REGULAR COUNCIL MEETING

The Regular Council Meeting was held on October 26, 2015 at 7:30 p.m. with Council President Slavin presiding. Council members present were Mr. Anderson, Mr. Sudler, Mr. Neil, Mr. Lewis, Mr. Cole, Mr. Hosfelt, Mr. Hare, and Mr. Hutchison.

Council staff members present were Police Captain Spicer, Mrs. Mitchell, Mrs. Townshend, Assistant Fire Chief Whitt, Mr. Hudson, City Solicitor Rodriguez, and Mrs. McDowell. Mayor Christiansen was also present (departed at 7:43 p.m.).

OPEN FORUM

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

Mr. Jason Osika, President, Dover Organization of Employees (DOE), 160 Fawn Path Drive, Camden Wyoming, provided members with a letter regarding discussion of the City Manager's monthly report and filling of vacant employment positions during the Regular City Council Meeting of October 12, 2015 ***(Exhibit #1)***.

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. Hosfelt and unanimously carried.

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

ADOPTION OF MINUTES - REGULAR COUNCIL MEETING OF OCTOBER 12, 2015

The Minutes of the Regular Council Meeting of October 12, 2015 were unanimously approved by motion of Mr. Neil, seconded by Mr. Lewis and bore the written approval of Mayor Christiansen.

CERTIFICATE OF RECOGNITION - DAVE CHAMBERS

The Clerk read the following Certificate into the record:

CERTIFICATE OF RECOGNITION

This Certificate of Recognition is presented to

Dave Chambers

Thank you for sharing your incredible talent with our community.

You are successful at drawing our minds into the scene, while capturing the details in a single photograph that otherwise most people would not even see.

October 26, 2015

On behalf of the Mayor and Council, as well as the citizens of Dover, Mayor Christiansen presented the certificate to Mr. Chambers, noting that Mr. Chambers had recorded the history and the people of the City, and the surroundings that make Dover and Kent County the great place that it is to live. He stated that these photographs will live on and Mr. Chambers' name at the bottom will also give him the recognition that he deserves.

CERTIFICATE OF RECOGNITION - GARY EMEIGH

The Clerk read the following Certificate into the record:

CERTIFICATE OF RECOGNITION

This Certificate of Recognition is presented to

Gary Emeigh

for 50 years of professional excellence.

Thank you for sharing your passion of photojournalism in our community for so many years.

We wish you the best with your future endeavors.

October 26, 2015

On behalf of the Mayor and Council, Mayor Christiansen presented the certificate to Mr. Emeigh, noting that Mr. Emeigh had recorded the history of life in Kent County and central Delaware for the past 50 years.

Mr. Hutchison noted that when he began his career with the City of Dover Police Department, Mr. Emeigh photographed crime scenes and he was a trusted friend of the Department and other law enforcement agencies throughout the State. Mr. Hutchison stated that no one told the story better than Mr. Emeigh's pictures. He thanked Mr. Emeigh for everything he had done for the Dover community and the State of Delaware.

PROCLAMATION - DIABETES AWARENESS MONTH

The City Clerk read the following Proclamation into the record:

WHEREAS, diabetes is a serious disease which has no cure and is a major cause of heart disease and stroke; it is the seventh leading cause of death in the Unites States; and

WHEREAS, nearly twenty-six million American children and adults have diabetes, with someone diagnosed with type 1 diabetes every 35 seconds; and

WHEREAS, type 1 diabetes is an autoimmune disease that strikes children and adults suddenly and lasts a lifetime, requiring them to take multiple injections of insulin daily or continually infuse insulin through a pump; and

WHEREAS, one of the most significant risk factors for type 2 diabetes is obesity, those at risk of developing type 2 diabetes can reduce their chances of developing the disease by engaging in regular physical activity, maintaining a healthy weight and making nutritious food choices; and

WHEREAS, an increase in community awareness of risk factors and symptoms related to diabetes can improve the likelihood that people with diabetes will get the attention they need before developing the disease with its devastating complications, and with more than 1.5 billion dollars allocated to research since 1970, the Juvenile Diabetes Research Foundation is the worldwide leader in funding research to cure type 1 diabetes today and in the future.

NOW, THEREFORE, I, ROBIN R CHRISTIANSEN, MAYOR OF THE CITY OF DOVER, DELAWARE, do hereby proclaim the month of November 2015 as **Diabetes Awareness Month** in the City of Dover and urge all residents to give full support to efforts enabling people with diabetes to live full and productive lives.

Mayor Christiansen presented the Proclamation to Lieutenant Chris Hermance and his son Blake Hermance. Blake Hermance stated that, if you have diabetes, it is really important to take care of your body and follow all the rules so that you do not become more sick and to ensure you become the best person you can. He noted that his aspiration in life is to become a police officer. Mr. Hermance explained that his main career goal was to be in the air force; however, since he is a diabetic he cannot be in the military.

Mr. Neil stated that he was also a diabetic and would soon be 82 years old. He noted that being a diabetic would not stop Mr. Hermance from having a career in politics. Mr. Neil stated that he looked forward to seeing Mr. Hermance at the Juvenile Diabetes Research Foundation (JDRF) One Walk on November 7, 2015.

PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE REPORT - OCTOBER 12, 2015

The Parks, Recreation, and Community Enhancement Committee met on October 12, 2015 with Chairman Anderson presiding.

Discussion - Police Athletic League (PAL)

Police Chief Paul Bernat expressed his belief that the City needed to bring back the Police Athletic League (PAL) program. He advised members that juvenile arrests in the City had decreased overall; however, the seriousness of arrests had increased. Chief Bernat stated that drug offenses had increased from 31 last year to 40 this year, there were no burglaries last year and 12 this year, and weapons violations had increased by one (1) compared to last year.

Chief Bernat stated that the Dover Police Department partnered with the National Association for the Advancement of Colored People (NAACP) on October 7, 2015 for a very successful community outreach event and felt that PAL events would be similar in nature to this type of event. He indicated that he had lunch with Mr. Robert Jameson, Executive Director, Police Athletic League of Delaware, Inc., noting that Mr. Jamison oversees the PAL at Hockessin and Wilmington.

Chief Bernat indicated that he received some tips from Mr. Jameson, who stated that one (1) of the first things would be to organize an executive board. Chief Bernat advised members that he would be involved, along with other community leaders, including attorneys and possibly accountants, since it would be necessary to obtain a 501(c)(3) status. He felt it important to start this program, noting that a facility would also be needed. Chief Bernat stated that he had discussed this with Mr. Scott Koenig, City Manager, and Mrs. Ann Marie Townshend, Director of Planning and Community Development, but indicated that he was not comfortable discussing the particulars at this time since Mrs. Townshend was not present. Chief Bernat stated that different locations were discussed, including Dover Park. He explained that staff from Aid in Dover, including Mrs. Beverly Williams, Executive Director, and Mr. Mark Harmon, Program Director, were also present during the discussion. Chief Bernat indicated that all present had agreed that there was a need for a facility to address children, particularly on the east side of Route 13, and he felt that PAL would help to do this.

Chief Bernat informed members that there were manpower issues, noting that the Dover Police Department was authorized for 101 police officers; however, seven (7) officers entered the Delaware State Police Academy on September 15, 2015 and would complete training in March, and two (2) additional officers would be going into the Academy on March 16, 2016. He explained that six (6) officers who were hired in March 2015 would be coming out of Field Training Officer (FTO) training on October 18, 2015, two (2) officers were on administrative leave, and four (4) were on light duty. Chief Bernat stated that out of 101 authorized officers, the strength of the force was currently 80; however, he felt it was not too early to start planting the seeds of PAL, perhaps starting with the executive board and then moving on to facilities. He expressed his feeling that the program was badly needed and the sooner it was implemented the better. Reiterating that there were manpower issues, Chief Bernat advised members that the six (6) additional officers that would be available in a couple of weeks would help tremendously.

Mr. Hosfelt asked how officers would be involved and if this would be a job assignment for one (1) officer. Responding, Chief Bernat indicated that New Castle County and Wilmington each have one (1) or two (2) officers in the program. He explained that his vision was that the Department would dedicate one (1) police officer, and maybe PAL would pay for any others that would be needed. Chief Bernat indicated that, in talking to Mr. Jameson, funding comes from different places and the City could help. Chief Bernat stated that there is also federal grant money available through the Criminal Justice Council; however, PAL relies largely on businesses within the community and it was planned to ask several large community businesses for help. He noted that volunteers are very important in PAL, including police officers who coach or are involved by helping kids with homework after school and other things of that nature.

Responding to Mr. Hosfelt in regard to whether Dover would fall under the umbrella of Mr. Jameson as the Executive Director, Chief Bernat expressed his belief that Mr. Jameson handled only New Castle County and that Dover would have its own executive board that the Chief would report to or be involved with.

In response to Mr. Hutchison regarding the days and hours of operation, Chief Bernat stated that he would like PAL to operate five (5) days per week, most likely during the hours after school in the afternoon or evening, from approximately 3:30 p.m. to 8:00 or 9:00 p.m.

Responding to Mr. Hutchison regarding the cost of the program, Chief Bernat stated that he was unsure; however, he was aware of the budget for Hockessin, which is a huge facility. He indicated that a large part of the program would be financed through donations and grants.

In response to Mr. Hutchison, Chief Bernat stated that participants would be children aged five (5) through 18, noting that his reading had indicated that it is somewhat too late for older kids and younger ones should be targeted. He expressed the desire to target and build relationships with those aged five (5) through 12 or 14 who are not quite set in their ways.

Mr. Koenig stated that, from his standpoint, this was a very preliminary discussion, noting that this program was not ear-marked in the budget. He expressed reservations, stating that creating a 501(c)(3) with an executive board and the potential commitment of a facility was a major undertaking. Mr. Koenig stated that he would love to talk about doing this as a partnership with other interested parties and requested the Committee to advise on whether this was an avenue that they would like to go down. He stated that, while this would be a PAL program, he felt that recreation staff and others would carry a lot of the weight if it went forward. Mr. Koenig requested that a detailed financial analysis be done before committing to have things in place by a certain date.

Mr. Anderson agreed that these were preliminary discussions; however, he felt there was a need to start so that members would not still be talking about this five (5) years from now. He stated that he would like to see it rolling in the next few years.

In response to Mr. Hosfelt regarding how to start moving forward, Mr. Koenig stated that if the Committee and Council wanted to move forward, the City Manager, Police Chief, and Director of Planning and Community Development should be given a directive to put together a comprehensive proposal that would indicate the steps to be taken to create a PAL. He indicated that he was unsure what PAL would encompass, noting that it may include activities in addition to basketball. Mr. Koenig stated that there were hundreds of questions, including who would coordinate volunteers and what the role of the executive board would have in relation to the City, noting that the best interest of the City must be kept in mind.

Mrs. Beverly Williams, 20 Gleneagles Court, former City Council member and current Executive Director, Aid in Dover, advised members that she began discussions about this matter with Mr. Chris Kervick, Executive Director, Delaware Criminal Justice Council, while she was serving on City Council and he explained that there is an abundance of federal grants available for PAL programs, as long as the community comes together and finds a place for the program. Mrs. Williams advised members that this would not be a City project and an executive board and private non-profit structure would be formed as the governing body for the PAL program. She indicated that PAL programs are associated with cities through memorandums of understanding and probably contractual agreements in some cases. Mrs. Williams stated that she understood Mr. Koenig's reluctance, especially since he must balance so many demands on the budget; however, she felt that this could be worked on independently from the City's budget and the only part that the City might play would be to help access land and a building or something of that nature.

Youth Advisory Committee Recommendations

Ms. Rebecca Anderson, Vice Chair, Youth Advisory Committee (YAC), 217 Cecil Street, advised members that the YAC had several items to recommend for evaluation, one (1) of which was a mixed martial arts program. She explained that Mr. Hopeton Stewart advised the YAC that he was willing to provide instruction at a reduced cost in exchange for ensuring that some spaces in the program would be provided for participants from low-income households. Mr. Stewart had indicated that mats were the only thing needed to start the program; therefore the cost would be low. Ms. Anderson stated that the Committee would also like digital recording devices for minutes.

Ms. Anderson advised members that the YAC was organizing a New Year's Eve event and would like security, public announcement stages, and facilities. She indicated that the Downtown Dover Partnership (DDP) could participate, as well as other organizations that help with downtown Dover events. She stated that the community could be brought together by a sense of unity through starting the year together at a family-friendly event. Ms. Anderson noted that the YAC had involved a number of businesses, as well as others who were willing to participate. In total, over 200 people had said they would be willing to help out.

In response to Mr. Hosfelt's request for more information regarding plans for the New Year's Eve event, Ms. Anderson stated that there was a thorough event checklist. Some tasks had been assigned to members of the YAC and additional volunteers were being sought.

Responding to Mr. Anderson regarding the type of event envisioned, Ms. Anderson stated that it would be similar to First Night Dover. Bands would come from different schools and establishments on Loockerman Street would be open for

activities such as poetry, movies in the library, etc. The YAC was looking at a variety of other groups, had contacted radio stations to provide disc jockeys and to advertise the event, and there were a number of local musicians who wanted to perform.

In response to Mr. Hosfelt, Ms. Anderson confirmed that the YAC had raised $7,000 for fireworks and an additional $3,000 was needed, for a total of $10,000.

Responding to Mr. Caldwell, Ms. Anderson stated that other members of the Committee had contacted local high school bands regarding their participation and she planned to get in contact with them very soon.

In response to Mr. Hosfelt, Mr. Anderson stated that the YAC consisted of seven (7) members, plus an adult advisor and volunteers from the community.

Mr. Scott Koenig, City Manager, stated that Mrs. Ann Marie Townshend, Director of Planning and Community Development, could not be present; therefore, she was unable to ask questions for the record. Mr. Koenig questioned what the Committee saw as the role of staff in the event. He noted that when First Night Dover was held, it was a full-time planning exercise for a number of people and involved volunteer coordination. The Parks and Recreation Department indicated that approximately 16 City staff had worked on that event with approximately 50 to 80 volunteers. Mr. Koenig stated that First Night Dover was not nearly as big an event during its first year as it later became. He expressed the desire to understand the role of the City to either help deliver the event or not to be involved. Mr. Koenig explained that a venue like this would involve security and insurance issues and, noting that the event was 8½ to 10 weeks out, he stated the need to get these things squared away quickly.

Mr. Anderson stated that one (1) of the YAC's requests specifically had to do with insurance and security. The actual organization and coordination of the event, except for things like setting up and tearing down stages, would be done through the YAC. Mr. Anderson advised members that funding would be private. Except for sanctioning this as a City event, the needs would be for insurance, staff for things like staging, and making library meeting rooms available.

In response to Mr. Koenig, Mr. Anderson confirmed that the recommendation was for this to be a City-sponsored event with the full faith and credit of the City backing it. Mr. Anderson stated that the event would be planned and staffed by volunteers.

Mr. Koenig indicated that if the Parks, Recreation, and Community Enhancement Committee recommends that the City to sponsor this event, there would be a need to ensure that the City would be involved early and often with planning since these are young kids and if the kids do not show up or if they need assistance, they would need it very quickly.

Responding to Mr. Lewis regarding the cost of the First Night Dover event before being discontinued by the City a year or two (2) ago, Mr. Koenig stated that he was unsure since a specific 501(c)(3) corporation separate from the City was set up for this. He confirmed that police officers and other tools from the City were provided and estimated that approximately $5,000 to $10,000 of staff support went into it because the event was held at night, which involved overtime work. Mr. Koenig did not recall how much involvement the Police Department had, noting that it would depend on the level of activity, since 300 people would require fewer officers assisting than 3,000. Mr. Koenig stated that he would have to review the record to see how much was spent on that previously. He noted that the event grew for about a five (5) to seven (7) year period and then started to diminish. He estimated that the cost for man hours easily exceeded $10,000.

Mr. Lewis asked if there was funding available in the budget for the City to go forward with the event. Responding, Mr. Koenig stated that funding was not specifically identified in the budget. He explained that there were line items for events such as the African American Festival, the Dover Days Festival, and the 4th of July Celebration; however, there was no expense indicated in the budget to support this event.

Ms. Teresa Morris, 1360 Old White Oak Road, adult advisor for the YAC, stated that she wished to alleviate some worries. She explained that the youth group had taken it upon themselves to raise funds. The group was currently working on a fundraiser, had spoken with Jake's Hamburgers and a lot of local businesses, and were not asking the City for money. Ms. Morris stated that the cost of the New Year's event in the past was $100,000, and these funds were sent to an organization out of Boston and did not benefit the Dover community. She indicated that the goal was to lift up the community, bring everyone back together, and put on the New Year's that the City used to have that everyone looked forward to, noting that this was one (1) of the things that had made the City great. Ms. Morris expressed her belief that this was needed now more than ever and her hope that members would support it. She indicated that help was needed with police coverage and liability insurance. Ms. Morris stated that the YAC was talking with RPJ Waste Services, Inc. about port-a-potties. She advised members that they had looked at everything involved in putting on an event this large. They knew that it could have from 100 people to 10,000 people, and this was unknown because the event had not been done in a long time. Ms. Morris expressed her hope that Council could help the YAC with the few things that they had on their agenda. She felt that there would not be a lot since the community was willing to contribute and businesses were willing to open their doors. Ms. Morris explained that fireworks would be done by the same company who did the Dover 4th of July Celebration, noting that the company had donated $7,000 and indicated that they may be able to help more. She reiterated that the funding needed from the City was very minimal. She expressed the desire to have a good police presence, but stated that they had also talked about the possibility of the police cadets and different organizations coming to help, noting that they were speaking with Dover Downs in this regard. Ms. Morris stated the goal not to hit the City pocket any

more than need be, but help was needed with the police and liability insurance. She stated her belief that members would be surprised at the work, time, and energy the youth had put into this, indicating that this had not been taken on lightly and they understood the magnitude of the event.

Mr. Lewis expressed his belief that this was a good initiative; however, he would leave it up to the City Manager to see if he could come up with funding, noting that the well was dry.

Ms. Morris expressed confidence that the community would pitch in, like they did in 2011 when the last New Year's Eve event was held in the City, noting that she and a group of citizens had put on that event rather than the City. She indicated that she did not put out a penny at that time since the community pulled together. Someone paid for port-a-potties and another gentleman paid for the police, which cost $32.00 per hour at that time. Ms. Morris stated that this cost was based on the number of people they thought would attend, which was projected at 10,000 and ended up being 200, although she was happy with 200 because they had 10 days to pull together the event. She felt that members would be surprised with how many people in the community wanted to do this, noting that they had created a group on Facebook asking for help and 700 people had responded on one (1) of the pages and 111 on another. She stated her confidence that this could be pulled together if the City would sponsor and back the event and agree that the kids could do this. Ms. Morris stated that they were not asking for a lot compared to what the City used to pay for New Year's, indicating that she had a letter from the individual who was previously making $100,000 off the City which did not go to the citizens.

Mr. Anderson noted that the previous provider made a lot of money by selling buttons and paid for a lot of entertainment, as opposed to getting local people together.

Ms. Morris advised members that there were very talented, positive, and uplifting people in the City that do not get any recognition and whose music includes genres such as country, hip-hop, blues, jazz, etc. and whose talents include face painting, fire spinning, etc., noting that these performers were on the Facebook page that includes 111 people. She reiterated that there is a great deal of citizen support which had given her a little more hope in humanity and a belief that we have a good City. Ms. Morris indicated that people had wanted to bring back the event since it was cancelled in 2011. She stated that in 2011 a gentleman had paid approximately $500 for $1M in insurance coverage and he got back half of that after the event because no one was hurt. Ms. Morris acknowledged that prices had probably changed since that time.

Mr. Anderson stated that the City already had liability insurance, so it would not be a different expense.

In regard to security, Ms. Morris stated that they could reach out to security agencies in the community; however, in principle, it would be better if City police were out there having fun with the community and letting them know that they are regular people. She felt this would also deter criminal activity, because a police officer holds a lot more weight than a security guard. Ms. Morris advised members that the YAC had created an outline and members were handling different positions, noting that one (1) of the young ladies was handling public relations and contacting radio stations.

In response to Mr. Hosfelt, Ms. Morris stated that the YAC had not yet reached out to any insurance carriers, noting that appearing before the Parks, Recreation, and Community Enhancement Committee was the first step.

Mr. Anderson stated that, according to Resolution No. 2010-03, since the YAC is specifically authorized to make contracts for family friendly events the insurance should go through the City, unless there is a reason not to. He indicated that this would not be a big expense for a one (1) day event.

Ms. Morris stated that the biggest matter was security. She stated that a small business that does residential trash removal indicated that they would put out trash cans and empty them.

Responding to Mr. Hosfelt regarding the action that was needed from the Committee, Mr. Anderson stated that the request was to approve the YAC recommendation.

In response to Mr. Lewis as to whether they were looking for permission to hold the event or financial assistance, Mr. Anderson stated that endorsement was needed.

Mr. Lewis stated that he could not commit on any cost at this juncture.

Mr. Anderson stated that the request was for the City to be behind the event, the City stage, and access to facilities and pocket parks. He stated that an appropriation was not being asked for because the money was being raised privately.

Mr. Lewis noted the need for police protection and insurance, stating that this would come at a cost and questioned if there was funding for this. Responding, Mr. Anderson stated that this would be up to the Mayor and Council, noting that there were a number of ways this could be done. He indicated that as the event approaches, the YAC would have a better idea of how big the event would be. Mr. Anderson stated that it could be run cheaply. He indicated that the cost would differ depending on whether cadets were hired at approximately $12.00 per hour to walk through and run patrols through, or off-duty police officers were hired at $65.00 per hour to be there for the whole event.

Responding to Mr. Lewis, Mr. Anderson stated that there was funding for this.

In response to Mr. Lewis as to whether funding was available, Mr. Koenig stated that the YAC minutes reflected that a lot of work had been done regarding this event; however, he stated the need for additional documentation, including the previously mentioned checklist, and a specific request. He stated that he would need a specific request in order to commit staff to things, and the sooner he can receive those specific requests, the easier it would be to incorporate them. In regard to insurance, Mr. Koenig stated that he did not want to minimize the potential cost of insurance, noting that he had received an education on insurance in the last four (4) years on a number of different events. He advised members that to protect the City's umbrella policy for events such as Old Dover Days and its involvement with the Amish Bike Tour, the City had bought special riders so that the full faith and credit of the City's insurance would not potentially be negatively impacted by something, such as an injury or some activity that happens at an events. He estimated the cost as ranging from $1,500 to $4,000 or $5,000, depending on the rider. Mr. Koenig indicated that staff had been very specific when talking to the City's insurance company, explaining that the City did not want to get the City's broad umbrella policy tied up in what was a very minor event compared to all the other activities in the City and have somebody go after those upper limits. He advised members that insurance policies were being purchased to minimize risks; therefore, sometimes the City pays a premium for those specific events and for this reason it is important to know what activities are associated with the events. Mr. Koenig explained that if there are food vendors, a petting zoo, etc., the City pays a higher premium; therefore, these things must be known when talking to the insurance carrier about creating a rider for the policy to address this event. He reiterated the need to get a better understanding of what was being asked so that he could obtain a price.

Mr. Hosfelt stated that he was still not certain what the City and staff were being asked to do. It was his recollection that at least 12-15 police officers had been committed to the event in the past, noting that there would be street closures, patrols, etc. In response to Mr. Hosfelt, Police Chief Paul Bernat recalled that this was the case when the First Night Dover event first began; however, he indicated that the demand became less as the attendance decreased.

Mr. Anderson stated that current comparable events would be First Friday or the OktDoverFest.

Mr. Lewis requested that a list be provided to the City Manager of what the event would include so that he could do the math, and Ms. Anderson stated that this could be done.

Ms. Morris expressed her belief that there was enough support from the community to cover any expenses, if there was any financial shortfall.

Mr. Hosfelt asked that the YAC communicate with the City Manager as soon as possible, noting there was a lot to be done in a short amount of time. He stated that a major event for the area which had been planned for a year had just been cancelled

due to an insurance problem, explaining that these things do not happen overnight but take time and resources. Agreeing with Mr. Lewis, Mr. Hosfelt expressed uncertainty that a lot of resources could be afforded at this point. He commended Ms. Anderson for a great presentation, stating that he wanted to find a way to endorse the event, but expressed concern about the timing, feeling that the event was behind the eight ball.

Mr. Anderson stated that the youth group had been working on this project since May.

Ms. Morris stated that the YAC wanted to make sure that a majority of the groundwork had been laid prior to coming to the Committee, so that they could provide the details regarding musicians, vendors, and fireworks instead of simply asking for a specific amount of money. She indicated that she would work with the group to provide a very detailed outline of their vision and what had been done so far.

Mr. Caldwell suggested that the outline, and particularly the numbers, be provided to the City Manager so that he could have a better idea of what was going on.

Mr. Anderson expressed his opinion that it was not understood how little commitment was needed from the City since so much of the groundwork had been laid. He indicated that he would entertain a motion to recommend that staff coordinate with the YAC on the details of this event and return with a joint recommendation during the next meeting.

Responding to Mr. Hosfelt, Mr. Anderson stated that the motion was not for preliminary inquiries, which had all been done, but for staff to work out the details and final numbers with the youth and bring back a final proposal to the Committee next month.

Mr. Hosfelt questioned whether Mr. Anderson was asking for a recommendation as to whether or not the City would support this event. Mr. Hosfelt reiterated his concern that City staff was being put behind the eight ball and was unsure if it would be fair to ask staff to advise on what would be required and state that they are ready to move forward with this without knowing the costs to the City. He stated that there would be costs and, since they were not budgeted, he did not know where the money would come from. He reminded members that Mrs. Townshend was not present to speak about the Parks and Recreation Department and expressed uncertainty about the motion.

Responding to Mr. Anderson regarding the motion he would like to make, Mr. Hosfelt stated that would be willing to endorse a recommendation from the Committee to ask Mr. Koenig to work with the YAC to see if in fact this is a project that is doable this year, or if it is something that must be planned for next year.

Mr. Hosfelt moved to recommend that the City Manager evaluate the Youth Advisory Committee's proposal for a New Year's Eve event, including numbers, to see if the proposal was doable this year or if it was something that must be planned for next year.

Mr. Lewis stated that he would concur with motion; however, he was unsure how quickly Mr. Koenig could provide the Committee with an estimate of how much it would cost the City, noting that his main concern was that the event was not budgeted. He questioned whether the City would be able to somehow find the money.

Mr. Anderson stated that numbers were essential either way. He noted that particular numbers were needed and that it had always been the plan to raise the funds privately.

The Committee recommended that the City Manager evaluate the Youth Advisory Committee's proposal for a New Year's Eve event, including numbers, to see if the proposal was doable this year or if it was something that must be planned for next year.

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

Strategic Planning and Goal Setting

During the Parks, Recreation, and Community Enhancement Committee meeting of September 14, 2015, members considered Strategic Planning and Goal Setting in relation to the Restoring Central Dover Strategic Plan. Mr. Anderson suggested that members review the capital budget and Recreation Needs Assessment, talk with constituents, and come back with their top five (5) ideas and set priorities, in order for the Committee's strategic planning and goal setting to be completed in October.

Mr. Anderson stated that some items related to strategic planning and goal setting would be deferred until next month, noting that Mayor Christiansen had a proposal regarding a park facility on the east side of the City which would relate to the Police Athletic League (PAL) as well as privately funded grants. Mr. Anderson indicated that Mayor Christiansen had requested this delay because final preparations were being made on some of the grants. Mr. Anderson reminded members that money was reserved in the budget in the Parkland Reserve Fund for such a facility, and the Mayor was looking at whether there should be a re-prioritization of the splash pad into matching the grant, so the City could have a new facility. He indicated that this would part of an ongoing discussion.

Members were provided the City of Dover FY 2016 Capital Investment Plan, FY 16 thru FY 20, related to Parks and Recreation projects. Mr. Anderson stated that part of the reason for the strategic planning was to look at the current priorities in the Capital Investment Plan and consider what members think the funding priorities

should be in the future. He expressed his opinion that there was agreement on some of the "low-hanging fruit," such as enhancing some of the existing exercise and bike trails at Schutte Park, Silver Lake, and Dover Park, particularly with some of the healthy communities grant. He reminded members that inside restroom facilities for Silver Lake Park and Dover Park were mentioned in the Recreation Needs Assessment. Mr. Anderson questioned what the first priorities should be.

Mr. Caldwell thanked Mrs. Townshend and her staff for the work that they had put in, which provided an understanding of what the young people in the community need. He stated that over the past weekend he had the opportunity to talk to young people regarding what they would like to see in the community, particularly in the Fourth District, and they indicated that they want open space for football, basketball, soccer, etc., as well as bathroom facilities. Mr. Caldwell noted that splash pads are more seasonal and would be used for three (3) or four (4) months before the weather becomes chilly in September and October. He advised members that kids want to be outside and were not looking for indoor facilities. He noted that inside facilities may be needed for the older, senior group which has transportation, but young people in certain communities do not have transportation. Mr. Caldwell suggested that schools could be opened up at certain times, or just have the open space where children can play and do the things that they like to do. He felt that adults were also looking for swings and a place to take kids aged six (6) and under to let them get fresh air. Mr. Caldwell felt, in terms of outside activities, that the splash park was not a major item and could be implemented somewhere in the future, maybe at Dover Park or the Pitts Center.

Mr. Lewis stated that he conducted a survey in the Second District and spoke with the elderly and the young in that area. He advised members that the survey indicated that a lot of the elderly wanted a dog park, noting that 45% requested a dog park, 30% a community center, 15% a skate park, and 10% a boat dock at Silver Lake or one (1) of the City lakes with paddle boats. Mr. Lewis stated that responses from younger constituents in his district were tied between a community center and a skate park. He indicated that this input came from Schoolview, Mayfair, and the majority of the communities.

Mr. Anderson noted that the dog park was not part of the City's Recreation Needs Assessment, yet
it was an item mentioned by almost 20% of the respondents; therefore, there was definitely a demand for this.

Mr. Hosfelt noted that Schutte Park borders the First District and that the district also contained the former Kent Swim Club, which is now a YMCA property, as well as a golf club, so residents have options. He stated that residents questioned whether the former Dover High School, which is a great facility, would eventually be available for use, noting that the property has ball fields and one (1) of the better tracks in the State. Mr. Hosfelt stated that he liked the concept of a dog park, which a lot of other communities have.

Mr. Anderson stated that the dog park idea had potential, especially since new areas of Schutte Park were being expanded and this could possibly be incorporated. He felt that the City should reach out regarding the former Dover High School property before something happens to those facilities. Mr. Anderson indicated that there had been related discussion with Mrs. Townshend and he felt that this item should be put on a future agenda.

Mr. Lewis stated that when he was serving as a Capital School District Board member the stadium and track at the former Dover High School were being utilized by Central Middle School, and expressed his belief that this was still the case. He felt that they were the only ones currently utilizing it and that it would be a good opportunity to engage in conversation with the District with respect to utilizing it on the City level.

The Committee recommended reaching out to the Capital School District to have a conversation with respect to their intent for the old Dover High School field and track and a dialogue regarding a partnership with the City.

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

Mr. Hosfelt moved to recommend deferring further discussion on strategic goal setting and planning until after the Mayor's presentation and that when Mrs. Townshend can be present for members to hear from her as well, seconded by Mr. Caldwell.

Mr. Lewis concurred as far as hearing the presentation but, speaking for the constituents of the Second District, he felt that the City should look at a proposed dog park for the future to see if there was any way to integrate it.

Mr. Anderson stated that the dog park was also mentioned in the Recreation Needs Assessment and that was not an outlier, expressing his belief that it was a legitimate need as it was the second most written-in item after restroom facilities and ranked higher than some of the items listed.

The Committee recommended deferring further discussion on strategic goal setting and planning until after the Mayor's presentation when Mrs. Townshend can be present for members to hear from her as well.

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

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

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE REPORT - OCTOBER 12, 2015

The Legislative, Finance, and Administration Committee met on October 12, 2015 with Chairman Hare presiding.

Update - Transfer of Real Property from Delaware Civic Center Corporation to Delaware State University

During their meeting of August 24, 2015, the Committee reviewed a request from Delaware State University (DSU) regarding the transfer of property from the Delaware Civic Center Corporation. The Committee recommended continued conversation and information gathering from Delaware State University (DSU), as well as the City Manager, and for DSU to come back at the first meeting in October and give another presentation in regard to how they could economically benefit both the City and DSU.

Mr. Scott Koenig, City Manager, informed members that he did not invite representatives from Delaware State University (DSU) to attend this evening's meeting because staff was still working on a few issues that were discussed during the Committee meeting of August 24, 2015. He stated that when the request was received earlier this year staff thought that it would probably be good to transfer the property; however, since that time, concerns have come up regarding the potential drop in State revenues, the need for the City to look at locations for renewable energy, and some of the other things that are going on in local and State governments.

Mr. Koenig stated that since the meeting of August 24, 2015, Mr. Harry Maloney, Electric Director, had been working with Scott Engineering, who did some layout of the Civic Center property, to determine whether there is enough room to lay out a solar field that would be large enough to give the City a good return on investment.

Mr. Koenig advised members that there was currently utility work happening on the property related to the expansion of easements in this area, which were previously approved by City Council, to afford for the new Kent County bypass line that will relieve the large diameter force main in the center of U.S. 13. Mr. Koenig stated that the intent is to finalize all of the easements after the line is actually in to ensure the line is correctly located within the easements across the property.

Mr. Koenig explained that, in the intervening time, Councilman Hare, Mr. Kirby Hudson, Assistant City Manager, and he met with DSU representatives regarding opportunities to partner and discussed branding, marketing, and the issue of payment in lieu of taxes (PILOT).

Mr. Koenig expressed his belief that there is potential for the City and DSU to bring a proposal back to Council that is mutually beneficial from a number of different standpoints. He stated that, in the long run, he does not believe that the City has a good use for a majority of this property because it was a former landfill and is going

to be subject to differential settlement for many years. Mr. Koenig noted that, with this type of property, it would be best to either leave it as fields or convert it to parking which can be adjusted in the future if settlement occurs.

Mr. Koenig stated that he would be back with a more concrete plan in the future. He explained that, given the consideration of tightening budgets, he did not think it prudent for the City to give this land away, noting his belief that a deal could be made that would be mutually beneficial to the City and DSU.

Mr. Cole asked whether the concrete proposal would be brought forward after the State and the Joint Finance Committee get into their budget. Responding, Mr. Koenig stated that a concrete plan would be more DSU's responsibility than the City. He explained that the City was currently in the process of having the annual property inspection completed and reminded members that the City only owned the back-end of the property. Mr. Koenig stated that the four (4) or five (5) acres along the access road is owned by the Civic Center Corporation. He explained that once the City decides how much of the property it may want, it would be incumbent on DSU to come forward with a proposal to City Council.

Mr. Hare asked if a solar field was something that the City wanted to get into again and questioned the possibility of the City partnering with the Delaware Municipal Electric Corporation (DEMEC) like other municipalities have. In response, Mr. Koenig stated that the City would probably not enter into an agreement with LS Power again but may pursue a potential partnership with DEMEC. He explained that the City may also consider doing the project without a partner, if the numbers work out, noting that there are 2% interest loans available. Mr. Koenig stated that DEMEC has been working with various communities to install the equipment and if that was the best or least cost option for the City, staff would propose that coming forward to City Council.

Mr. Hare asked if DSU was also considering the possibility of using the property the City let them have years ago adjacent to the Delaware Agricultural Museum for a convocation center or whether it would forever be a tax-free race parking lot. Responding, Mr. Koenig advised that, to his knowledge, the City of Dover never owned that property and DSU purchased it from a third party. He explained that, at one point, DSU had proposed a strip mall which would include the university bookstore; however, there have not been any specific discussions regarding this development in at least four (4) or five (5) years. Mr. Koenig stated that, at this point, the property is tax exempt because it is owned by the university and the City did not regulate the use of the land. He noted that if DSU was to develop the property commercially, they would most likely lose their tax exempt status on it because they would be receiving business generated revenue. Mr. Koenig stated that it was his understanding that DSU was interested in going north to tie-in the potential of working with the former Sheraton hotel, which is now a dormitory and school, and if DSU can get that land for a low cost from the City, then it leaves them another development option to the south.

Mr. Sudler asked whether, if DSU used 100% of their nonprofit status, they could use approximately 25% of it for the commercial usage with their civic center if they are going to be renting it out to other organizations and agencies for income. He also asked where the money goes when DSU parks cars during races and whether that is a form of generating income on a nonprofit land parcel. In response, Mr. Koenig stated his belief that it would be in the category of other business related income; however, he was uncertain how it works in terms of accounting.

Mr. Koenig informed members that some things had come up recently that had never been considered before in regard to the tax exempt status for parcels. He noted that the City never contemplated Wesley College renting dormitories to the National Guard for training or individuals during Firefly or other events when the development applications were considered. Mr. Koenig explained that in considering future development applications or modifications, these types of things would need to be questioned. He stated that the City, through the Planning Commission, needs to figure out if additional licensing may need to occur, or if there will need to be any additional oversight when there is a different use than the intended building use.

Responding to Mr. Hare, Mr. Koenig stated that he was uncertain whether the City would be able to revoke a tax-free status, and that it would be a question for City Solicitor Rodriguez. Mr. Koenig noted that the City would have some leverage if there was a different use than what was originally authorized by the City, and advised that when things change, sometimes the City has the ability to create new guidance.

Mr. Hare noted his understanding that DSU could make upwards of $40,000 per race for parking cars and campers and this money goes into their scholarship fund.

Mayor Christiansen asked whether it would be smart for Council to have tax exempt entities that use their properties during certain periods of time be required to have a specific license for that type of operation. He suggested that a one-time use permit could be applied that would be substantial enough to generate some revenue for the City. In response, Mrs. Townshend, Director of Planning and Community Development, stated that staff could review the licensing. She explained, for instance, that dormitories get a lodging permit and staff has never looked at having to license them separately; however, she thought that something could be developed for special events that are not education-related.

Mayor Christiansen noted that, for all intent and purposes, Wesley College and DSU would be in competition with hotels, motels and other parking facilities that are not tax exempt. He also suggested extending the license requirement to individuals parking 85 cars on a one (1) acre lot.

In response to Mr. Hosfelt, Mrs. Townshend stated that the City did currently permit DSU to park cars in the area where they camp. She stated that DSU gets a camping permit which she believed cost $125 per event. Mr. Hare stated that $125 was a

maximum, noting that if an individual parks six (6) to 12 campers, it costs $25 which is not proportionately the same.

Mayor Christiansen expressed his opinion that it was an issue of maintenance of standards, noting that if the other hotels and motels, including Dover Downs, have to pay licensing fees for lodging, so should anybody else that chooses to do the same, whether they are a profit or non-profit entity.

Mr. Hare reiterated that City Solicitor Rodriguez should be consulted, noting that a tax exempt status was granted to these entities based on a specific use; however, the entities are now using their properties to generate income.

Mr. Hosfelt noted that members were advised that DSU had previously discussed developing a strip mall on their property located next to the Delaware Agricultural Museum and the possibility of that property losing its tax exempt status. Referring to DSU's proposal for a civic or convocation center which would generate a profit, Mr. Hosfelt expressed his opinion that, no matter what else may be worked out, it would be appropriate for the City to take measures to ensure that the property would be taxable.

Proposed Amendment to Downtown Development District Boundary

Mrs. Ann Marie Townshend, Director of Planning and Community Development, reminded members that on January 11, 2015, Governor Jack Markell designated the City of Dover's downtown as one (1) of three (3) Downtown Development Districts (DDD) in the State of Delaware. Since that time, the City has been actively promoting redevelopment of properties within the City's DDD. The State's DDD program allows for up to 225 acres to be included within the DDD boundary. Dover's District is approximately 220 acres. In selecting the original DDD boundary, the City utilized public streets as boundaries to the extent possible. As the program has been implemented, staff has determined that some of the properties that front the streets utilized as boundaries are also in need of investment. Expanding the boundary as proposed would make the DDD 224.9 acres, fully utilizing the allowable area under the State's program.

Staff recommended the following changes to Dover's DDD boundary, with the following justification for each area:

1. The area immediately east of South State Street between Loockerman Street and The Green is mostly privately owned. A number of property owners have inquired about incentives to renovate their historic properties. This modest expansion would make these renovations more feasible.

2. Similarly, the area south of Water Street between South State Street and South Governors Avenue includes properties in need of investment. State Street Commons has sat vacant since the

completion of the building shell for many years. The addition of this small area on the south side of Water Street would allow for these improvements to qualify for the incentives and would also make improvements to other properties on this block more feasible.

This request for expansion was submitted to the Office of State Planning Coordination and reviewed by the Cabinet Committee on State Planning Issues on September 30, 2015. The Cabinet Committee on State Planning Issues approved the proposed expansion.

Mr. Shevock noted that the 1.6 acres on State Street was part of the historic district and if the buildings are historic, the owners could apply for federal money to have them rehabilitated. Responding, Mrs. Townshend confirmed that these owners would be eligible for the State and Federal Historic Preservation Tax Credits, in addition to the DDD incentives. She stated that there would still be out-of-pocket costs but the tax credits and cash rebates would make it more feasible.

Mayor Christiansen asked whether the housing authority has come down with the new regulations for residential properties starting at $15,000. In response, Mrs. Townshend stated that for the small projects, yes, so it would be commercial and residential, but if it is below $250,000 of capital costs, then the threshold is $15,000 now.

Responding to Mayor Christiansen, Mrs. Townshend stated that for the small projects, individuals can apply for a reservation at any time because there is not a deadline like there is for the larger projects. She explained that someone could apply for the state housing authority to reserve funds and from the time of their reservation they have six (6) months to complete the improvements and then 45 days after that to submit for reimbursements.

Mayor Christiansen asked whether it stresses the fact that these projects should be in owner-occupied houses, noting that when he and the Governor discussed them lowering the project threshold for individuals, small commercial and small housing, he requested that they go with the owner-occupied or owner-occupied to be projects. In response, Mrs. Townshend stated that they did not include that.

The Committee recommended approval of the expansion of the Downtown Development District Boundary, as recommended by staff.

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

Proposed Ordinance #2015-17 Amending 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

Mrs. Ann Marie Townshend, Director of Planning and Community Development, reviewed proposed Ordinance #2015-17, explaining that it would remove Chapter 14 of the Dover Code - Amusements and Entertainment, which addresses Outdoor Music Festivals, amend the RC (Recreation and Commercial) Zone to allow temporary special events and temporary camping areas within the zone and set minimum requirements for these events and camping areas.

Mrs. Townshend stated that the principle amendments would be to the zoning ordinance as it relates to the permitted uses in the recreational and commercial zones, and staff also included some necessary cleanup. She stated that this ordinance would move auto, horse, and motorcycle race tracks from the conditional use section to the permitted use section. It would also allow for temporary outdoor activities and temporary camping areas and create the permitting process and the standards for that. Mrs. Townshend explained that this ordinance would allow events such as Firefly, Big Barrel, and other large events planned to be held at the Woodlands area at Dover International Speedway. She noted that staff had been working on this ordinance for several months with Dover International Speedway.

Referring to Line 99, Mrs. Townshend explained that this ordinance included specific noise hours, so that the use of loud speakers and other amplification systems outdoors would be prohibited after midnight on weeknights, and after 2:00 a.m. on weekends.

Mrs. Townshend stated that the City's zoning ordinance had previously been set up to deal with the issue of recreational vehicle (RV) camping, and the proposed ordinance includes similar language for tent camping. She explained that this specific ordinance only affects the RC zone, so some of the language, specifically regarding camping, would need to be added to other sections of the zoning ordinance as well. She stated that those changes could certainly follow but staff wanted to make sure that the Code was set up for the RC zone in order to begin working with the speedway on the process of annexing the land where the festivals are taking place, noting that the land was currently split between the City and Kent County.

Mr. Sudler, referring to the noise restrictions, requested clarification regarding when the weekend hours would start and end. Responding, Mrs. Townshend stated that the proposed ordinance was written so that the use of loud speakers and other amplification systems outdoors shall be prohibited between 12:00 a.m. and 7:00 a.m. Monday through Friday, and 2:00 a.m. and 9:00 a.m. on Saturday and Sunday. She explained that this would allow the use of loud speakers and other amplification systems outdoors on Friday and Saturday nights until 2:00 a.m., and no later than midnight Sunday through Thursday. Mrs. Townshend stated that staff thought it was important to make sure that there was a standard that could be articulated to the people running the events as well as the public, since there were some issues regarding noise during these large events in previous years.

Mrs. Townshend noted that the proposed ordinance would go through the hearing process which would include public hearings held by the Planning Commission and City Council.

Mr. Anderson asked if staff would be agreeable to changing the time to 12:05 a.m. in case there is a New Years' Eve event. Responding, Mrs. Townshend explained that this ordinance only applied to the RC zone.

In response to Mr. Hare, Mr. Jerry Dunning, Sr. Vice President and General Manager of Dover Motorsports, Inc., indicated that this ordinance would work for Dover International Speedway.

The Committee recommended adoption of proposed ordinance #2015-17, as recommended by staff.

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

By consent agenda, Mr. Neil moved for acceptance of the Legislative, Finance, and Administration Committee Report, seconded by Mr. Lewis and carried by a unanimous roll call vote.

QUARTERLY REVENUE REPORT

Members were provided the Quarterly Revenue Report as of September 2015.

By consent agenda, Mr. Neil moved for acceptance of the Quarterly Revenue Report as of September 2015, seconded by Mr. Lewis and carried by a unanimous roll call vote.

SEMI-ANNUAL INSPECTION BY CITY MANAGER - ROBBINS HOSE COMPANY

In accordance with Chapter 46 - Fire Prevention and Protection, Article II - Fire Department, Division 1 - Generally, Section 46-43 - Semiannual Inspections, of the City Code, the City Manager, Mr. Scott Koenig, and the Assistant City Manager, Mr. Kirby, Hudson, met with the Fire Chief and the Fire Chief's Assistant at Robbins Hose Station No. 2. Mr. Koenig submitted a memorandum outlining the items discussed and noting that the Robbins Hose Company continued to provide an outstanding level of service to the City of Dover and the unincorporated areas of the fire district.

By consent agenda, Mr. Neil moved for acceptance of the report of the Semi-Annual Robbins Hose Company Inspection, as submitted by the City Manager, seconded by Mr. Lewis and carried by a unanimous roll call vote.

APPOINTMENT OF JUDGES - ROBBINS HOSE COMPANY ELECTION - NOVEMBER 16, 2015

The Robbins Hose Company election is scheduled for November 16, 2015. The following persons have been recommended to serve as judges for the election:

1. James Hurley 2. William Hurley 3. Jack Mitchell (alternate)

By consent agenda, Mr. Neil moved for approval of the appointment of judges for the Robbins Hose Company election as recommended, seconded by Mr. Lewis and carried by a unanimous roll call vote.

APPOINTMENTS RECOMMENDED BY COUNCIL PRESIDENT SLAVIN - DOVER HUMAN RELATIONS COMMISSION - THREE (3) YEAR TERMS TO EXPIRE FEBRUARY 2017

Council President Slavin requested approval of the following appointments to the Dover Human Relations Commission for three (3) year terms to expire February 2017:

> Jackie Griffith - First District Representative *(to fill the unexpired term of Cecil Wilson)*
> Dianne P. Bogle - Second District Representative *(to fill the unexpired term of Eugene B. Ruane)*

By consent agenda, Mr. Neil moved for approval of the appointments to the Dover Human Relations Commission, as recommended by Council President Slavin, seconded by Mr. Lewis and carried by a unanimous roll call vote.

REVIEW OF CHAPTER 66 - MANUFACTURED HOMES AND TRAILERS AND R-8 (ONE-FAMILY RESIDENCE) ZONING

Mr. Nicholas Rodriguez, City Solicitor, advised members that this matter could entail potential litigation and requested that it be considered during an executive session, which would be an exception under the Freedom of Information Act (FOIA).

Mr. Sudler moved to defer this matter until the end of the meeting, seconded by Mr. Hosfelt and unanimously carried.

FIRST READING - PROPOSED ORDINANCE #2015-19

Council President Slavin reminded the public that copies of the proposed ordinances are available at the entrance of the Council Chambers or can be obtained from the City Clerk's Office. Final action by Council on the proposed ordinance will take place during the Council Meeting of November 9, 2015.

Mrs. Ann Marie Townshend, Director of Planning and Community Development, stated that the proposed ordinance was recommended for approval by the Legislative, Finance and Administration Committee. She explained that this ordinance would expand the boundary of the downtown development district in two areas: 1) it would add the area between Loockerman Street and the Green, just east of State Street; and 2) it would also add the area between Governor's Avenue and State Street on the south side of Water Street. Mrs. Townshend stated that this amendment would bring the City's downtown development district to the maximum allowable acreage of 225 acres. She explained that when the City initially drew the boundary, streets were used as the boundary lines, partially because it is an easier way to do it. She noted that the proposed amendment included many measurements since street boundary lines could not be used. Mrs. Townshend informed members that there was a desire for investment in these other two (2) areas, which would be a benefit to the

district. She stated that the proposal had been reviewed by the cabinet committee on state planning issues and, if City Council agrees to expand the boundary, it was already approved by the state.

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

- PROPOSED ORDINANCE #2015-19 AMENDING APPENDIX C - DOWNTOWN REDEVELOPMENT, ARTICLE II - DEFINITIONS, SECTION 4 - TARGET AREA

FIRST READING - PROPOSED ORDINANCE #2015-17

Council President Slavin reminded the public that copies of the proposed ordinances are available at the entrance of the Council Chambers or can be obtained from the City Clerk's Office. Since the ordinance amends the Zoning Code, a public hearing is required. Staff recommended referral of the amendments to the Planning Commission on November 16, 2015 and that a public hearing take place during the Council Meeting of December 14, 2015, at 7:30 p.m., at which time, final action by Council will take place.

Mrs. Ann Marie Townshend, Director of Planning and Community Development, stated that the proposed ordinance would eliminate Chapter 14 of the Dover Code - Amusements and Entertainment, which addresses Outdoor Music Festivals. It would also amend the RC (Recreation and Commercial) Zone to include some staff cleanup and allow temporary special events and temporary camping areas within the zone and set minimum requirements for these events and camping areas.

Mrs. Townshend explained that the proposed ordinance would allow for the festivals that are happening at the Dover International Speedway woodlands area. She informed members that she had been working with the Speedway regarding annexation of the property and in developing the draft ordinance. Mrs. Townshend stated that these amendments would allow the property to be annexed into the City, zoned appropriately, and afford for those uses, as well as put some standards on how those uses would happen. She noted that the amendments address issues such as the prohibition of amplification systems outdoors past certain hours, and includes standards for the camping areas as well as proposed fees for the temporary activity permit and for the temporary camping permit. Mrs. Townshend stated that with the adoption of the proposed ordinance, the Speedway would be able to annex the remainder of the property and put the entire festival under one (1) jurisdiction rather than being split between the City and Kent County.

Mr. Hosfelt stated that he appreciated all the work that Mrs. Townshend had done. He advised members that he was a current employee of Dover International Speedway and expressed concern regarding the permitting fee, noting that Dover International Speedway is one (1) of the highest taxpayers in the City and is in the business of putting on NASCAR races and music festivals, which is why the Speedway pays those taxes. Mr. Hosfelt stated that he did not see the sense in having the fee and that it seemed like double jeopardy. He noted that everybody else in the City, or most of the places that surround the Dover International Speedway property, make money on the events that they host. Mr. Hosfelt reiterated that this is Dover International Speedway's profession and they do it very well. He stated that they work with local law enforcement and EMS, the Delaware Department

of Transportation (DelDOT), etc., submit site plans, and comply with all the prerequisites of the proposed ordinance.

Responding to Mr. Sudler, Mrs. Townshend explained that the racetrack would not be subject to a special permit because that is the principle use of that property. She stated that there are currently fees for the camping permit in another section of the zoning ordinance and the proposed ordinance would eventually supersede that section. It was her belief that the current maximum fee was $125 and the proposed amount would be more. Mrs. Townshend explained that there is a lot of staff time on the City's part to help support these events and ensure they are done safely, and the fee is to help capture some of that cost.

In response to Mr. Sudler, Mrs. Townshend stated that, under the current ordinance, Dover International Speedway's usage and business permit does cover the campground aspect and the proposed ordinance would update it. Mr. Sudler stated that he could understand Councilman Hosfelt's concern.

Mr. Cole stated that, in looking at Dover Downs from the state and local levels, $500 seems like a small amount compared to what they already pay in taxes.

Mr. Neil stated that there were two (2) issues. He explained that the larger issue is that the City has to maintain Dover Downs as an entity. Mr. Neil noted that Dover Downs shows a profit but the profit is being taken away by the State. He stated that he was very concerned and very protective of making sure that Dover Downs stays in business. Mr. Neil stated that the second issue deals with the amusement aspect that affects the community as a whole, noting that there are concerns about music that impact the neighbors in the Third Council District. He explained that he does not want to lose the Firefly or Big Barrel festivals or see Dover Motor Sports or the woodlands affected. Mr. Neil informed members that the City was working with Dover Motor Sports on dealing with music, which goes late at night; however, there were other entities that are not connected with Dover Motor Sports that are causing some problems with the music after hours. He stated that although the problems are in Kent County, it has become a City issue because people in the City are affected.

Mr. Hare asked if he, as a City of Dover property owner who pays taxes, could park 1,500 campers or hold an event on his property without a permit. In response, Mrs. Townshend stated that this ordinance was not proposing that.

Mr. Sudler asked if members could consider omitting the permit part of the noise ordinance component of staff's recommendation. Responding, Mr. Slavin reminded members that staff's recommendation was for referral of the amendments to the Planning Commission on November 16, 2015 and that a public hearing take place during the Council Meeting of December 14, 2015, at 7:30 p.m., at which time final action by Council will take place. He stated that, at this time, it might be appropriate for staff to gather Council's concerns for the Planning Commission. Mr. Slavin stated that if amendments need to take place, they can take place at the Planning Commission meeting and/or the Council Meeting of December 14, 2015.

Mrs. Townshend requested clarification as to whether Mr. Sudler was concerned with the fee or the permit, noting that the permit gives the City some control over the activity to make sure that it

complies with the Code. Responding, Mr. Sudler indicated that he was more concerned with the fee than the permit. Mrs. Townshend stated that the fee could be revisited during the proposed ordinance process.

Mr. Sudler requested that staff discuss this matter with representatives of Dover International Speedway. In response, Mrs. Townshend stated that staff had been working with representatives from Dover International Speedway and would continue to work with them as the proposed ordinance moves through the process.

Mr. Hutchison expressed his support of the comments made by Mr. Hosfelt. Mr. Hutchison indicated that Dover Downs does a lot for the community and gives to the less fortunate throughout the year. He suggested that any attempts to enhance or create new fees be carefully reviewed by members. Mr. Hutchison stated that he favored fairness and wanted to make sure that the City does everything in the best interest of, not only Dover Downs, but the City, Kent County, and the State of Delaware.

Mr. Neil informed members that residents in the area of the woodlands rent out their property for parking and camping and have after-hours parties. He stated that this issue causes pedestrians to walk through the streets and block fire and emergency vehicles along Persimmon Park Lane. Mr. Neil stated his belief that these concerns would be addressed by the proposed ordinance without negatively impacting the woodlands.

Mr. Anderson noted that there were two (2) separate issues, the temporary activity fee which he had some concerns about, and the temporary camping permit fee. He asked if these fees only apply in the RC zone. Responding, Mrs. Townshend explained that the way the proposed ordinance was written, the fees would apply in the RC zone. She stated that there was a companion piece that would need to be added to Article 5 of the Zoning Ordinance that was not ready to bring forward yet. Mrs. Townshend noted that staff wanted to move forward with the proposed ordinance because the amendments to the RC Zone would be necessary for the Speedway to annex the woodlands area.

Mrs. Townshend informed members that there was already a camping permit fee which was charged for each event that involves camping. She stated that the proposed ordinance included a once per year fee; therefore, the camping permit fee would probably decrease. Mrs. Townshend reiterated that staff would continue to work with Dover International Speedway and stated that the fees could be changed, noting that the fees were less important than the entirety of the proposed ordinance.

In response to Mr. Hosfelt, Mrs. Townshend stated that, with the annexation, she believed that the property taxes for Dover International Speedway would increase by approximately $30,000 per year.

Mr. Sudler moved to refer the amendments and set a public hearing before City Council for December 14, 2015 at 7:30 p.m. as recommended by staff. The motion was seconded by Mr. Anderson and unanimously carried.

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

- PROPOSED ORDINANCE #2015-17 AMENDING 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

FINAL READING - PROPOSED ORDINANCES

The First Reading of the following proposed ordinances was accomplished during the Council Meeting of October 12, 2015.

Mr. Hare moved that the Final Reading of the proposed ordinances be acknowledged by title only, seconded by Mr. Anderson and unanimously carried.

Proposed Ordinance #2015-15 Amending Chapter 70 - Offenses and Miscellaneous Provisions, Section 70-2 - Weapons Generally and Appendix F - Fees and Fines

The proposed amendment harmonizes the Dover Code with the provisions of Article I, Section 20 of the Delaware Constitution.

Mr. Hosfelt stated that, during the Council Meeting of October 12, 2015, there were some concerns regarding the definition of a stimulant.

Mr. Hosfelt moved to amend Line 37 by inserting the word "illegal" before the word "narcotic". The motion was seconded by Mr. Anderson and unanimously carried.

Mr. Anderson stated that Paragraph (g) - No repeal of existing firearms related ordinances, Lines 86-91indicate that although the City is adopting a new ordinance, the old ordinance is not repealed, both must be reviewed and the more stringent of the two (2) shall govern. He noted that this was a very unusual provision and expressed his opinion that the most recently adopted rules should govern.

Mr. Anderson moved to strike Paragraph (g) - No repeal of existing firearms related ordinances, Lines 86-91, seconded by Mr. Sudler and unanimously carried.

Mr. Anderson stated that, with the amendments that have been made, some very serious concerns that he had were addressed; however, he was still concerned about the forfeiture position in the current law. It was his belief that the proposed ordinance, as amended, substantially improved the state of the law; therefore, he stated that he would vote in favor of it, not as an end but as a means to an end.

By motion of Mr. Hosfelt, seconded by Mr. Hare, and carried by a unanimous roll call vote, Ordinance #2015-15, as amended, was adopted, as follows:

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

That Chapter 70 - Offenses and Miscellaneous Provisions, Section 70-2 - Weapons Generally, be amended by deleting it in its entirety and inserting in lieu thereof the following:

Sec. 70-2. - Weapons generally.

(a) *Definitions*. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

> *Municipal Building* shall mean any building where the city meets in its official capacity, including non-city owned or leased buildings during the time in which the city is meeting in or occupying the building, or any building containing the offices of city elected officials and of city employees actively engaged in performing governmental business. Parking facilities are excluded.
>
> *Weapon* shall mean any firearm from which a shot, projectile or other object may be discharged, or any air gun, BB gun, or any instrument, toy or weapon commonly known as a "peashooter," "slingshot" or "beany," or any bow made for the purpose of throwing or projecting missiles of any kind, or any knife, brass or metal knuckles, or any club loaded with lead or other weight, or any blackjack or billyclub.

(b) *Unlawful discharge.* It shall be unlawful for any person to discharge any firearm within the city, except lawfully in self-defense, in defense of property, in defense of others or as permitted in paragraph (c).

(c) *Lawful discharge*.

(1) *Law enforcement officers*. The discharge of weapons by any law enforcement officer while on duty, or as necessary in the lawful discharge of his or her duties, is permitted.

(2) *Galleries and ranges*. The discharge of weapons at licensed shooting galleries or ranges when the instrument can be fired, discharged or operated in a manner that shall not endanger persons or property, and also in a manner that shall prevent the projectile from traversing any grounds or space outside the limits of the gallery or range is permitted.

(d) *Prohibited.*

(1) *Business display*. It shall be unlawful for any pawnbroker, secondhand dealer or other person who engages in business in the city to display, or to place on exhibition in any show window or other window facing upon any street, any pistol, revolver or other firearm with a barrel of less than 12 inches in length, or any switchblade knife, or any brass or metal knuckles, or any club loaded with lead or other weight, or any blackjack or billyclub.

(2) *Furnishing to certain persons*. It shall be unlawful for any person to purchase from, or sell, loan or furnish any weapon to any person under the influence of any alcoholic beverage or any illegal narcotic drug, stimulant or depressant, any person in a condition of agitation and excitability or a minor under the age of 18 years.

(3) *Possession of firearms, ammunition, components of firearms, or explosives in municipal buildings.* Except as set forth in section (c) below, possession of firearms, ammunition, components of firearms, or explosives is prohibited in all municipal buildings.

a. *Required Signs*. In all municipal buildings, a conspicuous sign shall be posted at each entrance stating that the possession of firearms, ammunition, components of firearms, or explosives are prohibited. Such sign may also state that persons in violation may be denied entrance to the building or be ordered to leave the building.

b. *Immediate Departure*. Any person who immediately foregoes entry or immediately exits any municipal building or police station due to the possession of a firearm, ammunition, components of firearms, or explosives shall not be guilty of violating this section.

c. *Exceptions*. The following shall constitute valid exceptions to this section:

1. Possession of firearms, components of firearms, and ammunition or explosives by law enforcement officers;

2. Law enforcement agencies receiving shipments or delivery of firearms, components of firearms, ammunition, or explosives;

3. Law enforcement agencies conducting firearm or ammunition safety and training programs, donation, amnesty, or any other similar programs in police stations or municipal buildings;

4. Compliance by persons subject to protection from abuse court orders;

5. Carrying firearms and ammunition by persons who hold a valid license pursuant to either §1441 or §1441A of Title 11 of the Delaware Code so long as the firearm remains concealed except for inadvertent display or for self defense or defense of others;

6. Carrying firearms and ammunition by officers or employees of the United States duly authorized to carry a concealed firearm; or

7. Carrying firearms and ammunition by agents, messengers and other employees of common carriers, banks, or business firms, whose duties require them to protect moneys, valuables and other property and are engaged in the lawful execution of such duties.

(e) *Penalties*.

(1) *Fines*. Except as otherwise provided, any violation of this section shall be subject to a fine as provided for in Appendix F - Fees and Fines.

(2) *Forfeiture*. Every person convicted of a violation of this section, section 70-3, or any state law relating to weapons shall forfeit the weapon to the city. Upon a finding of guilt, it shall then be the duty of the court, after the expiration of a reasonable time, to declare by written order that the chief of police shall either dispose of the weapon or retain the weapon for official police department use.

(f) *Severability*. The provisions of this ordinance shall be severable. If any provisions of this ordinance are found by any court of competent jurisdiction to be unconstitutional or void, the remaining provisions of this ordinance shall remain valid, unless the court finds that the valid provisions of this ordinance are so essentially and inseparably connected with, and so dependent upon, the unconstitutional or void provision that it cannot be presumed that City Council would have enacted the remaining valid provisions without the unconstitutional or void provision; or unless the court finds that the remaining valid provisions, standing alone, are incomplete and incapable of being executed in accordance with City Council's intent.

(Code 1968, §§ 20-29, 20-33—20-36; Code 1981, § 14-5)

BE IT FURTHER ORDAINED:

That Appendix F, Fees and Fines, (Chapter 70 - Offenses and Miscellaneous Provisions) be amended to read as follows:

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. 70-2	Weapons generally		
	Subsec. (e)(1)	Penalties; Fines	Not less than $500, nor more than $1,000
Sec. 70-7	Registered Sexual Offenders		
	Subsec. (f)	Penalties	$500.00 for any offense; each day shall constitute a separate offense

ADOPTED: OCTOBER 26, 2015

Proposed Ordinance #2015-16 Amending Chapter 106 - Traffic and Vehicles, Article III - Stopping, Standing and Parking, Division 2 - Metered Parking, Section 106-164 - Violations; Penalties
The proposed amendment reduces the time from immobilization to towing and impounding of vehicles from 120 hours to 24 hours.

Mr. Anderson stated his opposition of the proposed ordinance due to his concern that the number of tickets is not distinguished and a handicap parking ticket, which is a $100 fine, could fall under this provision.

By motion of Mr. Hosfelt, seconded by Mr. Neil, and carried by a roll call vote of six (6) yes (Neil, Cole, Hosfelt, Hare, Hutchison, and Slavin) and three (3) no (Anderson, Sudler, and Lewis), Ordinance #2015-16 was adopted, as follows:

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

That Chapter 106 - Traffic and Vehicles, Article III - Stopping, Standing, and Parking, Division 2 - Metered Parking, Section 106-164 - Violations; Penalties of the Dover Code be amended to read as follows:

Sec. 106-164. - Violations; penalties.

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

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

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

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

immobilized and that any attempt to move such vehicle might result in damage to such vehicle.

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

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

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

(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.

ADOPTED: OCTOBER 26, 2015

Proposed Ordinance #2015-18 - First Budget Amendment for Fiscal Year 2015/16 - Project Carry-Forward Budget Balances

Mrs. Donna Mitchell, Controller/Treasurer, informed members that the proposed budget amendments were for the projects that were still ongoing as of the end of last fiscal year. She stated that the budget balances were being brought forward to enable staff to continue to complete those projects, as well as the carry-forward balances for those individual funds.

Mr. Anderson moved for adoption of Ordinance #2015-18, as presented, (*Exhibit #2*). The motion was seconded by Mr. Lewis and carried by a unanimous roll call vote.

COUNCIL MEMBERS' ANNOUNCEMENTS

Mr. Sudler provided members with a flyer **(*Exhibit #3*)** announcing that the Fourth District Councilmen would be calling for the vote on the future of the Elks Lodge in the Kirkwood community. He stated that the purpose is to empower the residents of the Kirkwood community with a voters voice that will not only help navigate or eradicate the activity in their community, but encourage them to be comfortable with the voting process for future elections. Eligible voters must show ID and the streets that will be eligible to vote will consist of: Kirkwood Street, Cecil Street, West Street, Fulton Street and Queen Street. The voting will be held at the Solid Rock Baptist Church Community Center located at 109 North West Street, Dover, Delaware, (302) 736-1763, from 6:30 - 8:00 p.m. Mr. Sudler stated that they would have Delaware voter registration available, as well as booths from the Delaware Board of Elections. He stated that the ballot would allow individuals to vote "yes", meaning they want the Elks Lodge to remain in the community, or "no", meaning they want the Elks Lodge to relocate. Enough talk, time for action!

Mr. Hosfelt congratulated Captain Dave Spicer for becoming the newest captain with the City of Dover Police Department and the Department's most recent graduate of the prestigious Federal Bureau of Investigation (FBI) National Academy.

Mr. Anderson thanked the veterans' organizations across the state for recognizing those who served in the Middle East conflicts on November 7, 2015. He stated that it is very important that the community does not forget the contributions made and why we were there. Mr. Anderson encouraged the community to show support, noting that these efforts are not over and people are still serving. It was his hope that everyone remembers those who have served, are preparing to go over, preparing to serve, and those who are still losing their lives. Mr. Anderson stated that the Delaware Veterans Parade would begin at 10:00 a.m. on Saturday, November 7, 2015 at The Duncan Center. He encouraged those who have served and are wishing to participate in the parade to email him at councilmananderson@live.com.

REVIEW OF CHAPTER 66 - MANUFACTURED HOMES AND TRAILERS AND R-8 (ONE-FAMILY RESIDENCE) ZONING

Mr. Hare moved to adjourn into executive session, seconded by Mr. Hutchison and unanimously carried.

Meeting Adjourned at 8:19 p.m.

TRACI A. McDOWELL
CITY CLERK

All ordinances, resolutions, motions, and orders adopted by City Council during their Regular Meeting of October 26, 2015, are hereby approved.

ROBIN R. CHRISTIANSEN
MAYOR

/TM
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Exhibits
Exhibit #1 - Letter from Jason Osika, DOE President
Exhibit #2 - Ordinance #2015-18 - First Budget Amendment for Fiscal Year 2015/16 - Project Carry-Forward Budget Balances
Exhibit #3 - Flyer Entitled "Enough Talk, Time for Action!", distributed by Mr. Sudler

Dover Organization of Employees
D.O.E.
P.O. Box 1011
Dover DE, 19903

October 26, 2015

To: Mayor and City Council

From: Jason Osika, Dover Organization of Employees President

Reference: October 12, 2015 City Council Meeting

At the October 12, 2015 City Council Meeting, Councilman Hosfelt noted information in the City Managers monthly report, which generated a discussion in reference to the filling of vacant employment positions. Most, if not all of the employment positions discussed were positions covered by the Dover Organization of Employees Union.

I believe that City Council only heard the City Managers view of the issue. I am here tonight to express the Union's view. The DOE feels that the City's employment recruitment and retention are affected by low employee job satisfaction and morale, which began approximately 3 years ago. We believe the main reason for this is the cost sharing of health insurance. The secondary reason for this is the starting hourly rate. Starting rates for DOE positions have not changed for at least 14 years that I know of. I disagree with the idea that younger candidates for hire only look at the hourly rate and not the benefit package. I believe candidates look at the total compensation package. The current package lowers the compensation rate once the cost sharing is factored in, which we believe is causing a problem. A third issue that will come to light as employees seek to retire is the deferred pension.

The large amount of vacant positions causes increased job duties and changes of schedules. These issues have created the worst morale problem I've seen since I've been a City of Dover employee. Grievances and arbitration cases are at an all-time high because employees are unhappy and feel mistreated. We have discussed this at length with the City and I am willing to discuss the same with any/all of you so you receive all of the available information on these issues; however, I cannot go into detail on the starting wage issue at this time because contract negotiations are still taking place and our ground rules do not permit me to discuss this further. The bottom line is we want a fair process for employee selection, in initial hire, job assignment and advancement.

I hope this information helps you understand our position on some of the issues we currently have within the City of Dover. I want to thank you for the opportunity to speak tonight and I am available at just about any time for any questions or concerns. Thank you.

Respectfully,

Jason Osika

CC: City Manager
Assistant City Manager
Human Resource Director
City Clerk

CITY OF DOVER ORDINANCE # 2015-18

2015-2016 BUDGET ORDINANCES - FIRST AMENDMENT

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

The amount hereinafter named aggregating Five Million Three Hundred Eighty Three Thousand dollars ($5,383,000) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2015 and ending June 30, 2016:

GOVERNMENTAL CAPITAL PROJECTS FUND
REVENUES AND BUDGET FOR 2015-2016

REVENUES

	2015/16 BUDGET	2015/16 REVISED
BEGINNING BALANCE - PROJECTS	**$ 154,800**	**$ 2,732,300**
REVENUES		
INCOME FROM SALE OF ASSETS	20,300	20,300
INTEREST EARNINGS	5,000	5,000
TRANSFER FROM GENERAL FUND	2,625,400	2,625,400
SUBTOTAL PROJECT RECEIPTS	2,650,700	2,650,700
TOTAL FUNDING SOURCES	2,650,700	2,650,700
TOTAL BEGINNING BALANCE AND REVENUES	**$ 2,805,500**	**$ 5,383,000**

EXPENSE SUMMARY

EXPENDITURES	2015/16 BUDGET	2015/16 REVISED
FIRE	$ 145,600	$ 445,800
GROUNDS MAINTENANCE	201,100	201,100
LIBRARY	-	-
LIFE SAFETY	55,700	55,700
CODE ENFORCEMENT	-	-
POLICE	262,100	284,100
RECREATION	-	66,000
STREETS	1,428,500	3,617,800
SANITATION	449,000	449,000
CITY MANAGER	24,700	24,700
FACILITIES MANAGEMENT	-	-
FLEET MAINTENANCE	84,000	84,000
DEPARTMENT SUBTOTAL	**2,650,700**	**5,228,200**
TOTAL EXPENDITURES	**2,650,700**	**5,228,200**
BUDGET BALANCE	154,800	154,800
TOTAL BUDGET BALANCE & EXPENDITURES	**$ 2,805,500**	**$ 5,383,000**

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

ADOPTED: October 26, 2015

2015-2016 BUDGET ORDINANCES - FIRST AMENDMENT (CONTINUED)

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

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

The amount hereinafter named aggregating Twelve Million Seven Hundred Sixty Two Thousand Three Hundred dollars ($12,762,300) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2015 and ending June 30, 2016:

CASH RECEIPTS

	2015/16 BUDGET	2015/16 REVISED
BEGINNING BALANCE - WATER	$ 833,500	$ 4,747,500
BEGINNING BALANCE - WASTEWATER	1,027,600	4,504,600
TOTAL BEGINNING BALANCES	**1,861,100**	**9,252,100**
REVENUES		
BOND PROCEEDS - WATER	-	-
BOND PROCEEDS - WASTEWATER	-	-
STATE LOAN FUND - WATER	-	-
TRANS FR OPERATING FUND - WATER	1,800,000	1,800,000
TRANS FR OPERATING FUND - WASTEWATER	1,500,000	1,500,000
TRANSFER FR WASTEWATER IMPACT FEE	165,000	165,000
PROCEEDS FROM SALE OF ASSETS	-	-
INTEREST INCOME	25,000	25,000
MISCELLANEOUS RECEIPTS	-	20,200
TOTAL REVENUES	3,490,000	3,510,200
TOTAL BEGINNING BALANCES & REVENUES	**$ 5,351,100**	**$ 12,762,300**

EXPENSE SUMMARY

EXPENSES	2015/16 BUDGET	2015/16 REVISED
WATER	$ 2,028,600	$ 5,442,600
WASTEWATER	1,822,100	5,299,100
WATER TREATMENT PLANT	-	284,400
TOTAL EXPENSES	3,850,700	11,026,100
BUDGET BALANCE - WATER	617,400	773,400
BUDGET BALANCE - WASTEWATER	883,000	962,800
CURRENT YEAR BALANCE SUBTOTALS	1,500,400	1,736,200
TOTAL BUDGET BALANCES & EXPENSES	**$ 5,351,100**	**$ 12,762,300**

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

ADOPTED: October 26, 2015

2015-2016 BUDGET ORDINANCES - FIRST AMENDMENT (CONTINUED)

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

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

The amount hereinafter named aggregating Twelve Million One Hundred Ten Thousand Eight Hundred dollars ($12,110,800) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2015 and ending June 30, 2016:

REVENUES

	2015/16 BUDGET	2015/16 REVISED
BEGINNING BALANCE	**$ 3,623,600**	**$ 6,684,100**
REVENUES		
TRANSFER FROM ELECTRIC	3,500,000	3,500,000
GENERAL SERVICE BILLING	1,900,000	1,900,000
INTEREST EARNINGS	26,700	26,700
TOTAL REVENUES	**5,426,700**	**5,426,700**
TOTALS	**$ 9,050,300**	**$ 12,110,800**

EXPENSE SUMMARY

EXPENSES	2015/16 BUDGET	2015/16 REVISED
ELECTRIC GENERATION	$ 1,655,000	$ 2,299,800
TRANSMISSION AND DISTRIBUTION	2,887,600	3,625,900
ELECTRICAL ENGINEERING	1,724,300	3,401,700
TOTAL EXPENSES	**6,266,900**	**9,327,400**
BUDGET BALANCE	**2,783,400**	**2,783,400**
TOTAL BUDGET BALANCE & EXPENSES	**$ 9,050,300**	**$ 12,110,800**

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

ADOPTED: October 26, 2015

2015-2016 BUDGET ORDINANCES - FIRST AMENDMENT (CONTINUED)

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

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

The amount hereinafter named aggregating One Million Thirteen Thousand Four Hundred dollars ($1,013,400) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2015 and ending June 30, 2016:

OPERATING REVENUES

	2015/16 BUDGET	2015/16 REVISED
PRIOR YEAR BALANCE	**$ 144,000**	**$ 512,900**
GRANTS REVENUE	500,000	500,000
INTEREST INCOME	500	500
TOTALS	**$ 644,500**	**$ 1,013,400**

OPERATING EXPENSES

	2015/16 BUDGET	2015/16 REVISED
PROGRAM EXP. GRANT RELATED	$ 644,000	$ 1,012,900
CURRENT YEAR BALANCE	500	500
TOTALS	**$ 644,500**	**$ 1,013,400**

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

ADOPTED: October 26, 2015

City of Dover
Fiscal Year 2015/2016 Budget
First Amendment
Capital Investment Plan Amendments

Project #	Title	Fiscal Year 2015 Original CIP Budget	Fiscal Year 2015 Revised CIP Budget	Prior Fiscal Year(s) Expenses	Carry Forward Balance	FY 2016 Year Budget	Revised FY 16 CIP Budget
FR1501	Fire - SCBA Equipment	$ 300,200	$ 300,200	$ -	$ 300,200	$ -	$ 300,200
PR1501	Park & Playground Improvement Equipment	$ 66,000	$ 66,000	$ -	$ 66,000	$ -	$ 66,000
N/A	Police Department Vehicle	$ 169,600	$ 171,100	$ 148,978	$ 22,000	$ 242,200	$ 264,200
ST1304	Garrison Farm Streets & Stormwater	$ 2,600,000	$ 4,226,700	$ 2,480,657	**$ 1,496,500**	$ -	$ 1,496,500
ST1501	Salt Storage Barn	50,000	75,000	-	75,000	-	75,000
ST1502	Streets, Alleys & Concrete Program	900,000	624,400	182,988	**441,500**	1,000,000	1,441,500
ST1503	Misc Emerg. Street/Storm Repairs	75,000	75,000	40,090	35,000	-	35,000
ST1504	Old PW2 Site Improvements	150,000	150,000	106,195	43,900	385,000	428,900
ST1506	Stormwater Ditch Maintenance	15,000	15,000	-	15,000	-	15,000
ST1508	Stormwater Utility Planning	90,000	90,000	7,650	82,400	-	82,400
	Street Division	$ 3,880,000	$ 5,256,100	$ 2,817,580	$ 2,189,300	$ 1,385,000	$ 3,574,300
	Total General Capital Project Fund	**$ 4,415,800**	**$ 5,793,400**	**$ 2,966,558**	**$ 2,577,500**	**$ 1,627,200**	**$ 4,204,700**
	Total Increase in General Cap Proj Fund				**$ 2,577,500**		
CT1405	Lakeview Drainage Study	$ -	$ 24,400	$ 18,187	$ 6,300	$ -	$ 6,300
CT1562	Village of Cannon Mill Repavement	315,000	386,900	25,997	**361,000**	-	361,000
CT1599	Signage for the Hamlet & Bicentennial Village	2,700	2,700	1,170	1,600	-	1,600
	Total Community Transportation Fund	**$ 317,700**	**$ 414,000**	**$ 45,354**	**$ 368,900**	**$ -**	**$ 368,900**
	Total Increase in Comm Transportation Fund				**$ 368,900**		
N/A	Sterling Dump Truck	$ 66,900	$ 66,900	$ -	$ 59,900	$ -	$ 59,900
WD0804	1.0 MG Storage Tank - Denney's Road	-	2,470,700	2,500	2,468,200	-	2,468,200
WD1302	Garrison Farm Storage Tank	400,000	4,221,600	2,100,291	**1,297,300**	-	1,297,300
WD1506	Shallow Well #7 Abandonment	15,000	15,000	-	15,000	-	15,000
WQ1503	West Dover Connector Project	-	336,000	184,561	**73,600**	-	73,600
	Water Division	$ 481,900	$ 7,110,200	$ 2,287,352	$ 3,914,000	$ -	$ 3,914,000
	Total Increase in Water Division				$ 3,914,000		
N/A	Sterling Dump Truck	$ 66,900	$ 66,900	$ -	$ 59,900	$ -	$ 59,900
N/A	Sterling Jet Truck	210,400	173,900	-	186,000	-	186,000
WW1206	Brandywine Pump Station Replcmnt	-	339,100	237,906	101,200	-	101,200
WW1303	Westover Pump Station	718,000	1,299,600	7,254	1,292,400	-	1,292,400
WW1304	Garrison Farm Wastewater Projects	-	3,199,700	2,571,260	628,500	-	628,500
WW1503	Hazzlettville Rd Interceptor	755,000	201,700	-	462,100	-	462,100
WW1504	Lakeview Drive Pump Station Replacement	450,000	408,400	48,817	359,600	-	359,600
WW1509	West Dover Connector Road Utility Relocation	-	922,300	10,859	**387,300**	-	387,300
	Wastewater Division	$ 2,200,300	$ 6,611,600	$ 2,876,096	$ 3,477,000	$ -	$ 3,477,000
	Total Increase in Wastewater Division				$ 3,477,000		
	Total Water/Wastewater I & E Fund	**$ 2,682,200**	**$ 13,721,800**	**$ 5,163,448**	**$ 7,391,000**	**$ -**	**$ 7,391,000**
	Total Increase in Water/Wastewater I & E Fund				**$ 7,391,000**		

City of Dover
Fiscal Year 2015/2016 Budget
First Amendment
Capital Investment Plan Amendments

Project #	Title	Fiscal Year 2015 Original CIP Budget	Fiscal Year 2015 Revised CIP Budget	Fiscal Year 2015 Prior Fiscal Year(s) Expenses	Fiscal Year 2015 Carry Forward Balance	FY 2016 Year Budget	Revised FY 16 CIP Budget
EG1212	MR Unit 3 Turbine Inspection	$ -	$ 151,800	$ 98,392	$ 53,500	$ -	$ 53,500
EG1416	VanSant Capacity Increase	750,000	901,900	409,784	492,200	-	492,200
EG1504	McKee Unit 3 Boiler System	295,000	138,000	57,287	80,800	42,000	122,800
EG1506	McKee & VanSant Safety Improvement	52,000	52,000	33,776	18,300	-	18,300
	Electric Generation	$ 1,097,000	$ 1,243,700	$ 599,239	$ 644,800	$ 42,000	$ 686,800
	Total Increase in Electric Generation				$ 644,800		
N/A	Metering Infrastructure	$ -	$ 150,000	$ -	$ 150,000	$ -	$ 150,000
N/A	Vehicle/Truck	-	33,000	-	33,000	387,600	420,600
EE1509	West Dover Connector	250,000	250,000	94,209	155,800	-	155,800
EE1516	Chestnut Grove (new developments)	299,000	255,000	118,999	136,000	-	136,000
EE1522	Garrison Oak Park (new developments)	184,000	184,000	166,523	17,500	-	17,500
EE1525	Leander Lakes Apt Phase I (new developments)	73,000	73,000	3,608	69,400	-	69,400
EE1526	Playtex Addition (new developments)	200,000	354,100	204,136	150,000	-	150,000
EE1544	Nottingham Meadows (new developments)	28,600	28,600	2,011	26,600	-	26,600
	Transmission & Distribution	$ 1,034,600	$ 1,327,700	$ 589,486	$ 738,300	$ 387,600	$ 1,125,900
	Total Increase in Transmission & Distribution				$ 738,300		
N/A	Battery Bank Replacement	$ 24,500	$ 24,500	$ 10,875	**$ 13,700**	$ -	$ 13,700
EE1312	General Scott Switchgear	1,100,000	1,137,600	30,421	1,107,200	-	1,107,200
EE1443	GOTP Transmission Line Relocation	-	550,000	141,526	408,500	-	408,500
EE1500	69 KV Rebuild	75,000	75,000	12,029	63,000	-	63,000
EE1520	69 kV Cable Replacement North Street	85,000	85,000	-	85,000	50,000	135,000
	Engineering Division	$ 1,284,500	$ 1,872,100	$ 194,851	$ 1,677,400	$ 50,000	$ 1,727,400
	Total Increase in Engineering				$ 1,677,400		
	Total Electric I & E Fund	**$ 3,416,100**	**$ 4,443,500**	**$ 1,383,576**	**$ 3,060,500**	**$ 479,600**	**$ 3,540,100**
	Total Increase in Electric I & E Fund				**$ 3,060,500**		
	Total Carryforward balances from FY 2015				**$ 13,397,900**		

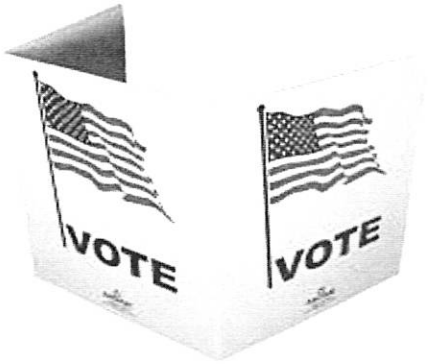
ENOUGH TALK, TIME FOR ACTION!

COUNCILMAN SUDLER OF THE 4TH DISTRICT

- **CALLS FOR THE VOTE ON THE FUTURE OF THE ELKS LODGE IN THE KIRKWOOD COMMUNITY**

YES – I want them to remain in our community

NO - I want them to relocate





NOVEMBER 3, 2015

Time: 6:30 p.m. – 8:00 p.m.

Purpose: To Empower the Residents of the Kirkwood Community with a **Voters Voice** that will not only help navigate or eradicate the activity in their community, but encourage them to be comfortable with the voting process for future elections.

Eligible Voters: **I.D.** -Kirkwood St., Cecil St., West St., Fulton St. and Queen St.

Location: Solid Rock Baptist Church [**Community Center**] **109** North West St. Dover, DE 19904 **[**302**]** 736.1763

