project out on two (2) separate occasions. Although the bids have come in over budget, staff believes that the price will only increase if the project were to be bid in the

spring season, which coincides with the busy season of construction activity. The alternate paving option is an operational benefit. The staff recommends awarding the contract to Brandywine Construction Co. in the amount of $447,500 for the Retreat Pump Station Replacement Project. The shortfall for this project will be supplemented by a budget amendment from the Inflow / Infiltration Removal project. A breakdown of the funding sources is provided below:

FUNDING SOURCE	DESCRIPTION	ORIGINAL BUDGET	BUDGET REVISIONS TO DATE	EXPENSES TO DATE	BUDGET BALANCE	REQUIRED FOR PROJECT	REVISED PROJECT BUDGET
Wastewater	WW1507 Retreat Pump Station Budget (Design FY15 & Construction FY16)	$412,500	---	$52,160	$360,340	$87,160	$447,500
Wastewater	WW1601 Inflow / Infiltration Removal	$875,000	($252,000)	---	$623,000	($87,160)	$535,840

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

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

St. Jones River Sewer Repair $50,000

McKee Tax Ditch Sewer Repair $30,000

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

CAF Map

Retreat Pump Station



0 50 100 200 Feet

N

Date Printed: December 29, 2015
File: m:\gis_data\projects\tech_mxds
\jason_lyon_maps\caf_maps
\caf_retreat_pump_station
Department: Public Works GIS
City of Dover, Delaware

Legend

PS Pump Station

Dover Parcels

COMMITTEE ACTION FORM

PROCEEDING: City Council	**AGENDA ITEM NO.:**
DEPARTMENT OF ORIGIN: Electric Department	**DATE SUBMITTED**: 12/15/2015
PREPARED BY: Paul Waddell, Engineering & Systems Operations Superintendent	
SUBJECT: Evaluation of Bid #16-0021EL, Underground Line Work	
REFERENCE: N/A	
RELATED PROJECT: N/A	
APPROVALS: Electric Director, City Manager	
EXHIBITS: N/A	
EXPENDITURE REQUIRED: As Required; Estimated at +$25,000/year	**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.	
TIMETABLE: Contract to be issued upon final approval.	
RECOMMENDED ACTION: Staff recommends 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.	

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 priced as a "time and material" contract. This bid is for underground line work both in 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 #16-0021EL. Bids were solicited and the City received bids from four (4) different companies. All of the bids were complete and the potential vendors were deemed to be capable and competent; therefore, pricing was the determining factor in bid award. Staff used the hours, labor and equipment needed on a project requiring eight (8) hours of all labor and all equipment rates for an eight (8) hour day for the evaluation criteria and entered each bidders proposed rates in this evaluation. JR Smith, had the lowest total project cost by 27%. Staff is recommending that the contract be awarded to the lowest bidder, as evaluated through the job scenario, Joseph R. Smith Inc., Denton, MD.

The following table is a summary of the scenario pricing:

Bidder	Price
Joseph R. Smith, Inc.	**$4,953.23**
AUI, Inc.	$6,292.25
Tuckahoe Underground, LLC	$6,295.63
*Blue Hen Utility Services	$5,618.78

*Vendor did not submit quotes for Primary Plow and Service Plow which averaged $408.92 & $338.03 per day respectively.

ACTION FORM

PROCEEDING: City Council	**AGENDA ITEM NO.:**
DEPARTMENT OF ORIGIN: City Manager's Office	**DATE SUBMITTED**: 01/05/2016
PREPARED BY: Scott D. Koenig, P.E., ICMA-CM, City Manager	
SUBJECT: Authorization to Create Business Retention Rate Schedule	
REFERENCE: Electric Rates & Tariffs	
RELATED PROJECT: N/A	
APPROVALS: City Manager, Controller	
EXHIBITS: Copy of the Draft Business Retention Rate Schedule "BR" dated January 1, 2016	
EXPENDITURE REQUIRED: N/A	**BUDGET REMAINING**: N/A
FUNDING SOURCE (Dept./Page in CIP & Budget): N/A	
TIME TABLE: The rate schedule will be available upon adoption by City Council.	
RECOMMENDED ACTION: Authorize the creation the Business Retention Rate Schedule ("BR") as presented.	

BACKGROUND AND ANALYSIS

Staff has been working with the City's electric rate consultant, Burns & McDonnell, for several months to create a Business Retention Rate Schedule for our electric system. The purpose of the rate schedule is to allow qualified customers to receive a reduced electric rate for a 2-year period when serious threats to the business are apparent and opportunities to maintain employment and potentially increase employment can be demonstrated by entity requesting the rate. A copy of the draft schedule is included as an exhibit to this action form. The estimated value of this economic incentive is $700,000 - $800,000 over a 2-year period depending upon actual electric consumption.

If approved by City Council, the draft watermark will be removed from the attached exhibit and then finalized as written. This rate schedule will be available immediately upon authorization by City Council to qualified customers.

BUSINESS RETENTION RATES SCHEDULE
"BR"

AVAILABILTY

This rate is available throughout the City of Dover electric service area to existing customers located where Dover's existing facilities are adequate to supply service provided that:

1. The customer must demonstrate to the satisfaction of the Electric Director of the City of Dover and the City Council that relocation of its entire operations or a qualified portion of their operations which consists of load of at least five (5) megawatts (MW), to a site outside of Dover's service territory is a viable alternative or that the threat of closure of the customer's existing facilities is otherwise imminent.

2. Customers must provide:

   A. An affidavit that "but for" the Business Retention rate incentives, in combination with other city-sponsored-incentives, such customer would relocate outside of the City's electric service territory,

   and

   B. Substantial evidence demonstrating the business has considered viable locations outside of Dover's service territory including but not limited to incentive offer letters from competing states, local jurisdictions and economic development organizations and/or real estate sale and lease agreements for competing sites,

   or

   C. Substantial evidence documenting the imminent threat of facility closure, including but not limited to letters from business owners or appropriate corporate officers documenting the circumstances which have led to this imminent threat and why the Business Retention Rate is necessary to retain the business within Dover's service territory.

3. The customer's application for this Schedule is approved by the Electric Director of the City of Dover, based upon standards and guidelines approved by resolution of the City Council.

SERVICE CONDITIONS

1. Business Retention Rate Term:

   Business Retention Rate Agreements entered into under this Schedule shall be for a single two-year term.

2. Approval:

   Application of this Schedule shall be subject to approval of the Electric Director of the City of Dover. The Electric Director's approval shall be based upon standards and guidelines established and approved by resolution of the City Council. The standards and guidelines:

   A. Shall include but not be limited to the consideration of such factors as evidence that relocation is imminent, job retention, property tax increment, land use, City's business base, and

   B. Shall provide adequate protection against arbitrary application of this Schedule.

   The Electric Director's decision to disapprove application of this Schedule to a customer shall be appealable to the Dover Electric Department, not later than thirty days after Dover notifies the

customer of the Electric Director's decision. Customer shall file a written appeal with the Dover City Clerk setting forth the grounds on which the appeal is based. Dover ~~Electric Department~~City Manager shall consider the appeal within thirty (30) days after receipt of the written appeal, and shall affirm, modify or reverse the decision of the Electric Director.

3. Agreement:

   The customer must sign the standard Business Retention Rate Agreement, as approved by the City Council, in order for the rates under this Schedule to be applicable. In addition to the other terms of this Schedule, the Business Retention Rate Agreement shall require the customer to reimburse Dover for all rate reductions received under this Schedule, if the customer fails to maintain the required minimum load during the two-year term of the Agreement.

4. Minimum Load:

   All customers must agree to maintain a minimum level of load for two years from the date service is first rendered under this Schedule as set forth in the Business Retention Rate Agreement.

5. Miscellaneous Fees and Charges:

   Rates charged pursuant to this Schedule shall be subject to any Public Utility Taxes and any other governmental taxes, duties, or fees which are applicable to Electric Service provided to Customer by Dover. Rates are also subject to adjustment, as established by the City of Dover adopted by Dover's City Council in response to federal or state climate change laws renewable portfolio standards or other mandatory legislation. No discount shall be made to customer for these fees and charges.

6. Agreement Deadline:

   The start date of the Business Retention Rate Agreement shall commence with the customer's first billing cycle following approval of the Electric Director.

7. Program Cap and Termination Date:

   The total contract demand on this Schedule shall collectively not exceed 10 MW at any one time. Once this limit is reached, the rate will be closed to all customers, new or existing, until such time as qualified customers under the 10-MW Program Cap with an executed Business Retention Rate Agreement expires thus allowing participation by additional qualified customers until a new 10-MW Program Cap is reached. All Business Retention Rate Agreements must be executed prior to June 30, 2016, after which no further agreements will be executed. This Schedule will remain open until such time as the last agreement expires or terminates.

8. Multiple Applications:

   Application of this Schedule shall be limited to each customer to once every ten years.

9. Restrictions:

   Residential customers and federal, state or local governmental agencies are not qualified under this Schedule.

10. Applicable Rate Schedule:

    A. Applicable Rate Schedule

For Customers applying for service at an existing service address, the Electric Department will assign the electric rate schedule based on the characteristics of the service address. The Electric Department will presume that any electric rate previously assigned to that service address is the appropriate schedule, unless Customer requests a review for another applicable rate schedule, rate, or optional provision. In certain situations when a Customer does not qualify for an electric rate previously assigned to that service address, the Electric Department will assign the applicable rate to the Customer. The Electric Department assumes no responsibility for advising the Customer of lower optional rates under existing schedules available as a result of the Customer's changes to the characteristics of the service address.

B. Change of Rate Schedule

A change to the applicable rate schedule may be made if the Electric Department determines that the Customer no longer qualifies for the assigned rate schedule. Subject to meter availability, the change will become effective for service rendered after the next regular meter reading following verification and approval by the Electric Department of such eligibility. Any change in rate schedules pursuant to this section shall be made prospectively.

CHARACTER OF SERVICE

The electric power delivered hereunder shall be three phase, 60 cycle, alternating current at a nominal potential of sixty-nine thousand (69,000) volts.

Demand, energy and power factor will be metered at the point of delivery of service. All transformation, circuiting and protective apparatus beyond the point of delivery shall be installed, owned and maintained by the customer. Service shall be supplied and metered at 69,000 volts, and the customer is required to own and maintain all transforming, switching and protective equipment.

Year 1 Demand Charge All kW - per kW:	$7.15*
Year 1 Energy Charge All kWh – per kWh:	5.820¢*
Year 2 Demand Charge All kW - per kW:	$8.80*
Year 2 Energy Charge All kWh – per kWh:	6.100¢*

* The discounted rates included in this service schedule are based on current rates in effect as of October 1, 2015.

DETERMINATION OF BILLING DEMAND

The measured demand shall be the average of the four (4) greatest sixty (60) minute demands measured on separate days of each month. In any month in which the average power factor at the delivery point is greater or less than ninety-eight and one half percent (98.5%), the measured demand shall be corrected in accordance with the following formula:

$$\text{Billing Demand} = \frac{\text{Measured demand} \times .985}{\text{Average Power Factor}}$$

The City measures both leading and lagging power factor, treating both as non-unity power factors and the customers are billed accordingly.

PURCHASE POWER ADJUSTMENT

All kilowatt-hours billed under this rate shall be subject to the Purchase Power Clause approved by the Council of the City of Dover.

RENEWABLE ENERGY CHARGE

All kilowatt-hours billed under this rate shall be subject to the "GEF" Rider.

MINIMUM MONTHLY BILL

The minimum monthly charge shall be seventy-five percent (75%) of the greatest Billing Demand during the preceding 11 months and energy equal to three hundred (300) hours' use of that demand.

PUBLIC UTILITY TAX

In addition to the charges provided for this service classification, a surcharge will apply in accordance with any tax imposed by governmental authority upon sales of electricity.

RULES AND REGULATIONS

The General Rules and Regulations of the City of Dover for electric service shall apply to service rendered under this classification.