REGULAR COUNCIL MEETING

The Regular Council Meeting was held on November 10, 2014 at 7:30 p.m. with Council President Bonar presiding. Council members present were Mr. Anderson (arrived at 7:45 p.m.), Mr. Dixon, Mr. Perza, Mr. Slavin, Mr. Hare, and Mr. Hutchison. Mrs. Williams was absent.

Council staff members present were Deputy Police Chief Mailey, Mrs. Mitchell, Mr. Koenig, Mrs. Townshend, Deputy Fire Chief Hall, City Solicitor Rodriguez, and Mrs. McDowell. Mayor Christiansen (departed at 7:34 p.m.) was also present.

OPEN FORUM

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

There was no one present wishing to speak during the Open Forum segment.

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

AGENDA ADDITIONS/DELETIONS

Mr. Hutchison moved for approval of the agenda as presented, seconded by Mr. Dixon and unanimously carried.

Mr. Hare moved for approval of the consent agenda as presented, seconded by Mr. Slavin and carried by a unanimous roll call vote (Anderson and Williams absent).

ADOPTION OF MINUTES - REGULAR COUNCIL MEETING OF OCTOBER 27, 2014

The Minutes of the Regular Council Meeting of October 27, 2014 were unanimously approved by motion of Mr. Hare, seconded by Mr. Slavin and bore the written approval of Mayor Christiansen.

PROCLAMATION - GEOGRAPHIC INFORMATION SYSTEMS (GIS) DAY AND GEOGRAPHY AWARENESS WEEK

Mr. Slavin moved to waive the reading of the Proclamation - Geographic Information Systems (GIS) Day and Geography Awareness Week, seconded by Mr. Hare and unanimously carried.

By motion of Mr. Hare, seconded by Mr. Dixon, City Council accepted the Proclamation as presented to be made a part of the record, as follows:

WHEREAS, fascination with the earth's geography inspired the early explorers of our country to learn and record information about the surface of the land and its people, environments, resources, political boundaries, and characteristics and today remains a fundamental part of our national heritage; and

WHEREAS, geographic information has many useful applications for our municipal government and is a valuable resource used in the analysis of infrastructure, emergency services, economic development, and long-range planning and Geographic Information Systems (GIS) technology

provides an efficient means of managing geographic information and providing data that allows for effective decision making and improved delivery of services to the residents of the City of Dover and our surrounding area; and

WHEREAS, the City of Dover's GIS Division plays a vital role in the continued growth of the City and has been nationally recognized for its outstanding efforts in the advancement of GIS and its foresight in creating programs that can be used to better manage services in the City.

NOW, THEREFORE, I, ROBIN R. CHRISTIANSEN, MAYOR OF THE CITY OF DOVER, DELAWARE do hereby proclaim November 19, 2014 as GIS DAY, and November 16-22, 2014 as GEOGRAPHY AWARENESS WEEK in the City of Dover and urge all residents to adopt the national Geography Awareness Week theme, "The Future of Food", by exploring how the geography of food affects and connects our communities and our neighbors around the globe using geographic skills such as mapping, photography, and storytelling, and to learn about the value of GIS technology in the management and exchange of geographic information.

PROCLAMATION - PANCREATIC CANCER AWARENESS MONTH

Mr. Slavin moved to waive the reading of the Proclamation - Pancreatic Cancer Awareness Month, seconded by Mr. Hare and unanimously carried.

By motion of Mr. Hare, seconded by Mr. Dixon, City Council accepted the Proclamation as presented to be made a part of the record, as follows:

WHEREAS, in 2014 an estimated 46,420 people will be diagnosed with pancreatic cancer in the United States and approximately 39,590 people will die from the disease, with at least 130 pancreatic cancer related deaths occurring in Delaware; and

WHEREAS, the incidence and death rate for pancreatic cancer are increasing and is anticipated to move from the fourth to the second leading cause of cancer death in the United States by 2020; and

WHEREAS, the Pancreatic Cancer Action Network is the first and only national patient advocacy organization that serves the pancreatic cancer community in the City of Dover and nationwide by focusing its efforts on public policy, research funding, patient services, and public awareness and education related to developing effective treatments and a cure for pancreatic cancer; and

WHEREAS, the Pancreatic Cancer Action Network and its affiliates in the City of Dover support those patients currently battling pancreatic cancer, as well as to those who have lost their lives to the disease, and are committed to nothing less than a cure; and

WHEREAS, the good health and well-being of the residents of the City of Dover are enhanced as a direct result of increased awareness about pancreatic cancer and research into early detection, causes, and effective treatments.

NOW, THEREFORE, I, ROBIN R. CHRISTIANSEN, MAYOR OF THE CITY OF DOVER, DELAWARE, do hereby proclaim November 2014 as PANCREATIC CANCER AWARENESS MONTH in the City of Dover and encourage all citizens to help increase public awareness and support for the individuals and families who are affected by cancer.

UTILITY COMMITTEE REPORT - OCTOBER 27, 2014

The Utility Committee met on October 27, 2014 with Councilman Perza presiding in the absence of Chairwoman Williams.

Disposition of Public Infrastructure to Kent County - Central Transmission Bypass North

Mr. Scott Koenig, City Manager, advised members that the Kent County Department of Public Works recently notified the City that on July 16, 2014, a rupture surfaced in the 24-inch concrete sewer force main (Kent County Central Transmission Main), causing a sanitary sewer overflow in the center of Route 13 in front of C.F. Schwartz. The root cause was corrosion of the pipe crown due to high hydrogen sulfide concentrations in the wastewater. He explained that during a routine re-routing procedure, there was a slight pressure increase and, due to the thinned pipe wall, a failure was triggered. Mr. Koenig stated that this failure occurred on one (1) of the few remaining sections of the Kent County transmission system, from Smyrna to the wastewater treatment plant in Frederica, that does not have a redundant pipeline or bypass capability.

Mr. Koenig indicated that the failure had been temporarily repaired and, in order to complete a permanent repair, the flow must be re-routed to allow for the installation of a pipe liner. He stated that engineers from both Kent County and the City of Dover had been working in concert to develop a bypass system for this portion of the infrastructure. Mr. Koenig noted that the project had been authorized by Kent County Levy Court and was currently being fast tracked due to the related urgency. Knowing that the City's budget did not include any expenditure for an upgrade of the infrastructure, Mr. Koenig stated that Kent County had agreed to pay all the costs associated with the upgrade; however, he explained that portions of the City's existing infrastructure, and all associated easements, must be disposed of by the City, with ownership transferred to the County. He reviewed a map depicting the infrastructure to be transferred and noted that the estimated replacement value of the referenced infrastructure was $770,000. Mr. Koenig stated that the County would assume ownership and maintenance responsibility of the new bypass force main from County Pump Station No. 2 to Crawford Carroll Avenue.

Once the project is completed, Mr. Koenig stated that Kent County would be able to pump from Station No. 2, located on the north side of Denneys Road, through the bypass loop into the US 13 Interceptor Sewer; transfer down to US 13 East Pump Station (the Dover Downs Pump Station); and allow for entry into the East Dover Bypass system through that pump station. This would provide relief off the line in

US 13, allow for completion of the permanent repairs of that infrastructure, and provide a redundant backup for future problems, should they arise. He explained that the line in US 13 was aging and subject to additional breaks in the future unless permanent repairs were made. Since the central transmission main down US 13 is critical to the functions of City of Dover, Mr. Koenig stated that staff felt that the disposition of the public infrastructure would be a good way for the City to partner with Kent County to improve the transmission system through the heart of Dover and for areas north of the City.

As a part of the disposition process, Mr. Koenig stated that although the replacement value of the referenced infrastructure was estimated at $770,000, it would be necessary for staff to determine the actual values; therefore, staff was in the process of reviewing construction contracts involved with the McKee Run Pump Station. He stated that if the assets were not fully depreciated, it would be necessary to recognize the value in the transfer.

Staff recommended disposal of the referenced public infrastructure, and all easements necessary for the perpetual maintenance thereof, associated with the County's Central Transmission Bypass North project, to Kent County.

Responding to Mr. Blakeman, Mr. Koenig stated that the City would not receive any money for the disposition of the public infrastructure to Kent County. He explained that, although the City would be abandoning the maintenance responsibilities of the infrastructure, it would be utilized by Kent County in the future, once the upgrades are completed. Mr. Koenig indicated that the pump stations would continue to be owned by the City.

In response to Mr. Perza, Mr. Koenig stated that he felt confident that there would be no future negative consequences resulting from the proposed transfer. He stated that the McKee Run Pump Station was designed to handle flow for the area and that the 16-inch force main was the channel from the City's pumping infrastructure into the County's system; therefore, the project would meet the overall conceptual designs that had been discussed with Kent County in the past. Unless there was some significant change in the system, he did not anticipate the transfer of the assets causing the City any additional costs. Mr. Koenig stated that the only costs for the City in regard to the transfer would be any depreciation costs associated with the infrastructure. Elaborating, Mrs. Donna Mitchell, Controller/Treasurer, stated that the original project consisted of approximately 5,000 linear feet, which would need to be "written off" by the City. Although this would not go against the budgetary basis of accounting, she stated that it would affect the GAAP (Generally Accepted Accounting Principles) basis of accounting, explaining that the amount would be reflected as an expense on the income statement. Mrs. Mitchell assured members that the exact amounts would be made available when the Committee's recommendation is considered by City Council. Although she felt confident that the City's debt covenants would not be impacted by writing the assets off, she stated that she would confirm this prior to the next Council Meeting. *[City Clerk's Office Note:*

Subsequent to the meeting, Mrs. Mitchell stated that the book value of the Mudstone Branch project that would be written off with the transfer to Kent County amounted to $64,400, and there would be no negative impact on the City's debt covenants.]

The committee recommended disposal of the referenced public infrastructure, and all easements necessary for the perpetual maintenance thereof, associated with the County's Central Transmission Bypass North project, to Kent County, as recommended by staff, subject to the final review of the undepreciated amount.

For clarification, Mrs. Mitchell stated that the amount to be written off would be the undepreciated value, which would be the leftover remaining balance of the assets.

During the City Council meeting of November 10, 2014, Mr. Perza reviewed the Committee's report and noted that staff would be providing the exact amount to be written off for the disposition of the public infrastructure, explaining that it was not known at the time of the Committee meeting.

Mr. Koenig advised members that, as reported during the Committee meeting, the replacement value of the infrastructure was approximately $770,000. He reported that the writeoff of the undepreciated expense for the infrastructure was $64,400; however, he stated that there would be no negative impact on the City's debt covenants.

Responding to Mr. Perza, Mr. Koenig stated that there would be no negative impact on the City's finances.

Mr. Hare moved for approval of the Committee's recommendation for the disposal of the referenced public infrastructure, and all easements necessary for the perpetual maintenance thereof, associated with the County's Central Transmission Bypass North project, to Kent County, seconded by Mr. Dixon and carried by a unanimous roll call vote (Anderson and Williams absent).

Dedication of Private Walkway as a Public Walkway - Village of Westover - Mifflin Road to Trafalgar Drive

Mr. Scott Koenig, City Manager, reminded members that as part of the approved subdivision plan for the Village of Westover, the City of Dover required the construction of a private sidewalk connection from Trafalgar Drive (located on the east side of the Village of Westover) to Mifflin Road to guarantee the pedestrian interconnection of the existing developments in this area and the newly constructed Village of Westover Subdivision. Prior to the construction of the new Dover High School, this sidewalk connection primarily served as a connection for the residents of the Village of Westover and the Village of Cannon Mill to access local businesses in the vicinity of Route 8. The Village of Westover Homeowner's Association had inquired for a number of years about dedicating this walkway for public maintenance; however, staff had previously not favored such a dedication.

Mr. Koenig noted that, with the construction of the new Dover High School, the pedestrian patterns had changed, explaining that this walkway now represented a safe path to the new Dover High School and related facilities, so the "public" interest with respect to this walkway had changed. He noted receipt of a letter from Representative Darryl Scott requesting consideration of the public dedication of this walkway. Mr. Koenig indicated support for the reconsideration of the dedication and, based upon the current and projected use of the walkway, he had no objections to its dedication as public walkway. He explained that the walkway would potentially serve as a walking path from Woodmill Apartments, Deerfield Subdivision, and other areas to the east.

Mr. Koenig stated that the dedication may require the City to sign a blanket easement used by the Community Transportation Fund Program in order to obtain documentation identifying that this sidewalk could qualify for community transportation funds if repairs or other work become necessary in the future.

Mr. Koenig reviewed a map depicting the walkway to be dedicated as public, from Trafalgar Drive to Mifflin Road. He advised members that the estimated maintenance cost of the walkway is $1,000 per year, including costs associated with winter maintenance. In addition, Mr. Koenig stated that the existing private walkway was approximately 770 linear feet long and six (6) feet in width; therefore, the estimated value of the dedication was $23,100.00 (770 l.f. x 6 ft. x $5.00 per square foot). He stated that the walkway had been privately maintained since its construction (dating back to 1996/1997) and the City had received occasional complaints regarding overgrowth and lighting issues associated with the walkway.

Staff recommended acceptance of the dedication of the existing concrete walkway and that the City Manager be authorized to execute any documents necessary to ensure that public funds could be used for future maintenance on the dedicated walkway.

Responding to Mr. Blakeman, Mr. Koenig indicated the need for additional improvements to the sidewalk network on Mifflin Road. Currently, there were no planned improvements, other than the dedication of the walkway. In addition, he stated that there was a need for sidewalk improvements on the south side of Route 8 from the new Dover High School property east to Mifflin Road. Mr. Blakeman noted that the State had sent notices regarding plans to make improvements to the sidewalk along Route 8. Mr. Koenig stated that the State had a program called "Safe Route to Schools" and since Mifflin Road is a State right-of-way the City would not incur any burden for such improvements; however, the City may advocate for the right-of-way.

In response to Mr. Perza, Mr. Koenig felt that the City would not have any more liability if dedication were accepted than the City had at the present time.

Mr. Slavin stated his observation that students were using the safe walkways as designed, and expressed his amazement at the number of students who walk to school. He felt that any additional improvements would only prove to be helpful.

Mr. Koenig confirmed that the dedication would be in the best interest of the students.

The Committee recommended acceptance of the dedication of the existing concrete walkway and authorizing the City Manager to execute any documents necessary to ensure public funds can be used for future maintenance on the dedicated walkway, as recommended by staff.

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

Mr. Hare moved for acceptance of the Utility Committee Report, seconded by Mr. Dixon and unanimously carried.

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE REPORT - OCTOBER 27, 2014

The Legislative, Finance, and Administration Committee met on October 27, 2014 with Chairman Slavin presiding.

Discussion - Responsibilities and Reporting Structure for the Mayor and City Manager and Continuation of Full-Time Status for the Position of Mayor

During the Regular City Council Meeting of September 22, 2014, members approved the Committee's recommendation for future consideration of Option A, as follows: a full-time mayor's position, with consideration of changing the City's current form of government to a mayor/council form of government, where the city manager and chief of police would be appointed by the mayor and confirmed by City Council, and that any positions which currently report to council that are moved to report to the mayor would only be removed for cause and with council approval. Members of City Council also approved the Committee's recommendation that the Council President open a dialogue with the parties to the 1988 Consent Decree.

In the absence of Mr. Hutchison, who had been the lead on this issue, Mr. Slavin stated that based on previous action, members were reviewing possible alternatives related to the responsibilities and reporting structure for the mayor and city manager. He noted that a recommendation was made for consideration and indicated his hope that there would be more recommendations for discussion. The general timeframe was to accept ideas through the end of the calendar year, and in 2015 Council would decide which ideas would be brought forward for final action. In addition, Mr. Slavin reiterated that City Council requested the Council President, along with

Mr. Hutchison, to meet with the NAACP to discuss the 1988 Consent Decree between the City and the NAACP and what effect it may or may not have on the City's form of government.

Mr. Slavin stated that he had requested the City Clerk's Office to create an organizational chart for Option A, as well as any future recommendations.

Mr. Hare expressed his opinion that prior to making any determination regarding a full-time or part-time mayor, members must determine the form of government. If a council-manager form of government were decided upon, he felt there was no need for a full-time mayor. If a strong mayor form of government were chosen, he stated that the City should continue with a full-time mayor who would serve as the president of Council and preside at the Council meetings, explaining his feeling that both a mayor and Council president were not necessary. Should the City continue with a council-manager form of government, he felt that the mayor should serve on a part-time basis.

Mayor Christiansen stated that he did not want to be seen as "self-serving" and, although he agreed with some of the comments made by Mr. Hare, he stated that Dover is a full-time City that needs a full-time mayor. He felt that placing the mayor back in the Council Chambers would create an issue in regard to the 1988 Consent Decree. In addition, he relayed concerns with the mayor being made a part of Council's deliberations, explaining his feeling that City Council should serve as the legislative body and the mayor should be chief executive officer of the City and work in concert with the city manager and City staff. He indicated that this working relationship had proven to be beneficial to him, as the mayor. Mayor Christiansen stressed the importance for the mayor to remain out of the legislative process and maintain the power of veto in order to protect the general public and afford them a stopgap against a "runaway" Council. He also requested the opportunity to present a proposal for members of Council to consider. He assured members that he was not looking for a job but rather to do the job of the mayor. Mayor Christiansen expressed his opinion that regardless of who was elected to serve as mayor, the City of Dover needed a full-time mayor with full-time responsibilities.

Mr. Thomas Leary (former member of City Council), 27 Shinnecock Road, questioned the genesis of the discussion, why this matter was being considered, and if something was "broke." Responding, Mr. Slavin stated that this matter had been a continuing agenda item in the hopes that members would be given options to consider and present to City Council.

Elaborating, Mr. Hare recalled that Mr. Leary was serving as a member of City Council at the time the mayor's position was changed from part-time to full-time. At that time, he explained, the mayor was given specific duties, such as being in charge of economic development, public relations, lobbying the legislators, etc., all

of which had since been removed from his responsibilities. Since the mayor no longer had these responsibilities, it had been suggested that there was no longer a need for the mayor to serve full-time.

Mr. Leary suggested that members should decide whether the council-manager form of government, which had been the most effective for municipalities for a long time, still applied for the City. He questioned if members were reacting to recent personalities of those who had served as mayor.

Mr. Hare stated no objections to the City maintaining a council-manager form of government. After conducting research through the National League of Cities, he stated that the only municipalities with a full-time mayor had populations in excess of 40,000. Mr. Hare expressed his opinion that if the City of Dover would be the exception and maintain a full-time mayor, then the position should have full-time job responsibilities.

Mr. Leary reiterated his feeling that the City's current form of government was sound, although there may be a need to review salary and job responsibilities for possible adjustments as deemed necessary. However, he encouraged members not to make any changes that would require the mayor to preside over Council meetings. In addition, it was his feeling that the NAACP would have no desire to discuss any change to the Consent Decree.

Mr. Anderson expressed misgivings in regard to having a mayor preside over Council meetings, particularly since the mayor is not elected based on such abilities. He also questioned how this would affect the inner workings of the legislative committees in relation to appointments, chairmanships, etc. Responding, Mr. Leary stated his objections to this arrangement based on past experience, since it would provide one (1) individual with a lot of power. He indicated that prior to his service on Council, there was a time when the mayor presided over Council meetings and had a lot of power over City Council, which proved not to be beneficial for the City.

Mr. Hare stated that if the City wished to maintain a full-time mayor, then City Council should develop job responsibilities for the mayor. Responding, Mr. Leary reminded members that it was City Council who gradually eliminated certain duties and job responsibilities from the mayor's position. He suggested that Council simply reinstitute those responsibilities and/or create additional duties for a full-time Mayor.

Mayor Christiansen indicated his familiarity with the previous "strong" mayor and, as such, Mayor Christiansen had assumed some job responsibilities that may be outside the realm of the mayor's authority, such as economic development, working with State legislators, etc. It was his feeling that there are jobs that are required of the Mayor, since Dover is a full-time City, and that the system would work if the mayor were given specific job responsibilities that are established through ordinance or Charter. It was his recollection that the Mayor's responsibilities were never codified, although it had been intended to do so.

Mr. Leary suggested that City Council tweak the current system and not undertake a complete, radical, reorganization of the City.

Mr. Anderson stated his willingness to submit a recommendation. In addition, he advised members that he was aware of a college student, with experience in organizational management, who desired to volunteer as an intern with the Committee and assist in developing a recommendation. At the request of Chairman Slavin, Mr. Anderson agreed to forward the individual's resume for consideration.

Update - Certified Local Government Application

During their Regular Meeting of August 25, 2014, City Council approved the Committee's recommendation directing staff to have the Certified Local Government Application completed by December 31, 2014.

Mrs. Ann Marie Townshend, Director of Planning and Community Development, advised members that staff had compiled the résumé's of all Historic District Commission members. Staff had also begun a review of the City's existing ordinance regulating the Historic District Commission to ensure that it meets the criteria of the Secretary of Interior. Mrs. Townshend noted that staff had been spending a lot of time working on the Downtown Development District Application, which would be completed during the current week, allowing staff more time to focus on the Certified Local Government Application. She felt confident that the application would be completed within the next two (2) months.

Mayor Christiansen stated that he had been assisting staff with the completion of this application.

The Committee took no further action regarding this matter.

By consent agenda, Mr. Hare moved for acceptance of the Legislative, Finance, and Administration Committee Report, seconded by Mr. Slavin and carried by a unanimous roll call vote (Anderson and Williams absent).

MONTHLY REPORTS - SEPTEMBER 2014

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

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

QUARTERLY REVIEW OF CAPITAL INVESTMENT PLAN (CIP) *(JULY, AUGUST, AND SEPTEMBER)*

Members reviewed the Quarterly Report for the Capital Investment Plan as of September 30, 2014.

EVALUATION OF BIDS - LAKEVIEW DRIVE PUMP STATION REPLACEMENT

Mr. Scott Koenig, City Manager, advised members that this capital investment project included the relocation and replacement of the Smith & Loveless package pumping station installed in 1971. The station had exceeded its anticipated life expectancy of 20-25 years and was in need of a capacity upgrade due to high peak inflow rates. The existing pump rate is 175 gallons per minute (GPM) and would be increased to 200 GPM. Mr. Koenig noted that the pump station was currently located in the middle of Lakeview Drive and that the relocation of the station out of the roadway would improve worker safety and ease of maintenance work. He assured members that this pump station replacement would improve the City's wastewater system by increasing the structural integrity, pump efficiency, and wastewater flow capacity of the pump station.

Mr. Koenig advised members that the City solicited bids (Bid #15-0010PW) for the Lakeview Drive Pump Station Replacement Project to include an alternate bid price for bituminous pavement for the pump station, explaining that this option would decrease maintenance at the station. He stated that City staff was currently finalizing negotiations with the owner of the property to properly obtain the necessary easements for this infrastructure.

Staff recommended awarding the contract to the low bidder, A-Del Construction Co., for the City of Dover Lakeview Drive Pump Station Replacement Project, Bid #15-0010PW, for the amount of $407,350.

Mr. Slavin moved for approval of staff's recommendation, seconded by Mr. Dixon and carried by a unanimous roll call vote (Anderson and Williams absent).

COUNCIL AND COMMITTEE MEETINGS - HOLIDAY SCHEDULE

Council President Bonar noted that, as Council had done in the past, due to the holiday season, it was recommended that the Safety Advisory and Transportation; Utility; and Legislative, Finance, and Administration Committee Meetings and City Council Meeting scheduled for December 22nd be cancelled. He assured members that if the need arose, Special Meetings would be called. In addition, he noted that Christmas falls on a Thursday this year and suggested consideration be given to recognizing Friday, December 26th as a special holiday declared by City Council for City employees.

Mr. Hare moved to cancel the Council and Committee Meetings as presented by Council President Bonar and that December 26th be declared a special holiday for City employees, seconded by Mr. Dixon.

Responding to Mr. Hutchison, Mrs. Donna Mitchell, Controller/Treasurer, indicated that the cost of the additional holiday would include $81,300 for budgeted wages and approximately $7,500 in overtime, for a total of $88,800.

For clarification, Mr. Slavin noted that the cost mentioned would be spent regardless of the day being a holiday and that the budget included those funds.

Mr. Hare questioned the possibility of December 26th being an optional holiday, whereby employees would have the option to work or take the day off. Responding, Mrs. Mitchell stated that those employees wishing to take off could take a vacation day. Clarifying, Mr. Hare stated that his alternative would be to provide an additional vacation day rather than a holiday. Mrs. Mitchell explained that there would be no difference in the expense to the City.

Mr. Scott Koenig, City Manager, explained that the holiday becomes an issue in regard to those employees involved in the City's 24/7 operations, such as police, dispatch, etc., explaining that these employees would be provided an additional eight (8) hours of pay for that week. He stated that in addition to the benefit of having the day off for some employees and of receiving additional time for others, there would be a lost productivity issue (such as trash collection being delayed until the following work day).

In response to Mr. Slavin, Mr. Koenig stated that the only additional cost for the City to provide the additional holiday would be the cost to pay overtime to those employees involved in the City's 24/7 operations.

The motion to cancel the Council and Committee Meetings as presented by Council President Bonar, and declare December 26th a special holiday for City employees was carried by a roll call vote of five (5) yes (Dixon, Slavin, Hare, Hutchison, and Bonar), one (1) no (Perza), and two (2) absent (Anderson and Williams).

COUNCIL MEMBERS' ANNOUNCEMENTS

Mr. Dixon thanked Mr. Hare for the bandanas he provided to the jurisdictional Sunday School Department that were used in celebration of Veterans Day.

Council President Bonar also thanked Mr. Hare for the contribution of the bandanas and recognized veterans for their service.

Council President Bonar relayed condolences to Mr. Anderson on the loss of his mother. Responding, Mr. Anderson thanked everyone for their well wishes and support.

Council President Bonar announced that the City Assessor, Ms. Cheryl Russell was now Mrs. Bundek, having recently married Mr. Scott Bundek on November 1, 2014.

Noting that this was the first meeting attended by the City's new Deputy Police Chief Marvin Mailey, Council President Bonar welcomed him, thanked him for the service he provides to the City, and wished him much success in the future.

There being no objections, Council President Bonar read the following statement into the record:

"For the last several years we've tried, with limited success, to curb the rising problems we have with crime in the City of Dover. The Dover Police Department has worked diligently to solve crimes when they take place, and have done a remarkable job in terms of bringing perpetrators to justice. Their solvability record is completely beyond parallel.

During these past few years, members of Council and our City staff have worked to promote a measure of civility in dealing with criminal activity and violations of our City and State laws, but the time has come, in my view, to stop talking about doing something, and take measures that may ruffle a few feathers.

In the last couple of weeks, we've had shootings, a home invasion in which the victim was tied up and the house set afire, the beating and robbery of a man who was simply walking down the street in the afternoon, and the strong armed robbery of a man who was just riding his bicycle in one of our City parks. These acts of violence are not acceptable in modern society. Most recently, a group of young people blocked one of our major arteries at 2 in the morning and commenced to fight, curse and generally cause disruption to those people that live in the area. It's happened in other areas of the City as well. Thankfully, the police were able to respond and disbursed the disorderly group. These were all young people... late teens and early 20's, who acted more like a bunch of street thugs than anything else. I would like to say that we have no room in our City for this type of activity.

I am, tonight, asking our Mayor and Police Department, along with our City Inspections Department, to take a no tolerance stance in enforcing our ordinances and laws - no warnings.

If you're drunk and disorderly, you need to be arrested. If you carry a gun illegally, you need to go to jail. If you commit a robbery or assault, you need to be put away. If you loiter and panhandle and disturb people on our streets, you need to be off the street. If you violate our laws, ordinances, and the rules of decency in Dover, we simply do not want you here.

We have a City Code that requires dwellings be kept in good repair and that the occupants behave. We have a three (3) strike provision for tenants that says they can be evicted if the police are called three (3) times to a residence. I would recommend that Council take the further step of saying that if you have tenants that are evicted for violating the law three (3) times in a year, or police are called to a rental property you own three (3) times in a year, we have the option of revoking your rental permit for that location.

We were all elected to office to try to make Dover a better place to live and work. The safety and well-being of the people of this City are the most important things we, as Council, can work to guarantee. I think it's time that we stop saying, "Oh, these poor kids... they have no where to go, nothing to do, so they commit crimes." I'd like to know where the accountability is for all of their actions.

We've all bragged about Dover being a safe place to live, and for the most part it is, compared to other locales, but the perception is, all of this is changing. People who have come here, thinking they that they are moving into a safe community, are telling me now that they are deciding to sell their homes and moving because of the downturn in their neighborhoods. It's in my neighborhood and it's in some of your neighborhoods and I think it's past time to turn that perception around.

I would like to see our City staff and our Police Department work more readily with the community, continuing more of what we began a few months ago with civic leaders and the religious community and place new and stronger emphasis on holding individuals accountable for their actions."

By unanimous consent, the meeting adjourned at 7:51 p.m.

TRACI A. McDOWELL
CITY CLERK

All orders, ordinances, and resolutions adopted by City Council during their Regular Meeting of November 10, 2014, are hereby approved.

ROBIN R. CHRISTIANSEN
MAYOR

/TM/jg
S:\AGENDAS-MINUTES-PACKETS-PRESENTATIONS-ATT&EXH\Council-Minutes\2014\11-10-2014 COUNCIL.wpd