REGULAR COUNCIL MEETING

The Regular Council Meeting was held on October 24, 2016 at 7:51 p.m. with Council President Slavin presiding. Council members present were Mr. Anderson, Mr. Sudler, Mr. Neil, Mr. Lewis, Mr. Cole, Mr. Hosfelt, Mr. Hare, and Mr. Hutchison.

Council staff members present were Police Chief Bernat, Mrs. Mitchell, Mr. Koenig, Mrs. Townshend, Fire Chief Carey, City Solicitor Rodriguez, and Mrs. McDowell. Mayor Christiansen was also present (departed at 7:52 p.m., and returned at 7:56 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.

Ms. Jeanine Kleimo, Chair, Dover Interfaith Mission for Housing (DIMH), 684 Forest Street, advised members that DIMH had operated a 36-bed shelter for homeless men since 2008 and had served more than 1,800 men in this period of time. She thanked the City for the support that had provided through block grant funding. In addition, Ms. Kleimo explained that DIMH's cooperation with the Downtown Dover Partnership (DDP) had also permitted them to erect a daytime resource center for homeless adults to avail themselves of shower and laundry facilities and mail, and also to get assistance with jobs and public benefits.

Ms. Kleimo indicated that one of the most important things that DIMH had learned in their years of assisting the homeless is that it takes more than housing. She stated that their success in putting more than 1,000 of 1,800 men back to work was the result of a very serious volunteer effort to interact with the business community, and to entice or encourage employers to take a risk on those who are not necessarily the most traditional candidates for employment. Mrs. Kleimo advised that this resulted in a great deal of success and a great number of men who are now productive citizens of the community. She stated that DIMH estimates that in a year they put about $3M back into the local economy, which is about 10 times what it costs them to operate, including case management and assistance. Ms. Kleimo indicated that assisting the homeless is good business and strengthens the community as a whole. She encouraged those City Council members who had not already been to the shelter to come and visit them and see what they do firsthand.

Ms. Kleimo explained that the DIMH daytime resource center assists between 100 and 200 people a week and more in cold weather, noting that the demand is great for services among the homeless members of the community. She stated that DIMH is grateful to the community as a whole for the service they provide in the form of volunteerism. Ms. Kleimo advised that their most notable statistic reflects that, as a community, more than 12,000 plates of dinner a year are provided on a food budget of $0. She expressed hope that the City would continue to collaborate to expand the supply of affordable housing in the community, which is severely needed by those whom they help to get employment. Ms. Kleimo thanked members for the support given to date and looked forward to working with the City in the future.

Ms. Lisa Lambert, 2443 Chestnut Grove Road, advised members that, several weeks ago, the Governor put on his website the need to always be prepared for disasters. She stated that there is a

disaster right now and that people were getting ready to die. Ms. Lambert indicated that it was cold outside and if the grid went down people would stay anywhere and no one would say anything about where they stayed. She stated that people were now saying things about where people stay, which was not right. Ms. Lambert advised that something needed to be set in place, noting that individuals had been coming for months and stating their plea. She indicated that there was word that homeless people could no longer go to places like the library and the bus station. Ms. Lambert advised that these people would not disappear, but they have no place to go. She noted that they were being told that places that were being made for the homeless were not in the code; however, there was no code when people are staying on the ground or sleeping in a dumpster. Ms. Lambert advised that a building would be a little more safe and secure, and if someone was willing to provide one, she did not understand the negativity. She indicated that each day it would start getting colder with winter coming. Ms. Lambert stated that she did not want to stand outside now and could not imagine spending the night out when it is cold. She noted that it was wonderful that there were places that take people in when it is freezing and below; however, she would not want to stay out when it is 58 degrees. Ms. Lambert stated that something must be done or people would die.

Ms. Lambert explained that she hates to call individuals homeless because this is where they are but not who they are, and they are humans just like everyone else. She advised that they need a place to go to the bathroom and sleep, food to eat, and shelter. Ms. Lambert stated that something must be provided for them or it would be on everyone's heads. She indicated that people were making arrangements that were being denied. Ms. Lambert advised that something would be done if there were a natural disaster, and she stated that there was a disaster since nature was hitting everyone with winter.

Mr. Steven Hall informed members that he does not have an address. He stated that he had come to speak previously when he was a resident of DIMH and stood as an advocate for the homeless people in this community. Mr. Hall advised that he was now one of these individuals. He explained that he had walked away from DIMH on Monday thinking he had a guarantee of housing; however, everything crumbled and he stated that it felt like the world came tumbling down. Mr. Hall stated that this had been a very rough week, noting that many of those who have fought this fight had grown weary and some had given up. Mr. Hall stated that he understood from the last meeting that the City was supporting them and thanked members for their support. He asked members to pass the word along, stating that he would not stop faxing government officials, such as the governor and the county. Mr. Hall advised that he would not give up or grow weary, noting that he would like to have Thanksgiving dinner in his own home, and it was his goal that he and the rest of the community would be placed by Thanksgiving Day. Mr. Hall thanked members for their support and stated that he was praying that they would continue their support. He indicated that the individuals who were present would not go anywhere, leave, or disappear but would rejoice when given the keys to a home they could call their own.

Ms. Alexis Simms, Dover, informed members that the homeless are still out there. She stated that she did not understand why people were not given a place to stay when the City does not want them at the library, bus stop, or on the streets. She advised that this made no sense and noted that all they were asking for was somewhere warm. Ms. Simms stated she could guarantee that members had not tried to sleep on their floors or miss a day of eating, noting that some people depend on Victory Church just to eat every day and they need help. She indicated that they would not stop coming back

or go anywhere else, believing that members had the means, hands, and keys to help but would not do so because they were comfortable. Ms. Simms challenged members to step out and help, stating that they would rather see people die than help, which was not right. Ms. Simms advised that members would either help or God would move them out of the way, stating that the homeless have the ultimate God.

Mr. Richard Harmon stated that he was homeless and oversized. He indicated that the point was about life and death. Noting that Ms. Kleimo had referred to business, he stated that this was about more than business and was about the lives of real people, just like members of Council. Mr. Harmon stated his belief that members had gotten their jobs by doing things and talking to people, and they had promised to do their jobs to the best of their capability. He noted that there were people there that needed help and if members could not help them, they probably knew someone who could. Mr. Harmon stated that one door can open another and lead to opportunities for people like himself and others to get help. He explained that he was in a life and death situation now, stating that he had thought he weighed 510 pounds but he weighs 610 pounds, which puts him at 400 pounds away from 1,000 pounds. Mr. Harmon indicated that this was not the fault of the City but was the life situation he was going through from being homeless. He stated that he is not able to care for himself the right way because he is not stable and cannot eat the things he needs to eat. Mr. Harmon explained that those who are outside must eat whatever they can. He indicated that this was just like being an animal and that it was not right for a human to live like this, no matter what mistakes he had made. Mr. Harmon stated that the support system is slim to none and was more like none. He asked members to find some ears, noting that the homeless were fighting. Mr. Harmon stated that Pastor Aaron Appling, Victory Chapel Church, was only one man and could not do this all by himself. He stated that DIMH has grants daily and receives checks, and that they were not doing their job properly. Mr. Harmon questioned how people that go to DIMH and are told they can get housing, yet leave without it. He advised that those who leave DIMH are supposed to be in some kind of program and that DIMH has money for. Mr. Harmon stated that Pastor Appling was just one man with a non-profit who was trying to help the homeless. He advised that more help was needed and that people and the government have money. Mr. Harmon stated that he did not want to die like this and needed a second chance in life and something better. He reiterated that they all needed help.

Ms. Sue Harris, 241 Pine Street, stated that unclear information was offered at the last meeting and it was important to make clear that they had not come to any of these meetings asking for money. She explained that they had asked through their voice at meetings and in writing twice with specifics for abandoned properties, open lots, and vacant buildings. Ms. Harris stated that these were things within the City's possession. She noted that she understood the process of writing and getting grants and how money must be requested; however, she stated that money is not always the answer without the cooperation of the municipality. Ms. Harris advised that she had pulled from the City's own reports what had been presented in order to apply and be approved as a designated district, as well as a recipient of Community Development Block Grant (CDBG) funds. She reminded members that these words were from the City's own plans and what had been submitted.

Ms. Harris indicated that the Restoring Central Dover Plan included a plan that identified a number of goals to be included, such as strengthening existing housing stock and supporting new housing and mixed use development. She stated that the Central Dover area has enough vacant land to comprise 25 football fields. Ms. Harris advised that removing regulatory barriers and exploring land

banking would open up some possibilities. She reminded members that the City of Dover, working with NCALL, received a grant from Wells Fargo for $750,000 last year that will be distributed over a five-year period, providing NCALL the opportunity to hire two (2) full-time employees, a neighborhood revitalization coordinator and a community organizer. Ms. Harris stated that it was odd and convenient that one of the members of the steering committee that suggested the grant had been hired as the community organizer.

Ms. Harris indicated that in NCALL's report of the work completed and underway, the only mention of housing was new home construction by NCALL, Central Delaware Habitat, and MDHC. She stated that this was great and had nothing bad to say about it; however, it would not help anyone present as home ownership was way outside of the realm of conversation for those them. She noted that they were looking for low-income rentals. Ms. Harris stated that, according to the 2010 census, 15.3% of the housing units in the blocks comprising this district are vacant. In addition, she noted that the district includes 49 registered vacant buildings and 25 lots where buildings had been demolished by either the City or homeowners since 2008. Ms. Harris advised that the City of Dover invested CDBG funds to improve the downtown area through housing rehabilitation and support of the DIMH men's shelter. She stated that the planning documents that comprise the City of Dover's district plan include encouraging mixed-use development, providing additional transitional housing, and encouraging greater zoning flexibility to enable infill housing developments.

Ms. Harris advised that in 2014, DSHA announced that $2.5M would be divided amongst the municipalities of Kent and Sussex County for housing rehabilitation. She indicated that in the executive summary of the Consolidated Plan that the city of Dover is mandated to submit to HUD for 2015 to 2019, affordable housing is wonderfully included, noting that page #1 of the plan identifies specific needs concerning affordable housing. Ms. Harris noted that page 3 indicates that the priority needs for the City of Dover include initiatives to assist the homeless and rehabilitation activities involving rental housing units. She advised that the plan states that the City of Dover fully supports the Homeless Planning Council's initiative to end chronic homelessness in Delaware by 2017, and that there is still a lack of affordable housing and emergency shelters. Ms. Harris indicated that it was stated that over the next five (5) years the City will provide CDGB assistance to homeless providers to assist in reducing chronic homelessness in Dover and specifically mentions persons with alcohol and drug addiction. Ms. Harris stated that the City's funds facilitate serving the needs of the population for just these things.

Ms. Harris noted that there are currently116 shelter beds, 30 transitional beds, and 10 permanent supportive beds. She stated that it did not make sense to have so many emergency shelter beds and only 10 permanent spots to put people in, and that it should be turned around. Ms. Harris indicated that more affordable housing was needed. She reiterated that they had not asked the City for money, stating that she understands how grants are written, having worked 30 years for the State spending grant money. However, she noted that the City had vacant properties.

Ms. Harris indicated that, according to the City's action plan, 10 units were rehabbed. She asked what 10 homeless people were put into those 10 rehabbed positions. Ms. Harris stated that she was disappointed that members had not told them the truth two (2) weeks ago. She stated that Mr. Hutchison had asked Mayor Christiansen if money was provided to the City to help the homeless. Ms. Harris advised that it was stated in the plan how the City does help, and noted that

her group wanted to be one (1) of the partners that the City can help. She stated that her father would be embarrassed and ashamed at the fact that members would lead them astray. Ms. Harris stated that the meeting held on Thursday the 14th was the last opportunity for the public to have input for the 2017 plan. She reminded members that they had been present on Monday and no one mentioned the meeting. Ms. Harris advised members that she had looked everywhere to try to be up to date on things. She stated that, instead of lying, members could have told her that if she went to the meeting on Thursday, she might learn how to find the opportunities that are coming up in the next CDBG round.

Mr. Anderson requested that a written copy of Ms. Harris' statement be submitted for the record ***(Exhibit #1)***.

Mr. Eric Abernathy, 436 West Duck Creek Road, Clayton, Delaware, stated that he was speaking as an advocate for the homeless and that there was a very serious issue regarding a homeless individual who was missing. He explained that he had visited Mr. Arthur Gibbs at the hospital on Wednesday. Mr. Gibbs had been discharged and refused to leave and sign the discharge papers after he talked to his doctor. Mr. Gibbs was still there when Mr. Abernathy left, but when Mr. Abernathy went back to check on him a few days later, they told him that Mr. Gibbs was discharged on the 19th and was not in the hospital. Mr. Abernathy told them that they were lying. He questioned how he could have sat and talked with Mr. Gibbs for an hour-and-a-half if Mr. Gibbs was discharged and left the hospital on the 19th. He indicated that he had gone to Mr. Gibbs' temporary residence and Mr. Gibbs' cousins had not seen him and did not know where he was. Mr. Abernathy had advised his pastor that he would file a missing persons report on Mr. Gibbs but could not do so because he was not a blood relative but just someone who knows him, had been looking out for him, and had been his transportation. Mr. Abernathy told Mr. Gibbs' cousin to file a report. She indicated that there was one (1) more place to check, and if Mr. Gibbs was not found, they would file a missing persons report the next day. Mr. Abernathy stated that it was a shame that someone was homeless and was now missing.

Pastor Robert Appling, 2648 Sharon Hill Road, stated that he lives outside of Dover and owns property in Dover. Mr. Appling indicated that, approximately a month-and-a-half ago, he requested Council to take up his proposition to either sell or give them vacant property so they could start working with the homeless. He explained that there was a little confusion during the last meeting regarding tiny houses at Victory Church and Dover, Delaware. Pastor Appling informed members that all of the homeless that they work with have come out of the City of Dover. In the last two (2) weeks, a husband and wife who lived on their property for approximately six (6) to eight (8) months had gotten jobs. They had found a place to move to with their two (2) children, and Pastor Appling indicated that he and others felt good about that. He advised that there was a lady present at the meeting named Sonya who slept on the seats of the church for maybe a month or so, and she had found a job and a temporary place to live; however, at the end of the month she would be homeless again. Pastor Appling indicated that they were working with another gentleman from the City of Dover who found a job and a room in Dover to live. He stated that they were trying to build tiny homes to help get some of these homeless out of the City or find them places in the City. Pastor Appling advised that they were feeding between 100 and 150 people every single day, noting that in a year's time their church would be providing 50,000 to 54,000 meals for the homeless. He informed members that they had received no grants and no money from anyone other than their

parishioners, and this was quite an expense. Pastor Appling noted that a few other churches were helping to provide food, and he was asking again for help finding something in the City of Dover. He advised that they were looking at a couple of properties to perhaps buy as temporary transitional places to help them help the homeless spiritually, physically, mentally, and emotionally and get them back on their feet so that they can become good citizens of the State, and of the City of Dover if they are living in the City. Pastor Appling stated that they had been able to help a number of people and they felt good about that. He asked members to consider some of the empty properties to help them work with the homeless of Dover and get them back on their feet.

Pastor Aaron Appling, Victory Church, 2736 Forrest Avenue, advised that he lives right outside the City but has some properties in the City as well. He reminded members that there was discussion about finances and money at the last meeting. Pastor Appling indicated that they were told by the Mayor and some others that the City gets no money to help the homeless. After doing some research, he indicated that the information was false and he was unsure whether this had been the intent. Pastor Appling stated that the City does get money and that either those representing the homeless, or the federal government, or both were being lied to or somebody did not understand. He noted that Mr. Harmon has a medical condition and cannot find help. Pastor Appling stated that they had other people in their church with obvious medical disabilities and they had been turned down for Social Security. He advised that they are discovering that the system as a whole is broken. Pastor Appling stated that everyone should come together and say that the homeless are real people, such as the children or grandchildren of members, who did not have the privileges that many people had experienced while growing up or in life. He indicated that people would continue to put blind eyes on and keep walking around this issue if they do not look at the homeless as real people.

Mr. Appling noted that the library was on Council's agenda. He indicated that the City would try to sell it to make money for the City and questioned where the money would go. Mr. Appling stated that in his research he found a Martin Luther King institution that had a proposal for a resource center. He indicated that the community needs more resources. Pastor Appling questioned what better person the library could be given to, if they had a proposal. He stated that his group could use those resources as well, noting that they were feeding people and going to places every single day. Pastor Appling provided information regarding the Community Voice Coalition Identity ***(Exhibit #2)***, which he stated would give a comprehensive look at what they had been doing for the last seven (7) months. He advised that they were not playing politics or asking members to somehow come up with money and give it to them. Pastor Appling noted that none of those on staff with the church get paid to help the homeless, stating that he has a wife and a two-year-old daughter. He indicated that he does not get paid and his wife would probably desert him if she was not a good woman. Pastor Appling stated that his wife had asked if she had to be homeless to get some food. He reiterated that they need help since there are not enough resources for people who are dedicating their time and energy. Pastor Appling informed members that he is a very talented person who had done mission work overseas. He stated that he can sing and preach and could be getting paid to go places but was choosing to do this because it is his heart's desire to do so, and this is how their organization operates. Pastor Appling advised that if they had half the resources that some of the other organizations have, they would get 10 times as much done. He indicated that they were already proving this because they have nothing and are getting a lot done with nothing. Pastor Appling asked members to consider the need to team together.

The invocation was given by Chaplain Wallace Dixon, followed by the Pledge of Allegiance led by Boy Scout Troop #154.

AGENDA ADDITIONS/DELETIONS

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

Mr. Anderson requested that item #5B - Disposal of Excess Property - 45 South State Street - Former Dover Public Library, be removed from the Consent Agenda.

Mr. Neil moved for approval of the Consent Agenda, as amended. The motion was seconded by Mr. Hare and carried by a unanimous roll call vote.

ADOPTION OF MINUTES - SPECIAL COUNCIL MEETING OF OCTOBER 10, 2016

The Minutes of the Special Council Meeting of October 10, 2016 were unanimously approved by motion of Mr. Neil, seconded by Mr. Hare and bore the written approval of Mayor Christiansen.

ADOPTION OF MINUTES - REGULAR COUNCIL MEETING OF OCTOBER 10, 2016

The Minutes of the Regular Council Meeting of October 10, 2016 were unanimously approved by motion of Mr. Neil, seconded by Mr. Hare and bore the written approval of Mayor Christiansen.

PRESENTATION - MALLARD POND PARK AND TRAIL GRANT (DNREC)

On behalf of the City, Mayor Christiansen; Mrs. Ann Marie Townshend, Director of Planning and Community Development; Mr. Wayne Voshell, Recreation Center Coordinator; and Councilman Sudler accepted a check presented by Mr. Bob Eeman, Delaware Department of Natural Resources and Environmental Control (DNREC), in the amount of $81,350 for two (2) Mallard Pond Park projects. Mr. Eeman explained that the Mallard Pond Park project was approved by the Council on Greenways and Trails and the playground project was approved by the Parks and Recreation Council. He noted that he was privileged to present the check on behalf of Mr. Ray Bivens, Director of the Division of Parks and Recreation; Delaware State Parks; and the Outdoor Recreation Parks and Trails Program. Mr. Eeman congratulated the City of Dover Parks and Recreation Department for keeping the City's parks clean and inviting places for the public to enjoy.

Mrs. Townshend thanked DNREC for their continued support of the park system, noting that the City had received grant funding from DNREC for many years. She also thanked Senator Brian Bushweller and Representative Sean Lynn who provided Community Transportation Funds (CTF) for the trail project. Mrs. Townshend stated that this was an exciting project, noting that the City had started planning for the playground and then, when the pedestrian study for the area around Dover High School and the City's pedestrian plan were done, the multi-use path became an important connection. She stated that the path is important recreationally and also because it will provide access to Dover High School for people from the Mallard Pond neighborhood and other areas that otherwise would not have good pedestrian and bicycle access to the school.

Mr. Eeman indicated that the grant program had been in existence since 1988 and one (1) of the very first projects they did was to help the City purchase Schutte Park, which was called West Dover Park at that time. He noted that DNREC had been involved with the City since the very beginning and it had been a good partnership.

Mr. Sudler, as Chair of the City's Parks, Recreation, and Community Enhancement Committee, expressed thanks for the generous gift, noting that the City looked forward to a continued relationship.

SPECIAL COUNCIL COMMITTEE OF THE WHOLE/SAFETY ADVISORY AND TRANSPORTATION COMMITTEE REPORT - SEPTEMBER 7, 2016

A Special Council Committee of the Whole Meeting was held on September 7, 2016 at 6:00 p.m., with Council President Slavin presiding. Members of Council present were Mr. Anderson (arrived at 6:04 p.m., departed at 7:18 p.m., and returned at 7:21 p.m.), Mr. Neil, Mr. Lewis, Mr. Cole, Mr. Hosfelt, Mr. Hare, and Mr. Hutchison. Mr. Sudler was absent. Mayor Christiansen was also present. Mr. Keller was present. Mr. Shelton was absent.

SAFETY ADVISORY AND TRANSPORTATION COMMITTEE

The Safety Advisory and Transportation Committee met with Councilman Hosfelt presiding.

Public Safety Study - Fire/EMS Operational & Administrative Analysis

Mr. Scott Koenig, City Manager, reminded members that while the FY 16 budget was being developed, Council considered a request from the City Manager's Office to study the umbrella of public safety services, including police, fire, fire support, and Emergency Medical Services (EMS) services. He noted that the EMS component relates to ambulance service in the City of Dover. Mr. Koenig explained that the fire and EMS aspects of the report would be discussed this evening. He stated that the study was requested to provide a perspective based on national benchmarks from subject matter experts with experience working with fire, emergency management, emergency medical, and ambulance services in various parts of the country. Mr. Koenig indicated that this was an effort to review the excellent levels of service that the City of Dover enjoys and look at how business could potentially be done in a different fashion and how services could evolve when moving into the next round of challenges. He noted that, as the City grows, it is facing resource constraints, evolution of the workforce, advances in technology and information technology, which all have a role in decisions regarding providing services to citizens, visitors, and businesses. Mr. Koenig noted that the 110-page report provided by the Center for Public Safety Management (CPSM) was posted to the City's website and distributed to members of Council and the Safety Advisory and Transportation Committee. He stated that the report contained 49 recommendations.

Council President Slavin advised that the study would be discussed as a healthy dialogue between the Fire Department, constituents, and members of the Council

Committee of the Whole. He noted that none of the recommendations had been accepted by Council, he did not expect that they all would be accepted, and he did not believe that any would be accepted without dialogue taking place. Mr. Slavin indicated that there had been open dialogue with Mr. Brian Bashista, President, Dover Fire Department, and Fire Chief Carleton Carey, Jr. on this issue. Mr. Slavin advised that the results of the report would be heard this evening and in October 2016 the Fire Department would be given an opportunity to provide their response and reaction. Mr. Slavin believed that everyone would agree on some of the recommendations and others would be more controversial. He stated that there may be more meetings after the October meeting if more dialogue is needed.

Mr. Thomas Wieczorek, Director, CPSM, congratulated members for looking at operations from a very comprehensive viewpoint, noting that CPSM did a forensic review by going into raw CAD data, looking at all the different components, and using the data to develop recommendations drawn from best practices around the world. He noted that the result was not mandates that carry the weight of law but a series of recommendations developed by CPSM, as representatives of the International City/County Management Association, that can be implemented with policy from Council and advice from the Safety Advisory and Transportation Committee. Mr. Wieczorek stated that some recommendations would be easy to implement, some difficult, and some may be impossible. He expressed appreciation for the opportunity to work with the City over the past 10 months and in the future.

Mr. Wieczorek explained that CPSM was created by the International City/County Management Association approximately 10 years ago during the same time period that the international fire accreditation group was created between the international fire chiefs and international city management. Their charge was to look at research and development, training and education, helping select the chiefs, and operational and performance analytics. Mr. Wieczorek advised that they came into the organization with an audit-like process, beginning a series of steps and looking at different components of the organization in a business-like manner. From that, they were able to draw upon their team with best practices from around the world to create recommendations. Mr. Wieczorek advised that they use an audit-like process in an effort to create a basis of data that can be used to compare agencies in a variety of manners. He explained that, as the Executive Director for the former Commission on Fire Accreditation International, he had previously tried to use National Fire Incident Reporting System data but found a substantial problem with this data, especially in the fire service. Since this data was found to be incorrect and unusable, CPSM had been trying to create a database with clean and accurate data to provide a good basis for making comparisons.

Mr. Wieczorek explained that Mr. Mike Iacona, Senior Manager for Fire and EMS, would be reviewing the report in depth with members as he was the project leader, and Mr. Iacona had been assisted by Mr. Jack Brown and Mr. Peter Finley, CPSM Associates. He indicated that Dr. Dov Chelst, who heads qualitative analysis for CPSM, had also been involved, as well as a team of individuals at the Ph. D. and

master's levels who work strictly on analyzing CAD data. Mr. Wieczorek noted that one of their biggest problems is that it usually takes three (3) to four (4) months to clean the data. He explained that not all data systems record data accurately, so it cannot be extracted accurately, and this is not unique to Dover. Mr. Wieczorek noted that, in one city, it took them almost a year to clean up data so that they could begin the analysis.

Mr. Iacona stated that he was pleased to be part of this process, having had some familiarity with Dover and the Eastern Shore. Mr. Iacona advised that he was familiar with this work, having spent 38 years in the fire service, primarily in Florida. He explained that he had started as a firefighter, rose through the ranks, and assumed the role of Fire Chief in Orange County, Florida, in the Orlando area. Mr. Iacona stated that he became Fire Chief in Flagstaff, Arizona in 2002 and recently retired. He estimated that he had done approximately 70 such studies and enjoyed going to communities to see the dynamics and mechanics of how people provide this very vital service.

Mr. Iacona stated that Dover had an excellent system, and the City should be proud of the services being provided in the community in a very unique way. He noted that volunteer services are some of the most difficult to maintain, and are becoming more so as the dynamics of society change. Mr. Iacona stated that the formula in Dover was working well, and everyone should be proud. He noted that he was very impressed with the level of commitment, the caliber of people, and the intensity of their desire to serve the community.

Mr. Iacona reviewed a presentation entitled, "Operational and Administrative Analysis - Dover Fire Department". Referring to page 7, Findings and Recommendations, Organizational Needs, he explained that CPSM was suggesting phasing in efforts, noting that changes would not happen overnight. Mr. Iacona stated that there would be a building process, and eventually there would be noticeable improvement in the system and goals would be achieved. He noted that some of the biggest expenditures in the Fire Department related to apparatus, and CPSM believed that more organization was needed in terms of an apparatus replacement schedule and a funding mechanism. Mr. Iacona stated that setting a 15-year time frame for apparatus was a good approach, noting that the City's workload may be a little less than typical. He suggested anticipating the replacement of apparatus according to this time frame and committing dollars to the purchasing process.

Mr. Iacona stated that CPSM believed that the relocation and consolidation of the dispatching service to Kent County should be considered, noting that Kent County offers this service, had indicated that they would do it at no charge, and were currently involved in the dispatching of Dover EMS activities and other volunteer entities in the area. He stated that the way dispatchers are used in Dover is commendable, noting the difficulties that volunteer entities have in terms of the support needed to keep an organization going, including maintaining equipment,

checking if it is viable or needs repairs, etc. Mr. Iacona indicated that it is hard for people with other lives and careers to be involved in the maintenance support function, noting that dispatchers were doing this in Dover, which was very viable and should be continued. However, he stated that there were difficulties in accomplishing inspections, pre-planning, and performing preventative tasks, and CPSM thought this would be more useful for the dispatchers. Mr. Iacona recommended that dispatchers be reclassified as fire technicians that would go out into the community, identify risks, and provide feedback to emergency responders through training avenues. He stated that the suggestion was to restructure the process and use that personnel effort in other ways; however, he noted that one (1) of the ways that the City was doing this was very viable and suggested that it be continued.

Referring to page 8, Findings and Recommendations, Deployment, Mr. Iacona suggested limiting the number of apparatuses that respond as first line apparatus, given the nature of the community and the workload that was evaluated. He explained that this would be beneficial in two (2) ways: 1) there would be rolling stock that could be depended on and could be deployed in a regimented fashion, and 2) it would limit the amount of equipment that would have to be replaced throughout the life cycle. Mr. Iacona stated that the City could muster a sizeable workforce that would handle the majority of incidents with primary response apparatuses of three (3) engines, one (1) ladder, one (1) heavy rescue, and two (2) command units and the additional utility or reserve apparatus that is there.

Mr. Iacona stated that standardizing response protocols was recommended and noted that vehicle accidents involving first responders are the second cause of death in the fire service nationally. He suggested minimizing the frequency of running with lights and sirens as a safety factor, since it is hard to judge the public's response to these situations. Mr. Iacona indicated that the Emergency Services Manager should have oversight of the ambulance service, greater standards and performance measures should be built into the ambulance contract, and ambulance units should be staffed with a minimum of two (2) Emergency Medical Technicians (EMTs). He explained that the current requirement was for one (1) EMT and one (1) individual who is a driver with basic first aid. Mr. Iacona stated that CPSM believed that every ambulance attendant should have EMT as a basic level of training.

In reference to page 9, Findings and Recommendations, Training, Mr. Iacona believed that command and supervisory training should be criteria for the ascension of fire officers and chief officers into leadership ranks. He indicated that it was also recommended that there be a progression from firefighter to officer, mid-level officer, and chief officer since a lot of experience is gained in these roles.

In regard to training for volunteers, Mr. Iacona noted that when volunteers go into someone's home wearing a Dover Fire Department uniform, there is a normal affiliation with the City, and ultimately there may be a legal implication for the work that is done as it reflects on the City. He stated that there should be very specific training that deals with workplace behavior and supervisory responsibilities.

Mr. Iacona noted that in some cases volunteer supervisors are supervising City employees and there are labor implications in that relationship, so the study recommended training and clear understanding as to the rules with regard to workplace behavior.

Referring to page 10, Mr. Iacona stated that sprinklers should be required in all new residential construction, explaining that fire sprinklers are almost 99% effective in putting out fires or limiting their spread but are ineffective when someone turns them off or interrupts their capacity to work effectively. He indicated that this is difficult to get through the building community; however, it has a dramatic impact and is effective in protecting the community.

Mr. Anderson asked Mr. Iacona to explain his EMS recommendation, why the City was paying a premium to have EMS, and how this could be changed. Responding, Mr. Iacona stated that it was very natural for EMS to be a component of fire service. He advised that many communities separate fire services and EMS; however, he felt they should be joined because the frequency of fires in a community is much less than medical emergencies. Mr. Iacona indicated that accidental and non-accidental injuries are usually 90% of the workload, so the linkage of fire services and EMS is natural. He felt that having a secondary ambulance provider made a lot of sense, explaining that this is what is usually phrased a two-tiered system, where fire services become the first responder and EMS then comes to stabilize and transport. Mr. Iacona advised that there was limited application for joint activities in the City's system and this occurs mostly when there is a hazardous situation, such as a vehicle accident with fuel present or patient extrication. He noted that typically if 911 is called for a medical emergency, only the EMS component responds. Mr. Iacona stated that communities were seeing the need for EMS much more frequently than fires or the impacts of mass destruction, so there was a natural evolution toward melding the systems. He indicated that one (1) of the study's recommendations was to bring the ambulance service under the umbrella of the Fire Department and operate from fire stations, or to have closer alignment, because EMS was being requested from the citizens much more often than fire calls.

Mr. Anderson asked Mr. Iacona for the pros and cons of issuing a Request for Proposals (RFP) for EMS. In response, Mr. Iacona explained that public safety services evolve over time, and the standards placed on the current provider were very limited in terms of the level of training, standards of response, and various criteria that could be built into the ambulance contract. He felt that there was a natural meld between the fire service and EMS where fire, being a part of the EMS process, had involvement in oversight, monitoring of standards, and delivery of patient care. Mr. Iacona explained that the melding of the two (2) services is the direction that most communities are going to and this was believed to be appropriate in the Dover community.

Responding to Mr. Anderson regarding the benefit of doing a national RFP, Mr. Iacona stated that this would open the market and allow for competition. He

noted that he was involved in an RFP process for ambulance services in Key West, Florida, where an entity was charging a $700,000 subsidy to the city to provide EMS with very little regulation and very few performance measures. Mr. Iacona advised that, through the competitive bid process, the current holder of the license reduced their price from $700,000 to approximately $400,000, and they also received a series of proposals. He noted that two (2) entities offered to do it for no subsidy, and the award was given to a zero (0) subsidy entity, a European company that wanted to get a foothold in the U.S.

In response to Mr. Anderson regarding the meaning of a 90% fractile requirement, Mr. Iacona stated that if there was an eight-minute response time requirement, a fractile requirement of 90% would indicate that 90 out of 100 calls should be responded to in under eight (8) minutes, and the response time for the remaining 10 calls could be over eight (8) minutes.

Responding to Mr. Hosfelt regarding whether the City was meeting that percentage, Mr. Iacona stated that the City's current contract had no response time criteria.

Mr. Hosfelt, referring to the Operational and Administrative Analysis, Dover Fire Department, Dover, Del., Final Report - March 2016, page 47, Table 5-10: 2015 Mutual Aid EMS Units Dispatched into Dover, noted that the number of times that Prime Care units were unavailable and mutual aid EMS units were required to respond in Dover was exceedingly high. He pointed out that CPSM reported that Prime Care was unavailable for 21.2% of the incidents in a 10-month period and asked if this statement was based on CPSM's experience or if there was a benchmark the City was compared to. Responding, Mr. Iacona stated that this was anecdotal. He advised that most ambulance contracts have provisions whereby if a certain performance standard is not met, a fine is levied against the charges paid to that service. Mr. Iacona explained that this provides an offset, which keeps the system honest. He stated that CPSM felt the numbers were exceedingly high and should be addressed.

Mr. Hosfelt asked if CPSM had numbers in mind for the number of Basic Life Support (BLS) units the City should have on standby or ready to go on a daily basis in the future. In response, Mr. Iacona stated that a better way to approach this would be a performance measure indicating that a level of performance will be achieved 90% of the time. He advised that this would be simple quantification in terms of distance and time. Mr. Iacona stated that typically one could average about 30 miles per hour, or two (2) minutes per mile, and by looking at the service distribution and building out that distance on the basis of this formula, a maximum could be determined. He noted that typically they were in the eight (8) to 10 minute fractile and were responding to incidents in eight (8) to 10 minutes 90% of the time. Mr. Iacona informed members that fire service is the first responder in most systems and will respond in a much shorter time frame, because the criteria for EMS is to get the first responder on the scene in four (4) to six (6) minutes. The higher level of EMS care, or paramedic care, is in the eight (8) to 10-minute time frame, so there is

usually a tiered approach. Mr. Iacona stated that most systems are structured so that first responders, who can perform basic CPR and first aid, arrive in four (4) to six (6) minutes, and a higher level of care arrives in eight (8) to 10 minutes. Mr. Iacona suggested, if an RFP is developed, that benchmarks be built into the timeline for a fractile delivery, such as 80% or 90% in eight (8) or 10 minutes.

Mr. Hutchison asked Mr. Iacona to expand on training and staff for the Fire Department. In response, Mr. Iacona stated that initial training efforts were very comprehensive and effective; however, improvements could be achieved in the area beyond initial training. He noted that the fire service is typically a very long-tenured operation, and individuals may stay involved for 20 years. Mr. Iacona stated that this is often not the case in volunteer organizations; however, there is still an evolution, and a one- or two-year firefighter is not expected to have the competencies that would be seen in a more seasoned individual with eight (8) to 10 years of experience. He indicated that initial training is robust, intensive, and monitored; however, improvements could be made in ongoing training at the mid-management, leadership, and supervisory levels, including refreshers. Mr. Iacona noted that there was a provision for a "lifetime membership" in the organization with less training requirements; however, he felt that realistically training should never be less. He believed that as individuals become more seasoned in their profession, their need for a refresher grows, because systems and the delivery of service change, and a level of readiness must be maintained. Being up to date with the tactical approaches to fire, EMS, hazmat scenarios, and the various things that are encountered requires ongoing training. Mr. Iacona stated that CPSM saw a need for ongoing training, performance assessments, and monitoring of those efforts to improve this system.

Mr. Hutchison asked if more fire departments were going toward national accreditation. Responding, Mr. Iacona stated that accreditation is not easy to achieve and is very labor intensive. He advised that the accreditation process helps an organization fine tune and hone its skills. Mr. Iacona stated that accreditation forces an organization to look at its systems, monitor them for ongoing improvements, and establish goals; however, it does not guarantee increased proficiency and is not the solution to all of the problems.

Mr. Hutchison asked if there was a difference between a volunteer fire department versus a paid fire department as far as accreditation. In response, Mr. Iacona felt it would be more difficult for a volunteer organization to achieve accreditation because the mechanics are labor intensive. He noted that a series of iterations is involved that is sometimes questionable in terms of whether they change service delivery. Mr. Iacona was not sure that the time and effort necessary to go through this process was what Dover needed at this point in time, and he believed this had been included in the recommendations as a long-term effort.

Mr. Neil asked if CPSM had looked at the impact of the special relationship between the City's Fire Department and neighboring fire departments within Kent County. He noted that these organizations work together on major events that can attract as

many as 90,000 people, such as NASCAR races and the Firefly Music Festival, and this would also occur in the event of a disaster. Responding, Mr. Iacona stated that CPSM was very impressed with the level of coordination that existed, and that was one of the reasons that they made the recommendations with regard to the Kent County 911 system. He indicated that this orchestrated the collective effort of neighbor helping neighbor, because the majority of the neighboring agencies that Dover coordinates with are under the umbrella of Kent County 911. Mr. Iacona felt that Dover was very fortunate to have a working relationship between these entities. He stated that the key was to foster that relationship so that the organizations could work seamlessly hand-in-hand, so that the boundaries between the entities in the 911 system would be imperceptible. Mr. Iacona estimated that there were eight (8) different entities in surrounding communities, and they found out about the different ambulance providers because in many instances they were covering for PrimeCare when PrimeCare was unavailable. He reiterated that PrimeCare was unavailable more often than CPSM thought was appropriate.

Mayor Christiansen questioned to what extent CPSM dealt with the Delaware State Fire School and the training that they offered to the Dover Fire Department and the other fire departments throughout the State of Delaware. He noted that this organization is prominent nationally. In response, Mr. Iacona stated that the Delaware Fire School and its working relationship with the community was a tremendous resource. He indicated that Dover was fortunate to have that facility and those personnel readily available, and CPSM's recommendations with regard to training were very in-depth and specific due to the availability of this resource in the community. Because there was day-to-day interaction with the Fire School, Mr. Iacona believed it would be a shame not to take advantage of it and build that training capacity into Dover's system.

In response to Mayor Christiansen, Mr. Iacona advised that he was aware that the Fire Department encourages its members to go to the Delaware State Fire School, and that some of the members of the department are instructors there. He indicated that he had reviewed the reference to the Robbins Hose Company in the City's Charter, as well as an additional agreement that facilitated this relationship. Mr. Iacona indicated that CPSM's impression was that adherence to the agreement or utilizing the Fire School for day-to-day working relationships was not being effectuated as well as it could have been.

Mayor Christiansen questioned if CPSM had researched the law that states that the fire chief is the supreme authority of the fire department in the State of Delaware. He believed that if there is intercession with a fire or emergency services administrator, the authority of the fire chief would not be undermined, he would just become another high-paid official within the City government.

In regard to the proposal to make the fire dispatchers fire technicians, Mayor Christiansen stated that the City's Inspections Department and Fire Marshal's Office do the inspections and identify hazards within the City, and he believed that

taking this action would be redundant. Mayor Christiansen explained that he had some experience with this matter, and he was appreciative that emergencies on the fire scene in the City were handled by personnel who knew Dover's situation, stating that he was referring to the dispatchers. He explained that the people working at the fire station are those who can anticipate and work through the worst of disasters, even the young, inexperienced officers. Mayor Christiansen advised that one of the reason that the Kent Center was established was because Dover had answered most of the fire calls for Kent County, and it was felt that the workload needed to go elsewhere so that Dover could emphasize their efforts on Dover fire calls. He believed that Dover emergencies are first priority in Dover and are not coming through other companies that may be dealing with situations.

Mr. Slavin stated that members had heard about what was included in the report; however, he noted that what was not included were comments about negativism, deficiencies over coverage areas, or risks to citizens because of the City's operations. Instead, he had heard the opposite, that the City had great operations, and he assumed that the silence regarding problems reflected a good standard of practice and coverage. Mr. Slavin questioned if there were risks to the men and women of the Fire Department and the citizens. Responding, Mr. Iacona indicated that two (2) things stood out in his perspective of the community and his limited understanding of the interaction and operations of the Fire Department. The first was the vulnerability of Dover as a likely target for terrorist activity because it is a state capital and a bastion of government. Mr. Iacona noted that if he were in this community, he would want to ensure that there are pre-planning, contingency efforts, and understanding of process. The second consideration was the limited interaction that exists with Dover Air Force Base, which is also a significant, notable target. Mr. Iacona believed that greater collaboration and contingency planning was needed in the event that something occurs in those environments. He stated that these were the only two (2) things that he would elevate, and he recommended that those issues be fleshed out.

Mr. Hare stated that the dispatchers do more than waiting for the phone to ring and dispatch, and they have other duties, such as keeping equipment ready. He noted that, during his time in the City, he had a house that almost burned down and the Fire Department was very quick to respond. Mr. Hare noted that he had never had anyone come to him expressing negative comments about the Fire Department's performance. He acknowledged that they may have some internal things they need to correct; however, he felt that the Fire Department was doing what needs to be done. Mr. Hare stated his understanding that insurance companies rate fire departments on a scale of one (1) to four (4), with one (1) being the best. He believed that the insurance company had indicated that the Dover Fire Department had a response time faster than Wilmington's paid fire department, and would have rated Dover at the top level; however, rated the Department at a level two (2) because volunteer fire departments cannot be rated at a one (1). Mr. Hare acknowledged that there were things that could be tweaked; however, he stated that when there is a fire, they are there, and he had heard many people say this. Mr. Hare informed members

that a house caught fire on Riverside Drive in July, and the gentleman whose house it was had nothing but praise for the Fire Department. Although there may be some administrative things that are not being done as they should, including recordkeeping, he felt that they should be given a lot of credit for being there when there is a fire or a need.

In response to Mr. Hare, Mr. Iacona assured members that CPSM recognized this level of care, noting that he prefaced remarks by indicating the commendability of the system that the City has. He felt that this could now be embellished, revisited, and some options could be considered. Mr. Iacona stated that this would ultimately be the City's decision, stating that CPSM had provided a series of perspectives, and he would be departing from the City and leaving members with the report. CPSM would also provide access after the report for follow-up or questions. Mr. Iacona stated that they were present to support the report, but reiterated that it would ultimately be Council's decision regarding how they choose to protect their community. He reiterated that there were no State or federal mandates, and that CPSM had been asked to look at this from a different perspective and provide some alternatives to consider.

In regard to the service contract and performance standards, Mr. Hare felt that the Fire Department had maintained their training and level of efficiency and did not understand why they would have to sign a contract telling them that they had to be better than they are. He felt that they were meeting standards and was unsure if a contract was needed.

Mr. Keller commented that, when reviewing this incredible report, he noticed a score of 68.7 out of a possible 70 and asked for an explanation. Responding, Mr. Iacona informed members that this was the Insurance Service Office (ISO) rating, which ranks community fire protection on a one (1) to 10 scale, with one (1) being the highest level of performance, achievement, or coverage, and 10 being a service that is virtually nonexistent. He indicated that a number of insurance agencies structure their premiums on the basis of what this scoring is, the logic being that the premium related to fire protection would be lowest for a Class 1 department. Mr. Iacona explained that a Class 10 rating would indicate that there is virtually no fire department, so the insurance premiums impacted by fire departments would be higher. He noted that the portion of homeowners' insurance attributable to fire protection is approximately 20% to 25% of the premium. Mr. Iacona stated that the lower the scoring, the lower the associated premium. At a 68, the Dover Fire Department was a little more than two (2) points from a Class 3 rating. Mr. Iacona noted that there were a number of areas in which the Dover Fire Department was very close to a higher rating, and CPSM made some recommendations that they believed may raise the rating to a Class 3 if revisited by ISO.

Mr. Hutchison asked if any of the other fire departments that Mr. Iacona personally evaluated were volunteer fire services. Responding, Mr. Iacona stated that he had evaluated a number of volunteer entities and combination departments and, as Chief

of Operations in Florida, he supported three (3) volunteer entities in the county in training, mutual aid, equipment refurbishment, and things of that nature. Two (2) of the other CPSM team members had careers with volunteer and combination organizations, and their team was structured to reflect the nature of the community.

Referring to page 10 of the report, Mr. Hosfelt requested clarification regarding the comment that, "Our analysis did not reveal any illegal or unethical practices; however, there is concern that improved oversight is warranted." In response, Mr. Iacona advised that the difficulty they saw was that dispatchers, who are involved as employees and are part of a collective bargaining agreement, were being supervised by members of the volunteer association, who are non-employees. It was believed that training should be strengthened to enable them to provide that level of supervision.

Referring to page 21, Mr. Hosfelt quoted the recommendation that, "The City of Dover should revisit its current prohibition when allowing employees to respond as volunteer firefighters without docking their pay or requiring utilization of leave time in providing this service." He asked if CPSM had seen this in other cities and how it had worked. Responding, Mr. Iacona stated that there are always individuals who test the systems; however, the systems that they had seen that utilized employees wearing dual hats were effective. He explained that they had seen that a number of people working for the city had difficulty responding because of this prohibition; in fact, at one time the fire chief was a dispatcher, and this policy did not make sense. Mr. Iacona acknowledged that issues could arise and someone could get hurt during this activity; however, they felt these issues were manageable. He noted that it is difficult to recruit and retain qualified volunteers in this day and age, and it was felt that the City was hindering the effort since this restriction was being placed on employees who were wearing two (2) hats in responding while in a paid status. Mr. Iacona thought that this could be massaged a little bit to work better in the system.

Mr. Anderson referred to the recommendation to restructure the equipment response. He noted that the Dover Fire Department has responsibility for not only the City of Dover but also the surrounding areas, and backs up other jurisdictions and fire districts. Mr. Anderson asked how adopting this recommendation would affect the ability to provide back-up and maintain a sufficient response time in the City. Responding, Mr. Iacona stated that the issue they were attempting to address was to implement more standardization for the types and numbers of equipment that respond to the various types of incidents. For example, a structure fire in a single-family residence would get a specific response, and a call identifying something less significant, such as a smell of smoke or wires arcing, would have a scaled-down response. Mr. Iacona explained that, in this way, a whole service contingent would not be sent to something that is likely to be a non-emergency situation and the response would be gauged on the basis of inquiry that is done at the dispatch center. He advised that dispatch centers that are professionally operated have a series of questions with a specific format to eventually deduce whether there is a likelihood

for a true emergency or not. However, Mr. Iacona advised that, in looking at the numbers of people that were assembled for incidents, there was not a frequency for being able to staff more than a certain number of apparatuses. He noted that if 17 or 20 people respond or come in, this limits what can actually be dispatched. In looking at the numbers and what it typically takes to manage these incidents, CPSM felt that standards should be set up.

Referring to the recommendation on page 8 regarding Continuity of Operations Plans (COOP) and a Continuity of Government (COG) Plan, Mr. Anderson asked for an explanation of the difference between these plans. Responding, Mr. Iacona indicated that a COOP is contingency planning for facility operations and involves planning for situations such as a building becoming unavailable due to flooding from a broken pipe, or if the server for the payroll system goes down. He cited another example of planning for a diminished workforce, noting that this was considered when the Asian flu was an issue. In this case, questions had to be answered such as, if half the workforce was no longer available, what services would be curtailed; what employees would take with them if they had to leave the building; and where employees would go. Mr. Iacona explained that COG is related to ascendancy of authority and deals more with people than operations, such as who would take the role of city manager or council president if they are gone.

Mr. Hosfelt asked what CPSM was looking for from the City following the City's review of the study. In response, Mr. Iacona explained that their studies begin with a conference call. Their point of contact is asked to invite those individuals that they want to be part of this call to attend, and there is a discussion about what the deliverables and expectations are, and whether certain elements are wanted. Mr. Iacona noted that CPSM explains what they plan to do and determines if this is the product that is expected. He stated that CPSM then does a data analysis and provides the document back to the other party in draft format to determine if there are errors and omissions. Mr. Iacona advised that once the data report is approved, he and his team do the field analysis, using the data to justify or evaluate the situation. They then take the data, write up their findings, and give the report to the point of contact and ask them to make sure that it is accurate and has no incorrect elements. Mr. Iacona stated that they also talk about the mechanics of how things will be presented and determine the right forum for conveying the thought process. He explained that they discuss the best way to convey the information diplomatically, and this is looked at from the perspective of the substance and accuracy of the information. Mr. Iacona advised that after CPSM provides the draft report, there is a conference call to go over all of the points raised by the client. Adjustments are made and a final report is sent, which is close to the final product, although it is still subject to change.

Responding to Mr. Hosfelt, Mr. Iacona confirmed that the process would be the same, whether the study is of the Police Department, Fire Department, or the ambulance service.

Mr. Hosfelt stated his understanding that when the study of the Police Department came back from CPSM it was given to the Police Chief for his review, and asked if the same opportunity was afforded to the Fire Department when this initiative came back. In response, Mr. Scott Koenig, City Manager, explained that all of the raw data, including tables, etc., was sent to the Fire Department for review electronically and no comments were received back by the City Manager's Office. Mr. Koenig advised that he had reviewed the data and the data tables seemed to add up. He noted that questions were sent back and forth. Mr. Koenig indicated that when the stage of a final report was reached, a meeting was held in the City Manager's Conference Room, where it was intended to give the Fire Department the information and let them read it and respond before putting anything out publicly. Mr. Koenig indicated that the Fire Department declined to make comments, and at that point staff decided to release the document. In his opinion, the opportunity for response was at the meeting where the members who were there declined the opportunity to edit and make comments before it was sent out. Mr. Koenig noted that he did not take any of the comments or recommendations from the consultant out of the report, and the comments and questions that he sent back were more context, formatting, and spelling issues. Mr. Koenig reminded members that, in regard to the Fire Department, the City is dealing with a third-party entity that does not have any reporting requirement to the City. If the Fire Department takes the report and distributes it, at that point it is out, and this can occur before members of Council see it. He advised that if it was left on a desk by accident, it would be out, so the context of how to get the information to people would become somewhat distorted. Mr. Koenig stated that no information was transferred back and forth to the ambulance provider. Staff got the raw data that was assembled, and had no conversations with the ambulance service. Mr. Koenig indicated that the recommendations were the recommendations, and they would be acted upon.

With respect to the Police Department, Mr. Koenig explained that the Department was provided the data collection summaries and analysis. Data collection with the Police Department was much more difficult. He noted that the Police Department is completely within the realm of the City. Mr. Koenig stated that the raw draft report was distributed electronically to the Police Chief and the Mayor, and they were asked for comments. He stated that this report had not yet been finalized but would be finalized shortly. Mr. Koenig reiterated that with the Fire Department the City was dealing with a third-party, private company that basically provides service to the City, so there were some confidentiality issues. He noted that there would have been problems if the Fire Department had disclosed the report, even by accident, before there was an opportunity to meet with affected employees. Mr. Koenig informed members that when the Fire Department declined to provide comments, staff essentially had to meet with the employees prior to distribution, so that it was not a surprise to those employees when the information came out.

Council President Slavin advised that the meeting that Mr. Koenig referenced included himself, Mr. Hosfelt, Mr. Bashista, and Mr. Carey. He explained Mr. Carey and Mr. Bashista were offered a copy of the report, but they were very sensitive to

the fact that they did not want to be the two (2) members of the fire company that had access to the report, believing that all members deserved the benefit of that access. Mr. Slavin advised that they all made the decision at that point that it would be in the best interest of everyone to simply release the report all at once. He noted that all members of Council saw it on the same day and at the same time that all members of the fire company did, to avoid discussion of who had it when.

Mr. Koenig agreed that this type of setup created a difficult situation for all sides, because the City has an obligation, as the employer, to employees that may be affected by the report, and the fire company had an obligation to share the information as soon as they got it. This became a timing issue; therefore, it was agreed at the meeting to distribute the report as written.

In response to Mr. Hutchison, Mr. Koenig stated that, to his knowledge, there had been no assessment or evaluation of the Fire Department in the past. He indicated that the only similar analysis was the accreditation process at the Police Department, which involves looking at operational procedures and recordkeeping. He noted that a study relating to the Fire Department was conducted by Haggerty and Haggerty, Certified Public Accounts and Management Consultants, and it related to accounting and reporting structures regarding audit and finance, rather than service-level delivery or improvement of service delivery over time. Mr. Koenig did not believe that the Haggerty and Haggerty study got to the depth of information that this study had provided across the board. He stated that any previous discussion of the Fire Department did not include ambulance service and the level of ambulance service activity, and the City had never conducted that type of study.

Mr. Anderson noted that there was a recommendation that one (1) of the benchmarks be the presence of two (2) EMTs and asked if this was something that was not always being done. In response, Mr. Iacona explained that current contract does not require a minimum of two (2) EMTs on ambulances. He advised that in their evaluations of other communities, the norm was for ambulance service to be provided at an even higher level, what is called advanced life support, with paramedics. Mr. Iacona stated that a paramedic can provide a whole host of preventative and invasive type cares; therefore, the level of care being provided should be notched up a bit. He felt it would ultimately behoove the City to look at ambulance service being advanced life support sometime in the future, since this was the national benchmark in most communities.

Responding to Mr. Slavin, Mr. Iacona confirmed that this would be advanced life support provided by the County.

Mr. Paul Eichler, firefighter, Dover Fire Department, advised that he had been a firefighter for over 20 years, currently holds the rank of firefighter, and had held several positions throughout the Department. On behalf of himself and his colleagues present this evening, he thanked the City for the opportunity to review their operations and practices. Mr. Eichler thought it had benefitted them immensely

to be able to tell what they were doing well, where they needed to do a bit more homework, and to identify those issues coming from the conversations and studies that largely had no impact on their operations and further separate them. He thanked Mr. Iacona, who had pointed out several best practices that the Fire Department currently employs in their delivery to the City. Mr. Eichler stated that it meant a lot to the Department as they strive to be a professional organization, regardless of how they are staffed in terms of the volunteer versus career conversation.

Mr. Eichler indicated that the Fire Department had done a lot of due diligence already with regard to the information that was presented. He informed members that, since reviewing the study, a committee from the Department had met several times. He noted that they had put a lot of work into the review and looked forward to the opportunity next month to break it down and provide some of their recommendations and thoughts.

Mr. Eichler encouraged everyone to keep in mind that the delivery of emergency medical services to the citizens of Dover is extremely unique. He believed that anyone would be challenged to find another system in the country that delivers services in the same way. In light of some of the challenges experienced through the years, Mr. Eichler felt comfortable saying that the Dover Fire Department does an excellent job, exceeding the majority of the country in delivery of fire services and support of the emergency medical services that are delivered in the City and throughout the fire district. He stated that they were very proud of the relationships that they had built through the years with their fellow organizations, and thought they had nothing to look forward to but continued wonderful relations, specifically with this body, as well as with all of their fellow service providers. Mr. Eichler appreciated the opportunity to comment, stating that he was very comfortable saying, on behalf of President Bashista, Chief Carey, and their members both present and absent, that they enjoy working with the City and look forward to continuing to do so. Although he believed that there may be more challenges to be addressed in October, he felt this would help them to continue to move forward.

Mr. Hutchison thanked those responsible for the report. He noted that he had the opportunity to see first hand what the Fire Department is capable of doing. Mr. Hutchison indicated that he had seen it operate in all kinds of weather conditions, day and night, and believed that Dover has a first-class volunteer service, which is what the report had said. He informed members that he had an opportunity to review the report with Fire Chief Carey, and Mr. Hutchison had a better insight into some of the things that Chief Carey and the Fire Department were doing and changes they were making. He felt that this was not a negative report but a good report and that only 49 recommendations spoke well of the volunteer fire service. Mr. Hutchison expressed thanks for the report, which he believed provided a tremendous opportunity to look at this matter from a different perspective.

Mr. Hosfelt thanked the gentlemen from CPSM for their presentation and expressed pride in the service provided by the Dover Fire Department. He noted that he had

held discussions with Mr. Bashishta and had agreed that another Special Council Committee of the Whole/Safety Advisory and Transportation Committee meeting would be held on October 19, 2016 at 6:00 p.m. to hear from the Fire Department regarding the presentation. He welcomed those from CPSM to attend.

By consent agenda, Mr. Neil moved for acceptance of the Council Committee of the Whole Report. The motion was seconded by Mr. Hare and carried by a unanimous roll call vote.

HUMAN RELATIONS COMMISSION REPORT - SEPTEMBER 21, 2016

The Dover Human Relations Commission (DHRC) meeting was held on September 21, 2016 at 6:00 p.m. with Chairman Henderson presiding. Members present were Ms. Bogle, Mr. McGiffin, Ms. Mullen, and Mrs. Sadusky.

DHRC Committee Updates

Government Policy, Programs, and Practices Committee (McGiffin)

DHRC Diversity Research Project

Referring to the Dover Human Relations Commission Diversity Research Project Report, Mr. McGiffin reminded members that former Commissioner Gene Ruane had suggested that determining the City of Dover's diversity and cultural competency as an organization would be a fundamental step in establishing what the DHRC should do as a human relations commission. Mr. Ruane had discovered *Reinventing Diversity*, by Howard Ross, which he thought would be an excellent guide. Mr. McGiffin explained that he and Mr. Ruane had formed the DHRC's Government Policy, Programs, and Practices (GPPP) Committee, whose first task was to consolidate the recommendations in the book into a digestible form. Mr. Ruane then resigned from the DHRC due to relocating. Mr. McGiffin advised members that he and Chairman Henderson developed a series of questions from the book and addressed them to a number of the members of the City's leadership team during interviews. They then asked a subset of the questions to all City employees through an online survey. Mr. McGiffin noted that the survey was also made available by hard copy to employees, although no one had claimed a hard copy.

Mr. McGiffin estimated that there were 25 or 26 survey respondents and 35 sources of data between interviewees and survey respondents. He explained that his report included a history of the project, followed by the questions that were asked and the responses to each of the questions. Mr. McGiffin advised that the responses offered in the report sometimes included both survey responses and responses of interviewees, as well as his summaries of interview responses in some cases. He noted that there were some questions that were answered only by the Human Resources Director because they were specific to human resources.

Mr. McGiffin indicated that the next step would be to complete the report by deciding the meaning of the responses in a section called "Observations and

Conclusions." If desired, the DHRC could then make recommendations based on the survey responses. Mr. McGiffin recommended that this be done by the DHRC as a whole, rather than by just himself and Mr. Henderson. He suggested that members review the questions and responses and discuss, as a group, what they mean, for example, the responses that would have been expected versus those received. Mr. McGiffin noted that one of the questions asked was, "Is there an historical event, person, something significant that happened, or somebody significant who was around, that brings to mind the questions of diversity and cultural competency?" He noted that the most common response referenced the Webster case, which involved a City police officer, an injured man who was arrested, and his subsequent criminal trial and settlement with the City. Mr. McGiffin advised that this matter was topical when the interviews were done in December 2015 and January 2016, and was still in the news when the survey went out over the summer. He indicated that he had fully expected someone to mention the NAACP lawsuit that had resulted in the City's current method of electing Council members. Mr. McGiffin explained that the City's district divisions and election of an at-large Council member were the result of a lawsuit that he estimated had happened more than 30 years ago, and although he thought someone would mention this, he found it interesting that no one did. In addition, Mr. McGiffin noted that no one had mentioned school desegregation, which he felt may seem ancient history to some; however, this had been a big topic in Dover. He noted that he knows many people who went to the black high school and others to the white high school, and these are people that are still in commerce today. Mr. McGiffin thought that someone from the City might have thought that significant. He stated that his comments were not criticism but an example of the kinds of observations that might be useful.

Mr. McGiffin advised members that Mayor Christiansen at one time had urged DHRC members not to forget about the City's history. In thinking about the rather limited response to the question about a particular person or event that brought to mind questions of diversity and cultural competency, Mr. McGiffin believed that the Mayor's comment had been wise. He felt that the Mayor's point was that the DHRC should proceed using a lens that would allow members to see not only where they want to go, but where the City had been, because that would help them to get where they want to go,

Mr. McGiffin explained that one of the DHRC's observations may be that people do not think about the history, and a conclusion might be that people need to be reminded of this. He suggested that members might then recommend that the DHRC Education Committee develop opportunities to present historical perspectives on diversity and cultural competency issues. For example, during African-American History Month, the DHRC could encourage or even help sponsor a program specific to Dover about significant things that happened in Dover that redound today, but that people are not conscious of.

Mr. McGiffin stated that this was just an example of the observations, conclusions, and recommendations that might result from the study. He noted that there were 20

questions, and each would give an opportunity to make some kind of observation. Mr. McGiffin advised that, generally speaking, respondents thought that the City was aware of diversity issues and tries to address issues with cultural competency. He noted that the survey results showed a broad range of opinion, with some who felt diversity was a distraction from giving jobs to the best person, irrespective of any other consideration, and others who felt the City had not gone nearly far enough in addressing diversity issues.

Mr. McGiffin indicated that the City's leadership was generally positive about what Dover does to respect cultural competency and to try and develop diversity, and that there were a lot of hiring and management practices that are tuned in to that issue. Mr. McGiffin stated that Mr. Scott Koenig, City Manager, received a lot of positive comments, and many people thought the City Manager worked hard make people aware. Some comments from both the survey results and the interviews suggested that City Council could do a much better job of recognizing the importance of diversity and dealing with issues with a greater degree of cultural competency. Mr. McGiffin stated that this was a message that should probably be conveyed in some form.

Mr. McGiffin suggested that members come to the next meeting with their thoughts about observations, conclusions, and recommendations to be compiled during the meeting. He noted that some of the questions have very simple answers. For example, he stated that the first question was, "Are diversity and cultural competency articulated as values in the mission/vision/value statement of the City?" Mr. McGiffin noted that a lot of respondents did not know, although some knew that it was stated specifically in the City's purchasing policy. He stated that one observation might be that more people who work for the City should know what the City says about itself.

The Commission recommended that the members of the Dover Human Relations Commission respond to the question, "What are your observations, conclusions, and recommendations regarding the DHRC Diversity Research Project?" via email to the City Clerk's Office, with their input to be compiled so that members could finish the Dover Human Relations Commission Diversity Research Project Report at their next meeting.

By consent agenda, Mr. Neil moved for approval of the Commission's recommendation. The motion was seconded by Mr. Hare and carried by a unanimous roll call vote.

Education Committee (Bogle)

Ms. Mullen explained that she had attended meetings of the White Oak/Towne Point Civic Association and the Capitol Park Civic Association. She informed members that there were not many people in attendance who were familiar with what the DHRC does, and she educated them and offered the Commission's help if needed. Ms. Mullen felt that raising awareness in the community about the DHRC and what it does should be a priority.

Ms. Bogle stated that she had met with Dr. Dan Shelton, Superintendent of Schools, Capital School District, and with Ms. Tonya Guinn, Supervisor of Student Support Services, to discuss ways that the District could use the DHRC's support. They mentioned many issues involving young people in the school district, such as violence and shootings in the community. Ms. Bogle advised that Dr. Shelton had discussed the possibility of the City heading up a committee that would pool different entities across the community to talk about these issues and make decisions about addressing them. Ms. Bogle noted that, as previously mentioned by Ms. Mullen, people do not recognize what the Commission can do, and she had done her best to explain. She suggested that members discuss the DHRC's particular mission and focus and how they can best support the school district. Ms. Bogle advised members that the school district had named housing developments and other people and entities that could be involved. She indicated that it was a matter of deciding where to start and what to do. Ms. Bogle stated that the DHRC could possibly invite Dr. Shelton and Ms. Guinn to a meeting to obtain more specifics about what they were looking for.

Mr. McGiffin stated that it would be a legitimate and worthwhile endeavor for members to find out exactly what Dr. Shelton had in mind. He felt that if Dr. Shelton was asking the DHRC to convene a group of stakeholders from various interested parties within the community, this would be a good role for the DHRC, and the DHRC could sponsor or even facilitate such a meeting.

Mr. Henderson stated his understanding that the DHRC serves as a conduit and their function is human relations. He noted that members must be careful about how they conduct meetings and communicate with one another, as they were advised by Deputy Solicitor William Pepper several months ago.

Mr. McGiffin stated that the primary function of the Commission is to advise City Council. He noted that convening a meeting involving stakeholders on an issue identified by Dr. Shelton would allow members to gather information. This information could provide a basis to advise Council on what is going on. Mr. McGiffin noted that the DHRC would be providing eyes and ears in places where Council is not going, and he felt this was a very valuable function. He noted that all members have a level of competency that may allow them to see and suggest solutions to problems. In addition, Mr. McGiffin felt that just providing a forum for people who are trying to solve a problem to talk could be a useful function in itself, since this could allow people to develop their own solutions.

Responding to Mr. Henderson, Ms. Bogle stated that she could contact Dr. Shelton or Ms. Guinn to arrange a meeting if desired.

Ms. Bogle felt it would be useful for DHRC members to have a session to develop an "elevator speech" or unified message about the DHRC, and for members to know what each of its committees stands for so that they could speak intelligently about what they do.

Mr. Henderson advised that members had previously discussed having a retreat to get together as a commission, but this had not occurred due to the many changes in the DHRC. He felt that members needed to get together and define themselves. Mr. Henderson noted that he had been serving as Chair for only a few meetings and needed to get his feet firmly on the ground.

Ms. Bogle indicated that members had discussed waiting until there were more members; however, she felt that moving forward would be useful for current members to provide structure when others come in.

Mrs. Sadusky questioned whether members wished to have Dr. Shelton and Ms. Guinn come to speak with the DHRC. Mr. McGiffin stated that he was unsure if it would be beneficial to have them come in while the DHRC was weak in terms of its membership. Ms. Bogle questioned if a logical next step would be to contact the school district, let them know this was being discussed, and advise that the DHRC was hoping to work with them. Ms. Mullen agreed with that approach, stating the desire for those from the school district to know that they had been heard. Mr. McGiffin stated that if members wanted to wait until they are at full strength before inviting them, then Dr. Shelton and Ms. Guinn should be advised that the Commission was going through some turnover and would get back to them soon when it is back up to full membership. Mr. McGiffin noted that the other option would be to invite them to come now.

Mr. Henderson felt that members needed to feel comfortable about what the DHRC's function is so that they could present a unified message, as mentioned by Ms. Bogle. Ms. Bogle concurred, stating that being on the same page was even more important than being at full strength when bringing someone in.

Responding to Mrs. Sadusky, Mr. McGiffin stated that the DHRC has a mission statement and a lot of documentation about what they are and what they do; however, this would not answer the question of how this could be explained in 50 words or less.

Ms. Bogle expressed concern that the group was ever evolving and that people would be pointed elsewhere if there was no set time for them to come to the DHRC.

Mr. Henderson expressed a desire for those who come to feel that they are in an environment where people know what they are doing and what their mission is. He offered to work on developing a statement for the DHRC.

Mr. McGiffin suggested putting discussion of a thumbnail explanation of who the DHRC is and what they do on the next meeting agenda.

Old Business

DHRC Vacancies (First and Fourth District)

Mr. McGiffin advised members that he had been nominated by the Governor to be a family court judge; therefore, his tenure on the DHRC was about to end because members of the Human Relations Commission cannot hold another appointed position. Mr. McGiffin stated that he would be present at the next meeting if it was scheduled before October 25, 2016. He indicated that he represented the Third District on the DHRC and had a replacement in mind for his seat.

Mr. Henderson stated that it was vitally important for the Commission to get its feet on the ground if it was going to make a difference. He indicated that he had contacted the Mayor and Council President Slavin about the need for members. Mr. Henderson felt that the provision that prohibits individuals from other holding other positions should be amended, noting that the best people are those who are involved in other things, and that is why they are asked to serve.

Mr. Henderson expressed his opinion that the Commission was important because of things that are going on now, noting that words such as racism and xenophobia were being tossed around. He stated that every time he hears about another person being killed by a police officer, it tears his heart out. Mr. Henderson felt that the DHRC could be on the tip of being a calming agent, noting that he had gotten involved in the Commission because he wanted to make a difference. He stated that solving problems early on will prevent problems later down the road. Mr. Henderson felt that term the racism was being minimized, but there was nothing minimal about it. He stated that people had died for the right to vote and had been lynched in this country. Mr. Henderson did not believe that hatred and bigotry should be minimized. He felt that the Commission could have a role before things escalate in the community, noting that when people become frustrated they turn to other things. Mr. Henderson encouraged members not to minimize how important they could be in providing advice and serving as a conduit for people who may be hopeless or angered by what is going on, and indicated that he did not want anything to happen in the Dover community. He stated that comments regarding the Webster case had come up over and over again, and this was brought up not by black individuals but by white individuals who wanted justice. They wanted to do what was right and felt that the Webster case was outrageous, and Mr. Henderson found this very encouraging. Mr. Henderson stated that he would not give up on the DHRC but would ask the Mayor and Council to either provide commissioners to work with or dismiss the Commission.

Responding to Mrs. Sadusky, Mrs. Stein stated that there were four (4) current vacancies on the Commission, not including the position that would be vacated by Mr. McGiffin.

In response to Mr. McGiffin, Mrs. Stein stated that the City ordinance stated, in reference to the DHRC, that, "No member of the commission shall hold any elected

or appointed office under the Government of the United States, or the state, county, or city."

Mr. Henderson suggested the possibility of reaching out to former Commissioner Kenneth Roach who had mentioned possibly having someone to replace him.

After further discussion, members agreed to schedule their next meeting for October 18, 2016 at 6:00 p.m., and established October 13, 2016 as an alternate date.

By consent agenda, Mr. Neil moved for acceptance of the Human Relations Commission Report. The motion was seconded by Mr. Hare and carried by a unanimous roll call vote.

COUNCIL COMMITTEE OF THE WHOLE/LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE REPORT - OCTOBER 11, 2016

The Council Committee of the Whole Meeting was held on October 11, 2016 at 6:00 p.m., with Council President Slavin presiding. Members of Council present were Mr. Anderson, Mr. Sudler, Mr. Lewis, Mr. Cole, Mr. Hosfelt (arrived at 6:01 p.m.), Mr. Hare, and Mr. Hutchison. Mr. Neil was absent. Mayor Christiansen was also present (departed at 7:43 p.m.). Civilian members present for their Committee meetings were Mr. Shevock and Dr. Stewart (*Legislative, Finance, and Administration*).

LEGISLATIVE, FINANCE AND ADMINISTRATION COMMITTEE

The Legislative, Finance, and Administration Committee meeting was held with Chairman Hare presiding.

Request of Fordham & Dominion Brewing Company - Amendment to Appendix B - Zoning, Article 3 - District Regulations, Section 22 - Airport Environs Overlay Zone (AEOZ), Subsection 22.4 - Exemptions, Paragraph (c) - Temporary Uses of the Dover Code/Proposed Agreement Approving 80 Event Hours Over 12 Months

During the Council Committee of the Whole/Safety Advisory and Transportation Committee meeting of July 26, 2016, members were provided an Overview of the Airport Environs Overlay Zone Related to Dover Air Force Base and Fordham Brewery.

During the Council Committee of the Whole/Legislative, Finance, and Administration Committee meeting of October 11, 2016, Mrs. Ann Marie Townshend, Director of Planning and Community Development, referred to the letter from Mr. Ryan Telle, Vice President of Marketing, Fordham and Dominion Brewing Company, dated September 14, 2016, requesting an amendment to the Zoning Ordinance; the Zoning Interpretation & Administrative Policy - Temporary Uses Involving Public Assembly within the Airport Environs Overlay Zone (AEOZ) dated June 2, 2016; and her letter to Mr. Dan Louder dated August 1, 2016 documenting the agreement between the City and Fordham and Dominion Brewery Company that

was reached in June 2016. She advised members that Fordham was requesting an amendment to the Zoning Ordinance.

In response to Mr. Sudler's request for the background regarding her position on this matter, Mrs. Townshend explained that the City adopted the Airport Environs Overlay Zone (AEOZ) in 2001 based on the Air Installation Compatible Use Zone (AICUZ) study performed by the Air Force for the Dover Air Force Base (DAFB) space. She stated that this study was based on modeling that the Air Force does to determine a noise contour, which includes areas where noise from air traffic is expected to be higher. Mrs. Townshend informed members that, within these areas, there are certain recommendations for how building construction is dealt with to attenuate the noise, as well as prohibitions on certain uses, such as residential, in the higher noise zones. She indicated that the study also identified the crash zone and two (2) accident potential zones. She stated that a land use compatibility table came from the AICUZ study that included compatible uses within the different noise zones, the clear zone, and the two (2) accident potential zones, and identified uses that were incompatible. Mrs. Townshend advised that, beginning in 2001, the City adopted these provisions into the Zoning Ordinance and they became part of its land use regulations. She explained that the DAFB updated the AICUZ study in 2010 and the information in the land use tables did not change; however, the noise contour shrank. Mrs. Townshend noted that accident potential zones stayed the same, because these areas off the runways had not changed since the initial adoption of the AEOZ zone in 2001.

Mrs. Townshend advised members that when Fordham and Dominion Brewery Company opened in 2003, they opened as a brewery, which is a manufacturing use, subject to the provisions of the AEOZ. She stated that, over time, their use evolved beyond what is permitted in the accident potential zone with the number of events they were having. Mrs. Townshend noted her belief that this was an honest evolution and Fordham was not attempting to avoid compliance with the Code. She informed members that Fordham was obtaining permits for some, but not all, of the events, and staff learned that more and more events were being held in the industrial area through social media. Mrs. Townshend indicated that the Fire Marshal's Office reached out to Fordham to get a better sense of the events they were holding, told them they needed to get permits for these events, and determined that Fordham was operating beyond the scope of the ordinance. She explained that the Zoning Ordinance allows an exemption for temporary uses of no more than five (5) days in the AEOZ, and staff determined that these days did not have to be consecutive. Mrs. Townshend stated that staff sent an email to Council in this regard. Referring to her letter to Fordham and Dominion Brewing Company dated August 1, 2016, she stated that, based on discussions that were held, she had followed up with this letter that indicated that Council would allow Fordham to hold 40 hours of events in the second half of 2016, based on five (5) eight-hour days, and Fordham was not happy with this.

Referring to the letter from Mr. Telle, dated September 14, 2016, Mrs. Townshend explained that this was a request for a Zoning Text Amendment to expand the five (5) days to 80 hours. She stated that this was something that could not be done administratively or by a simple vote because it relates to a provision of the Zoning Ordinance.

Mr. Sudler questioned how long Fordham had conducted events that exceeded the permitted usage for events, to staff's knowledge. Responding, Mrs. Townshend stated that no special event permits were issued before 2012 and estimated that two (2) to three (3) permits were issued per year between 2012 and 2016 for events like Cheesetoberfest. She advised that there were some rather big events held there, noting that the Police and Fire Departments had such an event. Mrs. Townshend stated that these events did not raise any flags until staff started seeing more and more things on social media, such as monthly release parties. In December 2015, Fordham came to the Planning Commission for an expansion of the Brewery. Mrs. Townshend informed members that during the Development Advisory Committee (DAC) meeting in December, events were specifically discussed, and staff was told that Fordham has two (2) to three (3) events per year and did not want or expect that aspect of their business to grow. She indicated that everyone present agreed that if this was the expected use, this was in compliance with the Zoning Ordinance. Mrs. Townshend noted that the DAFB Community Planner is part of the DAC.

Mrs. Townshend advised that approximately a month later, staff started seeing more events on social media, and she believed this was because social media was becoming more used. She was told that there were events all along, but they were not events that the City authorized. Mrs. Townshend stated that the Brewery was in an industrial zone and, more importantly, in the AEOZ accident potential zone, and, based on the AICUZ study, the Zoning Ordinance limits uses that would have people gathering in large populations in this location.

Mr. Anderson stated that normally special events are thought of as larger events, rather than small tastings where 20 or 30 people happen to stop by. He questioned what legally constitutes an event. Responding, Mrs. Townshend indicated, as stated in her letter to Mr. Louder dated August 1, 2016, that the occupant load of the tasting room would be used to determine the threshold at which something is constituted to need a special event permit. The Fire Marshal's Office measured the tasting room and determined the occupant load to be 33, and staff stated at that point that anything with more than 33 people would need a special event permit. Mrs. Townshend advised that a special event permit is needed not only due to the number of people but also when an event involves a use that is not permitted in a zone, or an event is held in a building for which the use has not been approved. She noted that the industrial area was not designed for public assembly. Responding to Mr. Anderson, she indicated that the limit of 33 would apply to the number of people present at any given time when the tasting room is open, rather than 33 people over the course of an event.

Mr. Lewis questioned if the Planning Department saw anything out of the ordinary when the permits were issued. Responding, Mrs. Townshend stated that when Fordham had events there were tents and food trucks, which was what staff would expect for a special event.

Mr. Lewis asked if social media drove the Planning Department to investigate the Brewery. In response, Mrs. Townshend indicated that social media put this matter in front of staff. She explained that events are typically held when staff is not out on the roads and, since this is not a highly traveled area, it is not an area that staff would typically stumble upon. Mrs. Townshend stated that the predominance of social media made staff aware of a Code violation.

Mr. Lewis questioned if it was common for staff from Mrs. Townshend's department to stop by special events to make sure that everything is okay. Responding, Mrs. Townshend stated that staff is typically not assigned to events unless they are very large. She indicated that staff could be assigned to events if there was overtime available, but staff had not been allocated to this. Mr. Jason Osika, Fire Marshal, stated that the first year that the OktDoverfest was held in downtown Dover and Loockerman Street was closed, staff went out prior to the event to look at it. Mrs. Townshend stated that staff goes out and does pre-inspections.

Mr. Lewis expressed confusion, stating his understanding that an event had been going on at Fordham and Dominion for years. He indicated that he had not attended but was aware of it. In response, Mrs. Townshend reiterated that, going back to 2012, staff was receiving permit applications for two (2) or three (3) events per year. She did not know at what point events started happening on a monthly or more than monthly basis. Mrs. Townshend stated that this became more apparent through the use of social media, which was doing its job of letting people know what is happening. She believed that the event aspect of the brewery industry had increased and, as more breweries had come online, breweries had been holding more events. Mrs. Townshend advised that, because staff knew that this was the trend in the industry, when Fordham came in with their application for expansion in December, staff was very clear that the event portion of the business could not grow. She stated that staff was told that it would not grow, and they took Fordham's word for this.

In response to Mr. Hosfelt, Mrs. Townshend confirmed that the five-day limitation was in the original ordinance and still stood.

Responding to Mr. Hosfelt, Mrs. Townshend indicated that Fordham could apply to the Board of Adjustment for a variance if Council did not want to change the ordinance. She explained that the Board of Adjustment meets on the third Wednesday of the month in the morning. Mrs. Townshend believed that Friday, October 14, 2016 was the deadline for the November Board of Adjustment meeting, and the second or third Friday of the month would be the deadline for their December meeting. She confirmed that there was still time for this matter to be placed on the Board of Adjustment agenda for the November meeting. Mrs. Townshend stated that

she was aware that Fordham already had an attorney involved because she had spoken to the attorney, and she thought that Fordham would have an attorney come in for a pre-application meeting and put together an application. She recalled that the Code requires four (4) criteria for a variance, as follows: 1) is the use or activity compatible with the zone in which the property lies; 2) is it compatible with the surrounding uses; 3) would it damage the surrounding uses; and 4) is there an exceptional, practical difficulty that would create a hardship for the property if the City did not grant a variance. Mrs. Townshend advised that she had seen skilled attorneys do a very good job on applications like this.

Mr. Hosfelt noted that the Civil Air Patrol was located in this area. In response, Mrs. Townshend stated that a lot of the properties in this area were owned by Kent County and most of them were not in the Overlay Zone. She explained that the path comes off the end of the runway and a lot of areas that one might think intuitively are in the zone are not. Mrs. Townshend indicated that Janes Road in Dover Brook Gardens is not in the zone. She stated that the Air Mobility Command Museum was outside of the clear zone, and the DAFB spent a lot of money to relocate the Museum's entrance, which previously went through the accident potential zone.

Mr. Hosfelt questioned whether there would be time for an ordinance change before the end of the year if Fordham applied for a variance and was not approved. Responding, Mrs. Townshend stated that if Fordham went to the Board of Adjustment in November, it could come back to the Council Committee of the Whole near the end of November, a first reading could be held in December with Planning Commission consideration in January and a final reading before Council in February. She noted that Fordham would be able to hold five (5) events in the interim.

Mr. Shevock questioned if the Air Force would have to approve any changes. Responding, Mrs. Townshend indicated that the DAFB does not approve what the City adopts. She stated that they provide their model to the City and will not comment publicly on specific situations or make any official comments for the record. Mrs. Townshend indicated that the Air Force's official comment is in providing the AICUZ study. She stated that if the City made this change, the Air Force would not have to approve it but would review it. Mrs. Townshend explained that, based on her interaction with the Air Force on this and other matters in the past, she believed that they would be very neutral as to opposing or supporting it, but would probably point back to the AICUZ study.

Mr. Slavin referred to Mrs. Townshend's comment that one would think intuitively that some of the properties are in the zone but they are not. Responding, Mrs. Townshend stated that there are some areas around the DAFB that, intuitively based on their proximity to the DAFB, one might assume they are in the zone. However, when looking at the flight patterns, the runway, and what has been identified as the accident potential zone, some of the properties that people assume would be more vulnerable are not in the accident potential zones.

Mr. Slavin stated that his conclusion was that it is clear that the zone is not applied evenly or equitably because there are properties that, as Mrs. Townshend had stated, instinctively one would think are in the zone but they are not protected by it. In response, Mrs. Townshend stated that one may think that properties are in the zone because of their proximity to the DAFB. However, the accident potential zones are based off modeling and data that is based on Air Force plane crashes over a number of decades. She explained that modeling and actual crash data are used to develop the accident potential zones. Mrs. Townshend advised that they have a much more scientific method of determining where these zones are than that a property is located near the DAFB, where one would think it would be more vulnerable. Her point was that there are places near the DAFB that are not in the accident potential zone because the modeling does not put them there.

In regard to the AICUZ study, Mr. Slavin stated that he was not comfortable establishing a precedent of the City ceding control over how its land is zoned to a federal study, especially when the agency doing the study would not approve or disapprove of things when asked. He did not believe it was good to establish this precedent when the agency decides to take a silent approach and let the City make up its mind. Mr. Slavin stated that he respected the City's Charter and ordinances; however, he felt that if something is found that is broken, it should be fixed. In regard to economic development, he stated that the subject business was an industry that the City should be inviting and recruiting to build, not turning away or trying to make things more difficult for. For example, Mr. Slavin stated that he attended an event at the Painted Stave in Smyrna on Friday night, which was formerly the old Smyrna Theater. He stated that this building had been a plumbing warehouse for 20 years and was now a public gathering place that holds any number of events during the year. Mr. Slavin advised members that when he asked the town manager of Smyrna how they got a plumbing warehouse to serve this function, she stated that they had made it work. He indicated that he liked the spirit of making it work, noting that there was a willing business, energy, and a desire to make it work rather than hold it up. Mr. Slavin suggested that, rather than holding up what had been said for years, maybe there was a moment to refresh this and take another look. He stated that if the City was going to say that it was business friendly in the community, this is where it would happen, and the City could start to move government aside a bit and let businesses develop and grow. Mr. Slavin indicated that this was discussed the last time that Fordham came before Council. He advised that Fordham's industry is a very fast moving and evolving industry, explaining that when Fordham came in as a bottling factory 10 or 15 years ago, that is what everyone believed it was going to be; however, if they had stayed a bottling factory they would probably not be in business at this time. Mr. Slavin stated that Milton allows and embraces the same activity. He felt the need to widen the lens a little and, rather than getting frustrated with the fact that something was broken or did not fit, he expressed the need to get to the fix and just make this work.

Mrs. Townshend agreed that when the Code is broken it should be fixed; however, she was unsure that all members of Council agreed that the Code was broken in this

regard. She stated that it was absolutely the prerogative of Council to change the Code if they felt that it was broken and needed to be changed, and she offered to do this if instructed to put forth an ordinance that does what was requested. Mrs. Townshend felt the need to let members know that the purpose of what the DAFB had put forward was to protect the public safety around the Base, as well as the longevity and viability of the Base. She stated that she would be remiss if she did not say that members could make this decision and find out in 10 or 20 years that this decision had been made at the expense of the DAFB. Mrs. Townshend stated that she did not want that to happen; however, she explained that the reality was that encroachment is one of the biggest factors that pushes bases out.

Mayor Christiansen asked if the Dover Behavioral Center was in the zone, and Mrs. Townshend responded that it was. She advised that this was discussed with the DAFB when the AICUZ study was done in 2010 when the ordinance was updated, and had also been discussed with them recently. Mrs. Townshend indicated that when the Dover Behavioral Center last expanded approximately five (5) or six (6) years ago, they went to the Board of Adjustment and obtained a variance. She stated her understanding that there was a lot of internal discussion at the DAFB at that time between the Wing Commander, other commanders, engineering which involves community planning, and health personnel, because the DAFB relies on the services of Dover Behavioral Health and it was already located there.

Mayor Christiansen asked if this discussion had been memorialized and could be reviewed by himself and members of Council. Responding, Mrs. Townshend advised that staff had the variance decision; however, she had not been privy to the meetings. She indicated that it was conveyed to her that there had been a lot of internal discussion about it by the DAFB. When staff updated the AEOZ, in discussions with the DAFB, staff asked what would happen if they changed the threshold in the ordinance. Mrs. Townshend explained that the ordinance states that an existing use that predates the ordinance could expand 10% or 20%, and this threshold was changed to 50%. This meant that the hospital that was there could expand 50% without having to go to the Board of Adjustment. Mrs. Townshend informed members that there had previously been attempts to establish a psychiatric hospital in many locations, and it ultimately was established in the 1990s in that location because nobody wanted it in their back yard. She stated that this was before the zone was put in place, and staff was very cautious and worked very closely with the DAFB so that the expansion happened in a way that would not be considered encroachment on the part of the Base. Mrs. Townshend advised that the City would not allow the psychiatric hospital as a new use or do any of the things that the DAFB indicated they would consider encroachment. Mrs. Townshend advised that she and Mr. Scott Koenig, City Manager, had met with engineering staff at the DAFB several times over the last several months and asked how Dover had fared on encroachment when the Air Force had done the Base Closure and Realignment Commission (BRAC) studies. She stated that she and Mr. Koenig were told that the DAFB had always been able to answer that Dover has no encroachment. Mrs. Townshend stated that she specifically asked about the Dover Behavioral Health Center, and DAFB

personnel stated that this was a pre-existing facility and the expansions were in conformance with what the City worked out with the DAFB for the ordinance.

Mayor Christiansen questioned if this understanding had been memorialized in writing, stating that anytime there is information like this he would like to see it in writing. Responding, Mrs. Townshend advised that when staff met with the DAFB in August, staff stated that the City was trying to understand the issue of encroachment and knew that the DAFB would not go on the record. She explained that staff asked how the DAFB had answered the question in the past and how the hospital affected it.

Mr. Hare felt that if the DAFB had stated that there had been no encroachment, they did not consider what Fordham had been doing for the last four (4) years as encroachment. In response, Mrs. Townshend stated that the DAFB relies on local government partners to enforce the ordinance. She stated her belief that at some point it would have been considered encroachment and that the DAFB did not know, any more than the City knew, the degree of the events that were going on at Fordham.

Responding to Mayor Christiansen, Mrs. Townshend advised that the Zoning Ordinance does not state that a day constitutes eight (8) hours. Mayor Christiansen stated that five (5) 24-hour days would equal 120 hours of permissible events. In response, Mrs. Townshend indicated that this was what Fordham's attorney had proposed in June 2016. She advised that she was not personally comfortable making that administrative determination because she felt it was against the intent of the ordinance. Mrs. Townshend recommended that Fordham go to the Board of Adjustment, either for a variance or for an interpretation.

Mayor Christiansen asked if Mrs. Townshend would grant that the ordinance states five (5) days, which constitutes 24 hours. Responding, Mrs. Townshend stated that the ordinance states five (5) days, and the responsibility for interpretation of the Zoning Ordinance is by Code assigned to the City Planner, and a decision of the City Planner can be appealed to the Board of Adjustment. Mrs. Townshend stated that she had indicated that she would not be comfortable supporting that determination and it could go to the Board of Adjustment.

In response to Mayor Christiansen, Mrs. Townshend stated that the occupancy calculation of 33 made by the Fire Marshal was based on the tasting room. She advised that 33 people could be there any day of the week, and outside events would involve special event permits.

Mayor Christiansen asked if Fordham had changed their management and if the previous management was not obtaining the required permits for events. Responding, Mr. Telle advised that the person responsible for obtaining permits for Fordham was no longer with the company and Mr. Telle was now in charge. He advised that Fordham had filed for proper permits for every event they had held since they first received a letter from Mr. Jason Osika, Fire Marshal.

Mr. Hutchison felt that the question before members was not one to which they could automatically respond yes or no. He expressed deep concerns about making any change that could be received as encroachment, citing the length of time that the DAFB had been in Dover and the Comprehensive Plan that was in place. Mr. Hutchison noted the first-class partnership the City had and worked to improve with the DAFB, and the Base's 50-year-old relationship with the City of Dover, Kent County, and the State of Delaware. He stated that the DAFB is the City's second-largest employer and the City had been, and must continue to be, very sensitive to the Base. Mr. Hutchison stated that the Comprehensive Plan was put in place to protect Fordham, the citizens, and the DAFB. He did not believe that merely saying yes or no, without getting the facts from both sides, would be fair to anyone.

Mr. Sudler asked which of the four (4) elements that define the criteria for variance acceptance, including activity, compatibility to surrounding usage, damages, or exceptional practical difficulty/hardship to surrounding areas or the DAFB, was the biggest concern for the DAFB. Responding, Mrs. Townshend advised that Fordham had not applied for a variance, so she was unsure.

Mr. Sudler asked if Mrs Townshend thought this would create a hardship. Responding, Mrs. Townshend stated her belief that Fordham could make the case that not being able to have more events would pose a hardship for them. She explained that they would need to make that case at the Board of Adjustment meeting, and that is what they would hire an attorney for. Mrs. Townshend advised that she could not say that the case is made; however, she believed they could make the case. From the perspective of encroachment, she felt that it would be easier to sell the idea that the City was not encroaching if there was a variance rather than a change to the ordinance.

Mr. Hutchison noted that Article 3, Section 22.4 (c) of the City's Zoning Code addresses temporary uses and asked what this means to staff, as far as authority and flexibility, in addressing these kinds of issues. Responding, Mrs. Townshend stated that the temporary uses allows for five (5) days of temporary use, and explained that staff would view this as flexible, temporary, and no more than five (5) days over the course of the year. She indicated that this could go a little beyond what would normally be allowed as a permitted use in the zone. Mrs. Townshend noted that the DAFB had stated that on the days that there are events, the City could notify them so they could alter their flight paths so as not to interfere with these events. She felt that it would not be desired to do this on a routine basis.

In response to Mr. Hutchison, Mrs. Townshend stated that staff was treating the five (5) days specified as five (5) days in a year.

Mr. Anderson asked if the general guidelines of the study mentioned temporary uses or special permits. Responding, Mrs. Townshend stated that this was not in the table but was in the language that the DAFB provided to the City for the ordinance. She explained that it did not specify which temporary events would be acceptable because

it was looking at them as not being longstanding. Mrs. Townshend stated that the five (5) days came from the Air Force, noting that the City had adopted language that was provided. Mr. Anderson stated his understanding that this was model legislation from the Air Force, and Mrs. Townshend confirmed that it was.

Mr. Anderson questioned what the Air Force defined as encroachment. Responding, Mrs. Townshend advised that they had not been very forthcoming with this information and this was part of the challenge. She stated that they had provided the study and staff was able to ask questions, such as whether there had been encroachment, but was not able to get an answer for the question of at what point there would be encroachment. Mrs. Townshend indicated that Virginia Beach had allowed a lot of incompatible uses and the Virginia Naval Air Station almost left. She stated that she was unsure at what point this becomes encroachment and questioned if the City really wanted to find out. Mrs. Townshend noted that part of the challenge was that changing the Code would also open it up for others.

Mr. Sudler questioned, since the Air Force Base was not being very forthcoming, why it was believed that changing the ordinance would be encroachment. Responding, Mrs. Townshend stated that the request before members was to allow 80 hours of events per year. She explained that this would apply not only to the Fordham Brewery property but that another brewery could go in somewhere else and would also be allowed to have 80 hours of events and, based on the length of the events that Fordham had held, this could be upwards of 20 to 25 events in a year. Mrs. Townshend stated that in the Fall of 2015, she received an inquiry about another property in the accident potential zone from someone who was looking to purchase a property and put in a brewery. She stated that she had no more information and the inquirer had not identified themselves. Mrs. Townshend informed members that, knowing where the industry was going, she had advised the inquirer that a brewery was allowed; however, a large public event component would be a problem, and they did not look at the site. She stated that if the ordinance were changed, it would be changed for everyone and there could be more incompatible uses.

Mr. Hare noted that, as Mrs. Townshend had told the other party, the industry had been changing over the years and asked if this should be reevaluated, questioning whether businesses should be stifled because their industries are changing. He noted that other changes had been made in ordinances, not in the overlay zone but for growth and different things. Mr. Hare felt that this went back to what Fordham's attorney had said regarding the definition of a day, and that 40 hours is five (5) eight-hour days, but when five (5) days is multiplied by 24 hours, it would be 120 hours. He believed that Fordham was asking for 80 hours and may even be willing to accept 60 hours for the year, which would not even be five (5) days. Mr. Hare stated that outdoor events would probably be limited for five (5) months out of the year, from December through March. He agreed with Mr. Hutchison about the need for further information, getting a definition, and determining if five (5) days would be five times 24 hours.

Mrs. Townshend stated that this was the prerogative of Council. She indicated that she was not comfortable administratively determining that factors can be used and multiplied to get something that works. She stated that there were two (2) options, and the first option would be for the matter to go to the Board of Adjustment as a request for a variance or a request for an appeal for a Code interpretation. In this case, the Board of Adjustment would act as a judge, and their determination would be the law until the Code is amended. If the request was for a variance, a variance could be granted that is specific to Fordham's case. Mrs. Townshend advised that the second option would be for Council to change the Code, which was in their purview. She stated her view that this was for members to determine because she had shared her perspective and her background with the AICUZ.

Mr. Slavin stated his understanding that a potential business had already likely been turned aside because of this ordinance and because the explanation was given to them that the zone would not allow the industry that they were bringing in. Responding, Mrs. Townshend confirmed Mr. Slavin's understanding and stated that she had pointed the inquirer to other locations in the City that would allow this use.

Mr. Slavin expressed frustration because when the City was asked to figure out how 80,000 people could camp for three (3) nights in the City, mountains were moved to get it done. He stated that the City annexed and rezoned property and did everything possible to make that happen, and he was proud of the City's efforts. Mr. Slavin stated that he did not understand why there was not the same spirit in regard to a business that had been loyal to the City and the community. He noted that Mrs. Townshend had stated that this matter was Council's prerogative and he agreed.

Mr. Slavin moved to recommend amending Appendix B - Zoning, Article 3 - District Regulations, Section 22 - Airport Environs Overlay Zone (AEOZ), Subsection 22.4 - Exemptions, Paragraph (c) - Temporary Uses of the Dover Code as requested by Fordham and Dominion Brewing Company. The motion was seconded by Mr. Anderson.

Mr. Hutchison felt that this was one of the most important votes that members would make as elected officials of the City. He cautioned members about making the wrong move towards the DAFB and encroachment. Mr. Hutchison stated that no one supports economic growth more than he does, and he believed that Fordham had asked a fair question and members had the responsibility to get the answer. Mr. Hutchison stated that doing something tonight without knowing its impact on the DAFB would be wrong, and that he would not support anything that would send a question mark about encroachment on the DAFB. He hoped that members would take a step back and get the answer before voting to do anything to address this issue.

Mr. Hosfelt shared Mr. Hutchison's concerns. He noted that this matter would seem to be common sense; however, he said that common sense and the federal government do not work together. Mr. Hosfelt stated, to those in the room who may not be familiar with the military and the federal government, that if they want to close

the base, they will just do so. He stated his belief that the military and the federal government would not care that the DAFB has the biggest mortuary, that they had just put in a new runway, or how much money they spend, and they would just close the base. Mr. Hosfelt was concerned about giving them any ammunition at all. He stated that the DAFB was one (1) of five (5) finalists that may receive another squadron of new tankers, and that would provide economic development for the City. He noted that a decision was supposed to be made in this regard by December 15th. Mr. Hosfelt stated that he understood that the City was trying to help Fordham out; however, with these thoughts in mind, he was leaning toward protecting and securing the sanctity of the DAFB. He noted that the DAFB does not provide a lot of information. Mr. Hosfelt believed that the City would be better off tabling this matter and letting Fordham apply to the Board of Adjustment for a variance rather than changing the entire ordinance. He questioned what would prevent other businesses from coming up with something else that they want to do that exceeds this if the ordinance were changed.

Mr. Anderson stated that he had seconded the motion because he did not want to see it die and thought it had some validity; however, he felt there were more questions that needed to be researched. He indicated that he would have trouble making this decision without seeing what the DAFB says and the definitions that they had given that the ordinance was based upon. Mr. Anderson noted that the DAFB was extraordinarily important to the City when it comes to economic development; however, he did not believe that small and medium-sized businesses should be handicapped. He felt that a balance could be reached; however, he stated that more information was needed and he would like to see this in the next couple of weeks.

Mr. Sudler stated that he would like to have more information from the DAFB and also not stifle the Fordham Brewery. He noted that he had heard his Council colleagues say in the past that if someone is not present to defend themselves or speak up, than it is obviously not important enough to them. Mr. Sudler stated that he was not saying that this was the case tonight, noting that he did not know how the DAFB operates and what they can and cannot publicly say. Mr. Sudler indicated that he liked the idea of a variance because this would not leave the City open to other entities coming in and taking advantage, as Mrs. Townshend had stated. Mr. Sudler stated that this was a tough decision; however, he was going to support the variance aspect. He recommended that Fordham do a variance so that it would not, at the present moment, affect the ordinance as a whole, and members could get further information and research in regard to how it would affect the City as a whole. Mr. Sudler stated that he did not believe there was enough information to change the ordinance, although he would support an ordinance change if members had enough information.

Dr. Stewart asked if changing the interpretation of the five (5) days from five (5) physical days to five times 24 hours, or 120 hours, would require a Code change or if this would just be a change in interpretation. Responding, Mrs. Townshend stated that this is a power that is given to the Board of Adjustment, not to Council.

Mr. Sudler stated his belief that a legal opinion was required regarding Mrs. Townshend's comment since the City of Dover has a city council-city manager form of government. He felt that City Council runs the City and did not see how the Board of Adjustment would have more power than Council. He felt that changing the interpretation would be a viable option and suggested the Council obtain a legal opinion.

Responding to Mr. Sudler, Mr. Slavin stated that if Council wanted to state the number of hours, they could. He believed that Mrs. Townshend was saying that if members leave it to interpretation, it would go to the Board of Adjustment; however, he explained that Council could interpret it for the City if they choose to do so.

Mr. Hare stated that the interpretation would be what a day is and whether it is eight (8) or 24 hours. Responding, Mr. Lewis stated that he concurred; however, he believed that it would ultimately come back to Council for approval. Mr. Hare stated that if legal counsel said that a day was 24 hours then five (5) days is 120 hours.

Mr. Cole questioned, if the Code was changed, whether it could be changed back if it was found in six (6) months that there was an encroachment issue.

Members were provided an email from Mr. David Bonar, former City Council President, dated October 11, 2016, Subject: Letter to Council, regarding this matter.

Mr. Telle stated that he had written the proposal and asked for 80 hours, based upon an agreement that Council President Slavin, Mayor Christiansen, and a few others agreed upon six (6) months ago. He indicated that he was not trying to dissect 24 hours per day but took what was agreed upon for six (6) months and multiplied it by two (2), to get them through 12 months. Mr. Telle advised that Fordham is a small business and does not have marketing budgets to compete with the larger breweries in the country; however, they are the second largest brewery in the State. He indicated that Fordham figured out a few years ago that if they could be creative and let people into their world, it would work. Mr. Telle advised that they received the letter from the City and were not able to figure out how to come to terms with it, noting that this would 100% have a detrimental effect on their company. In regard to the variance option, he explained that he was still paying for the lawyer Fordham used in regard to the six-month negotiation. Mr. Telle stated that they do not have legal counsel on staff and hoped a decision could be reached today based on his proposal. He indicated that some of their events are for two (2) to three (3) hours and sometimes generate 100 or 300 people, and advised that it would be a problem to operate with five (5) events per year. He stated that they are not long and are held for three (3) hours per day, noting that there are not a lot of people. Mr. Telle advised that events are usually held from 5:00 p.m. to 8:00 p.m., so most people come after work, do not show up until 6:00 p.m. or 6:30 p.m., and are there for an hour-and-a-half to two (2) hours. He stated that these events were small when they first started having them, but the brewery evolved and more people started attending. Mr. Telle acknowledged that it was their fault that they were not pulling the proper permits,

because they were unaware. When they were running events incorrectly previously, they were under the impression that those types of larger, ticketed events were the events for which permits were needed, and those were the events that were on file. Mr. Telle stated that he did not want to see anyone lose their jobs over this, noting that this was their 9:00 a.m. to 5:00 p.m. He expressed his hope that this could be figured out and taken care of so that they could go back to doing what they know how to do well.

Representative Sean Lynn, 31st District, 224 Columbia Avenue, felt that Councilmen Hutchison and Hosfelt had raised legitimate points and stated that it was not desired to put the City in the position of jeopardizing one (1) of the biggest economic development drivers to the City. Representative Lynn advised that sacred cows such as Kraft Foods, Dover Downs, DAFB, and Bayhealth are the tent poles of the local economy. He felt that this must be balanced against a larger perception that Dover is not really out for business. Representative Lynn stated that this was a perception but not a reality, and noted that this was not a slight to Mrs. Townshend. He believed that the City was losing to its neighboring cities and that Smyrna and Milford were succeeding in ways that Dover was not, which was unfortunate. Representative Lynn referred to the Painted Stave Brewery mentioned by Mr. Slavin, stating that this was not the only business that was growing in the town of Smyrna. He felt that it was a shame that, for whatever reason, other cities were more successful in getting new businesses and entrepreneurship than Dover. Representative Lynn felt the balancing test related to whether the DAFB would legitimately be in jeopardy if this were done, and secondly, how to work to change the perception about Dover being friendly for business and open and receptive to an ordinance change. He did not necessarily think that a variance would be the right way to go, noting that it would put an onus on the business. Representative Lynn indicated that the business owner had stated that he was still paying off the lawyer who did the previous legal work for him, and seeking a variance would mean more time and money for a small entrepreneurship. He did not believe that this would send the correct message to the rest of the community that Dover is really open for business but would say that the City is more attached to a draconian ordinance than to making things easy for local business. He questioned how to make things easy but not sacrifice or jeopardize the DAFB, which he felt was a valid point. Representative Lynn felt that the easiest solution would be to pass the motion tonight. He noted that members would return in two (2) weeks to discuss this matter as whole during a City Council meeting. Representative Lynn advised that this would allow two (2) weeks to bring the DAFB back into the equation and see whether they genuinely believe that this would be an encroachment issue and get a finite answer for that. He felt that if this was not determined in two (2) weeks, perhaps it could be tabled for another two (2) weeks until a reasonable response is received from the DAFB. Representative Lynn stated that this approach would not cost a small business money to hire an expensive land use lawyer.

Representative Lynn noted that Mrs. Townshend had stated that the DAFB did not believe that existing uses are encroachments. He indicated that Dover Behavioral Health was in the zone, as well as the Dover Post and a number of other businesses

which have high density. Representative Lynn stated that he was unsure that Fordham, as currently being operated, was an encroachment issue; however, he noted that if the ordinance was changed, it would still be in Council's purview to change the ordinance back the way it was if density or encroachment started to become an issue. He felt that the City would not want to be like Robins Air Force Base in Georgia, which was buying up mobile homes around the base to deal with encroachment issues. Representative Lynn stated that if members started to see that this was becoming a problem, they could change the ordinance, which he felt would be simpler than requiring an entity to go through an expensive variance process, which could ultimately lead to litigation. He did not think this was the solution and believed it would send the wrong message to the business community. Representative Lynn felt that Council was there to be leaders and send a message to the business community of their desire to work with them, but also send a message to the DAFB that states that they are number one and that the City cares about them the most.

Mr. Hare, referring to Representative Lynn's comments regarding Kraft Foods, Dover Downs, and the DAFB, noted that he had been involved with some of these and the City does go through hoops to help them, possibly because they are large entities with economic impact. He did not believe that they should be treated differently from any other business. Mr. Hare stated that he agreed with Representative Lynn and believed that this could be worked out through getting a definition of whether a day was 24 hours. He felt that the City sometimes learns from its mistakes and sometimes does not. Mr. Hare noted that, years ago, Wal-Mart wanted to put their transportation center in the technical park and the City said no because it was a technical park. He stated that Wal-Mart went to Smyrna and had been thriving there for years, while the City was still sitting out there with a lot of vacant lots.

Mr. Sudler stated that he respected the wisdom of Representative Lynn, who was a former Councilman for the City. He noted that he had also heard the comments from Fordham about financial hardship. Mr. Sudler questioned if members had the ability to change any decision that they made as Council members, and this was confirmed by Mr. Slavin. Mr. Sudler stated that he wanted to send a message that the City was out for business. He noted that he respected DAFB and the thoughts of Mr. Hutchison and Mr. Hosfelt; however, Mr. Sudler felt that members should move forward since they could change their decision in two (2) weeks if this was not where they wanted to be. He stated his support for Council President Slavin's motion.

Mr. Hosfelt asked Mayor Christiansen if he could call the Wing Commander and get his thoughts. Responding, Mayor Christiansen indicated that he would discuss this at 8:00 a.m. on the following day and would take Councilman Hare with him as well.

Ms. Kate Gleeson, EXP Realty, 144 Kings Highway, stated that she would be sad if Fordham did not have more events. She advised members that she had been very excited to co-host a recent event at the Brewery for the Delaware Veterans Trust

Fund and had a blast. Ms. Gleeson indicated that they were hoping to get on the calendar to do this again next year and she was planning to contact Fordham soon to see if they could be one (1) of the few events that Fordham could hold. Ms. Gleeson indicated that 144 people attended this three-hour event, they made over $4,000, and Fordham makes very good beer. She stated that this type of event makes people want to go there and she would be upset if this could not go forward somehow. Ms. Gleeson stated that she is a veteran and understands DAFB. She noted that she appreciated the comments made and asked Fordham to allow her to hold the next event.

Mr. Shevock questioned if this matter should be tabled until after the Mayor speaks with the Wing Commander. Responding, Mr. Lewis stated that a motion was on the floor. Mr. Anderson indicated that a motion to table would take precedence. Mr. Slavin stated that the import of the conversation was that the Committee could go ahead and pass this, and by the time it gets to Council, this conversation would have been held with DAFB. He noted that there was not a need to further delay this matter just to have a conversation.

Mr. Shevock asked if Fordham would apply for a variance in case something happened so that they would not lose anything. Responding, Mr. Telle stated that he did not anticipate doing this. He indicated that he had already spoken to a few of his colleagues and did not think they were willing to invest money in legal counsel, so this was not necessary.

Mr. Shevock stated that he was simply looking to save Fordham time. He indicated that this matter was not on the calendar for November and Fordham could lose a quarter of the year. In response, Mr. Telle indicated his understanding.

Mr. Shevock asked if, during this period, there was a chance of moving these events to an off-site location. Responding, Mr. Telle advised that events would be moved to different locations if the 80 hours for 12 months was settled on. He explained that, over the last few years, Fordham had done 80 hours and created a community following for this. Mr. Telle advised that more than 80 hours of events would be held throughout the year, but he was hoping that 80 hours could be done on the premises of the Brewery. He stated that additional events needed to support their marketing efforts would be done off-site.

The Committee recommended amending Appendix B - Zoning, Article 3 - District Regulations, Section 22 - Airport Environs Overlay Zone (AEOZ), Subsection 22.4 - Exemptions, Paragraph (c) - Temporary Uses of the Dover Code as requested by Fordham and Dominion Brewing Company.

During the Council meeting, Mr. Hare stated that during the Committee meeting, it was decided that he and the Mayor would meet with the Wing Commander to discuss any concerns that the DAFB might have. Mr. Hare indicated that he, Mayor Christiansen, Councilman Hosfelt, and Representative Andria Bennett met with the Wing Commander and laid everything out. Mr. Hare

informed members that the Wing Commander was going to meet with his staff and get back in touch with the City. He noted that, although he had spoken to the Wing Commander on a recent civic leaders tour, he and the Mayor were still supposed to be meeting.

Mr. Hare moved to defer this item for future consideration at the next meeting. The motion was seconded by Mr. Cole and unanimously carried.

Disposal of Excess Property - 45 South State Street - Former Dover Public Library

Mr. Scott Koenig, City Manager, advised members that the City of Dover had received several unsolicited inquiries about the availability of the property located at 45 South State Street, the location of the old Dover Public Library. He stated that these inquires had been reviewed on a case-by-case basis; however, the property had never been advertised for sale. Mr. Koenig advised that the most recent appraisal indicated that the 0.8587 acre property, including the building and associated land and parking, had an estimated market value of $1.62M.

Based on recent discussions, Mr. Koenig requested that Council deem this property as excess property and authorize the City Manager to dispose of the subject property using the Procedure for Sale and Disposition of Real Property, Standard Method of Disposition, Section 4-d-6, whereby the City obtains the services of a licensed real estate agent to broker a potential sale. He advised that staff was currently reviewing an advertised request for proposals for commercial real estate services. Mr. Koenig stated that the preferred real estate firm, once approved by City Council, could be used to market the property and seek potential buyers.

Staff recommended the following: 1) the properties known as 45 South State Street be declared excess property; and 2) authorize the City Manager to solicit offers for the properties using a commercial real estate firm. Any and all final offers for the properties must be approved by City Council.

Mr. Koenig advised that if Council receives an offer and elects not to sell the property, or at some point wishes to take the property off the market, this would be within Council's purview.

Responding to Mr. Lewis, Mr. Koenig reviewed the Building Plans - Proposed Property Lines for Transfer, and explained that the request included the old Dover Public Library building; the area labeled as Area 4, which is a sidewalk area formerly known as Budd Street; and Area 2, which included the Carriage House and approximately 30 parking spaces behind the old Dover Public Library. He explained that it did not include Weyandt Hall or anything south of the land. In response to Mr. Lewis, Mr. Koenig stated that the City did not have a master plan for the property.

Mr. Lewis expressed the desire to find out the big picture in terms of the future. He questioned if the City might be better off selling the whole lot and what the pros and

cons of the sale were. Responding, Mr. Koenig stated that the pros of the recommended action would be that it would put the advertisement of this property in the public purview through a third-party real estate firm that would be motivated to get the City the highest price possible in the real property market. He indicated that the down side of this discussion was that the City does not have a long-term answer for what to do in regard to either a new City Hall or renovations to existing buildings. Mr. Koenig advised that, although a facilities master plan was done in approximately 2006, this predated the library's move to its new location, and there was not a master plan for all facilities. He advised that the City had received inquiries about this property that Council had reviewed in recent months, and he thought there was still interest from the State of Delaware in the long term because they had a vested interest in downtown. Mr. Koenig explained that each of these discussions was very difficult to manage because Council had never given any direction to put the property up for sale. He advised that discussions dating back to 2009 about developing a potential financing plan for the new Dover Public Library anticipated the sale of the subject property to the State of Delaware for State offices; however, to Mr. Koenig's knowledge and the record, it was never declared as excess property or offered for sale on the market.

Mr. Lewis asked, as City administrator, if Mr. Koenig felt that the land should be sold as a whole rather than in pieces. Responding, Mr. Koenig stated that he believed that there was a market for the land in pieces; however, he explained that it would depend on Council's overall impression regarding a new facility and how quickly they planned to move forward. He stated that the State had a very specific interest in the property that included all four (4) areas of land reflected in the plans. Mr. Koenig noted that the request he was making tonight did not include the parking in front of the former library, because releasing the parking in front of the library adjacent to 5 East Reed Street would probably detract from the property located at 5 East Reed Street by reducing the amount of available parking. He believed that it would be appropriate to put this property on the market as excess property at this point.

Mr. Lewis asked if it was common practice for those who make offers for individual pieces of land to submit low offers because they are not getting the entire piece of land. Responding, Mr. Koenig stated that some would argue that every property offer that he had received over the last few years had been a low offer. He felt that staff had not received what he would call an over the market value for any of the properties placed on the market. Mr. Koenig advised that when properties are sold through bid or a bid selection through the City's purchasing agent, the numbers have typically been low for residential property. He stated that a lot downtown may sell for $15,000, and an unsolicited bid was recently approved for two (2) pieces of property totaling $26,000. Mr. Koenig indicated that the City was not getting market value for the properties being put up for excess property, noting that a lot of them were in depressed areas and related to the demolition of structures, or were strategic purchases because the City was trying to resolve a community problem. He stated that none of these properties had a value of $1.62M through a third-party appraisal.

Mr. Koenig advised members that, in his opinion, the current property was different than the other properties that he had brought forth to Council in recent months.

Responding to Mr. Slavin, Mr. Koenig agreed that the copy of the Procedure for Sale and Disposition of Real Property was difficult to read and stated that he would be happy to have it executed as a current document.

Mr. Slavin believed that when a property is disposed of by the State of Delaware, after it has been passed through other government entities that may want the property and reaches the point of sale, only an offer within 5% of the appraised value can be accepted. He asked if such a structure was in place in the City. In response, Mr. Koenig stated that this had not been the City's standard, noting that some properties had been more than 5% below their tax appraised value, especially property acquired through demolition that was not appraised by a third party.

Mr. Slavin suggested that a discussion be held and perhaps something be passed that would provide guidance sometime between listing the properties and entertaining the first offers. He indicated that this would prevent lowball offers from coming in and having to be screened, by establishing that the City would only accept offers within a certain range of the appraised value.

Mr. Anderson expressed his concern that there are different ways of finding value to the City and the community that are not necessarily a dollar amount. He indicated that there had been offers on this particular property from Wesley College and the MLK Jr. Education Center that would enhance the quality of life, the development of the City, and the community. Mr. Anderson felt that the City should make sure to entertain all offers and look at them from a holistic point of view. He noted that this view would consider such factors as the City's Comprehensive Plan and economic development strategy, as well as partnerships, for example, expanding the college security footprint and expanding the ability to have organizations like the Police Athletic League (PAL). Mr. Anderson stated that if the City spent money to build its own buildings, these things could cost millions; however, the City could save money by having partnerships with these types of organizations. He believed that the building should be declared excess and marketed so that it is not just politically connected but so that everyone has the chance to make an offer. Mr. Anderson did not want to exclude anyone's offer and believed they should all be reviewed.

Mr. Slavin stated that his comments were directed at a fee simple sale at the marketed price. Referring to the Procedure for Sale and Disposition of Real Property, Section 5 - Exceptions to Standard Method of Disposition, he noted that Exception D allows Council to donate land and buildings to a not-for-profit organization.

Mr. Lewis advised that he would like to see a master plan before voting on something like this, noting that it could not be known if this land would be needed in the future for a new City Hall or other City buildings.

Mr. Hare stated that this matter was vetted a few weeks ago and members had talked about putting it out there to see what would happen. He stated that someone might offer $2M for the property, plan to employ 75 people, and redo the whole building and expressed a desire to find out.

Mr. Lewis reiterated that he would like to have a master plan. Responding, Mr. Hare noted that this was why Council would be holding a retreat in November.

The Committee recommended that the properties known as 45 South State Street be declared excess property, the City Manager be authorized to solicit offers for the properties using a commercial real estate firm, and that any and all final offers for the properties must be approved by City Council, as recommended by staff.

During the Council meeting, Mr. Koenig reminded members that, as a follow-up to a number of discussions over more than a year related to the disposition of property located at 45 South State Street, staff had made a recommendation that Council declare this property as excess property and seek a market value or listing of the property on the commercial real estate market. He stated that the City has had several unsolicited offers on the property, which were discussed at different levels of the organization administratively, and some discussions had also been held with Council. Mr. Koenig noted that during these discussions several months ago, it was pointed out that the property had never been declared as excess property and the City had never listed the property for sale in order to get a multitude of offers or interest in the property through the commercial real estate market.

Mr. Koenig reminded members that the City recently put out a request for proposals for commercial real estate services, and a recommendation for those services would be forthcoming to Council. He stated that staff's position has been that the City should declare the property as excess, to allow Council to list the property and get market bids on the property. Mr. Koenig advised that if Council, after going through that process, does not wish to sell the property or does not believe that the City has received an offer that meets the context of the property, then there is no obligation that Council go through with the sale of the property.

Mr. Anderson stated that he thought that Mr. Koenig was doing the right thing by bringing this to Council because it is the next logical step; however, he noted that he had a question regarding the next logical step for Council. Mr. Anderson stated that he had a concern that any such disposal of a major piece of property should be part of a plan, which the City does not currently have, and he and other members had expressed this concern during the Council Committee of the Whole meeting. He explained that Council has not developed the master plan about what to do with City property and where they wish to go with it, which he thinks is an essential aspect that Council needs to address. Mr. Anderson expressed his opinion that Council also needs to look at all commercial and community bids, because they have to look at the total value that is being brought into the City. Responding to Mr. Anderson, Mr. Koenig clarified that this property is not being put up for bid, it will be listed for sale. Mr. Anderson stated that if the property is listed for sale, that all offers should be taken into account regarding what value they would bring to the City and the community. He noted that it may not just be the value of it being purchased, but it may be a value of different partnerships and services that being brought to or expanded in the City, which would save taxpayer

money and bring more economic development. Mr. Anderson stated that Council has to look at the entire picture and that it should be part of the discussion moving forward.

Mr. Lewis stated that he also had concerns, as he indicated during the Council Committee of the Whole meeting of October 11, 2016. He stated that he cannot support this proposal until he sees a master plan with a clear goal of where the City is headed. Mr. Lewis asked what the probability is that the City may need this building or plot of land in the future. He noted that there had been talk about building a new City Hall, and asked what the City is going to do when it comes time for that.

Responding to Mr. Lewis, Mr. Koenig reminded members that the sale of this property had been part of the financial plan for the new Dover Public Library. He explained that, to his knowledge, discussions at that time were with the State of Delaware as a potential buyer of the property; however, due to budget constraints, that transaction did not happen at that point in time. In regard to the discussion about the replacement of City Hall, Mr. Koenig noted that at some point Council is going to have to authorize the replacement of City Hall. He stated that in looking at the site of both the old Dover Public Library and 5 East Reed Street, the constraint at that property is really parking, and the amount of flat space that would be available for a large building and the associated parking with it. Mr. Koenig explained that multi-level parking would most likely have to be built in that area, which drives the cost of the project up significantly. He stated that there have been other discussions about whether the City needs to replace City Hall and there is not a current master plan. Mr. Koenig advised that, to his knowledge, the last Facilities Master Plan was completed in approximately 2006, and it anticipated building a new wing on City Hall, demolishing the west side of this building, and building a mirror of that new wing. He explained that part of that plan was disrupted because the new Library consumed some of the space that was anticipated for that plan. Mr. Koenig noted that there had been discussions about other buildings and sites downtown; however, there is not a Facilities Master Plan that goes with that discussion at this point. He expressed his opinion that 45 South State Street is not the correct site for a new City Hall to be located.

Mr. Lewis asked, if the City is going to sell the old Library or plot of land it sits on, whether it would not be more profitable to sell the land as a whole package, to include Weyandt Hall, the Carriage House, and the old Library. He questioned if common sense would indicate that the City would be low-balled by someone if just the old Library was sold. In response, Mr. Koenig stated that the appraisal on the Library was approximately $1.6M, and the appraisal on Weyandt Hall was also approximately $1.6M. He stated that he could not answer Mr. Lewis' question until he receives a written offer secured through market requests. Referring to the interest that the City has had on this property, Mr. Koenig stated that he did not think any of the numbers that had been thrown out for the combined properties represented $3.2M.

Mr. Neil expressed his opinion that there were two (2) separate issues with the first issue relating to the value of the property to the City's taxpayers. He indicated that the City had discussed a proposal from Wesley College and stated that he did not think the City could move forward until there was some idea of the value they could recover on behalf of the taxpayers of the City. Mr. Neil explained that the second issue related to a master plan. He indicated that he agreed with Councilmen Anderson and Lewis in terms of a master plan, and suggested directing that toward the Planning Director in terms of what can be done. Mr. Neil noted that this is a very central, marvelous location,

close to the Library and the current City Hall. He expressed his belief that to delay at least finding out what the value is would do the City a disservice, because the City has a building that has been sitting empty for a period of time. Mr. Neil did not think the building is habitable for homeless because of the condition of it and what would have to be done. He did not think that the City should just let it sit there without asking, "What kind of value do we have?," "What can we get from it?," and "Who's going to do something with it?;" however, he noted that if somebody puts in a liquor store, he would not be very happy. Mr. Neil indicated that maybe the City could develop Wesley's idea and create some income, since the school has additional people coming in. He stated that until members find out what the value is, the City cannot let the building continue to stay until the next election cycle and then question what the City is going to do with it. Mr. Neil noted that Council can always do some planning in the meantime and suggested that members find out what the value of the building actually is.

Mr. Slavin reminded members that when this issue came up previously, Council, as a body, felt that they needed more information, noting that one (1) piece of that information was the appraisal, which was ordered and members now have. He recalled that the second piece of information was what is about to transpire over the next approximately 60 - 90 days, which will be to find out what kind of offers this will attract. Mr. Slavin explained that members will begin to see if there is a delta between the appraised amount and what the market is willing to pay for that amount. He noted that none of this binds Council to anything; it is simply a way of opening the doors and providing a mechanism so that Council can accept information and begin to make the decision about what the City eventually wants to do with this property.

Mr. Lewis stated that he concurred with Mr. Slavin and asked if Mr. Slavin felt the City still needed a master plan. Responding, Mr. Slavin indicated that he absolutely believed the City still needed a master plan, but he did not want to put too much government in the way of getting things done. He stated that he thought Council could continue with declaring the property excess, while also explaining to Mr. Koenig the efficacy of doing that master plan.

Mr. Neil moved for approval of the Committee's recommendation that the properties known as 45 South State Street be declared excess property, the City Manager be authorized to solicit offers for the properties using a commercial real estate firm, and that any and all final offers for the properties must be approved by City Council. The motion was seconded by Mr. Hare and carried by a roll call vote of seven (7) yes (Sudler, Neil, Cole, Hosfelt, Hare, Hutchison, and Slavin), and two (2) no (Anderson and Lewis).

Incentive Program for City Employees Opting Not to Be Covered by the City's Health Care Plan

This item was deferred by the Committee Chair.

Initiate the Process Whereby the Review of the Mayor and Council Salaries Shall Be Conducted by the Compensation Commission

Mr. Slavin stated that all appointments but one (1) had been made to the Compensation Commission, and he had the name of someone who had agreed to serve and was waiting for vetting by the individual's employer. Mr. Slavin believed that he would hear back by the time this matter comes before Council. Mr. Slavin

thought that if members passed a motion stating that they would initiate the process, the Commission would be ready to go in two (2) weeks.

Members were provided a handout, entitled "Salaries of Mayors and Elected Government Officials - October 2016." *(City Clerk's Office Note: Subsequent to the meeting, this handout was revised to reflect updated information received regarding the salary of the Mayor of Wilmington.)*

The Committee recommended initiating the process whereby the review of the Mayor and Council salaries shall be conducted by the Compensation Commission.

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

Determination of Requirements in Addition to Being Economic or Business Oriented and Term Length for the Newly Added Minority Voting Members of the Economic Development Committee

During the Regular City Council meeting of September 26, 2016, members approved the Economic Development Committee's recommendation to add two (2) minority voting members who are economic development or business oriented to the Economic Development Committee, with qualifications and selection to be determined by Council and adopted Resolution No. 2016-11, amending Resolution No. 2016-09 Formally Establishing the Economic Development Committee.

Mayor Christiansen stated that it had been the intention to appoint two (2) minority voting members to the Economic Development Committee, and this had now been sanctioned by Council. He reminded members that this Committee was established by Council during the FY 2017 budget process. Mayor Christiansen stated that they wished these minority members to have economic or business-oriented qualifications and be approved by the members of the City Council. He advised that it was recommended that the term length for members of the Committee be in accordance with the Council year, which runs from May to May. Mayor Christiansen stated that this would provide the opportunity to appoint those persons nominated. He indicated that it was recommended that applicants fill out a form of interest, along with a resume of qualifications, to be brought to the Legislative, Finance, and Administration Committee for review, and that nominees be subject to the approval of Council. He also noted that applicants would fall under the Clean Hands Ordinance that all members of Council and committees are subject to.

Mr. Anderson expressed his support for this but questioned why the recommended appointment process was different from other committees. He stated that applicants typically go through the process and are selected by the Council President, and nominations are taken to Council. He questioned why these applicants would go through a committee.

Mayor Christiansen stated his feeling, which he thought reflected the feeling of the Committee, that the process should be pristine, with no disrespect to the Council President. He felt that this would allow the opportunity for the entire body politic, which had made the individual appointments to the Committee as it stands, to follow through. Mayor Christiansen stated that this would provide a maintenance of standards in continuing that process.

Mr. Sudler asked if Mr. Slavin had any concerns in regard to the process being different. Responding, Mr. Slavin expressed his opinion that all of the processes should line up and stated that he was worried about asking the Committee to vet the people that they would be appointing. He stated that this does not occur for a reason and had some concerns about it.

Mayor Christiansen stated that this was not locked in stone and could be handled at the pleasure of Council.

Mr. Sudler moved to recommend using the standard Council President appointment process to appoint the two (2) minority members of the Economic Development Committee, seconded by Mr. Slavin.

Mr. Slavin stated his understanding that the intent of the motion was to recommend that the nominations for the appointment of minority members to the Economic Development Committee be made by the Council President; that the full Council vote on them; that the terms be for one (1) year, from May to May; and that the initial appointments be for a partial year from now through May. Responding, Mr. Sudler agreed that this was correct.

The Committee recommended that the nominations for the appointments of minority members to the Economic Development Committee be made by the Council President; that the full Council vote on them; that the terms be for one (1) year, from May to May; and that the initial appointments be for a partial year from now through May.

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

Discussion of Duties and Assignments of City Personnel (Deferred during the meeting of September 27, 2016)

This item was deferred by the Committee Chair.

Onboarding for New Committee Members/Councilman Lewis' Recommendation #5

During the Council Committee of the Whole/Legislative, Finance, and Administration Committee meeting of September 27, 2016, members considered Designing and Expanding Recruitment for City Committees, Commissions, and Boards and reviewed "Proposed Recommendations for Advancing a more effective

Recruitment Process for City Commissions, Committees and Boards," as submitted by Councilman Lewis. The Committee recommended adoption of "Proposed Recommendations for Advancing a more effective Recruitment Process for City Commissions, Committees and Boards" points #1 - #4; deferred consideration of point #5, related to the requirement of training for board, committee, and commission appointees, until the next meeting of the Council Committee of the Whole/Legislative, Finance, and Administration Committee; and recommended that the City Clerk's Office and the Human Resources Director come back with an explanation of the onboarding process for new appointees. The Committee's recommendations were approved by City Council during their meeting of October 10, 2016.

Mr. Lewis stated his belief that it was imperative to provide basic, initial training for new members of City boards, committees, or commissions. He informed members that he had prior experience serving on many boards where he had not been given any initial training and had to rely on fellow board members, which he felt was unfair because he took up their time asking questions. Mr. Lewis noted that his suggestion would not affect current board members but would be for new oncoming members. He indicated that he was open to suggestions on how to do this training and whether City staff would be used or an outside agency, such as the Delaware League of Local Governments (DLLG). Mr. Lewis advised that he had done some research, and the DLLG offered training for the Board of Adjustment and planning that costs $50. He was unsure what kind of training was offered for other committees, although he indicated that the Human Relations Commission offers training through the State.

Mr. Cole stated that he receives training in his job and that City staff had been sent to training and brought back ideas. He indicated that Mrs. Ann Marie Townshend, Director of Planning and Community Development, had recently attended training that addressed developing a pilot program that would look at committees, boards, and new council members and suggested having Mrs. Townshend speak to this.

Mr. Lewis stated that he had been in contact with Mrs. Townshend, and she had sent him some information from the DLLG. He noted that the DLLG offers training for the Board of Adjustment and Planning Commission which is similar to 101 or introductory training. Mr. Lewis indicated that he was not suggesting that members take multiple courses or classes but one (1) course as an introduction, noting that some people have never served on boards before.

Mr. Hare noted that members were provided an email from Mr. David Bonar, former City Council President, dated October 11, 2016, Subject: Letter to Council, and read the portion of the email addressing filling committee vacancies into the record.

Mrs. Townshend informed members that she had spoken to Mr. Cole about a management training program that she is enrolled in through the International City/County Management Association (ICMA). She explained that the training utilizes a book called *The Essentials of Council-Manager Relations,* and a good

portion of the book is devoted to onboarding. Mrs. Townshend advised that the training requires a final project and she had been brainstorming what her final project would be, noting that the guidelines stated that it must be something out of a participant's normal area of responsibility. She stated that she had thought about the idea of developing an onboarding program, working with existing staff and other resources. Mrs. Townshend indicated that this would involve researching what other localities do for boards, commissions, and committees, as well as elected officials, and then having a canned, ready-to-go onboarding process. She noted that it makes sense for members of groups such as the Planning Commission and Board of Adjustment to go to those classes; however, in some cases training might involve using the City's own staff, finding videos online, or bringing in someone from ICMA to do training. Mrs. Townshend stated that she would be glad to conduct research, put together a program framework, and work with staff and Council, because she has to do a project anyway.

Mr. Shevock requested that Mr. Lewis explain a statement that he put in the newspaper, and expressed his belief that the statement should have been made in the Chamber rather than in the newspaper. He noted that Mr. Lewis had done this several times. Mr. Shevock asked who Mr. Lewis felt was not qualified to be on a City committee. He noted that he felt that Mr. Lewis' statement was a smack to anyone who is serving on the committees. Mr. Shevock advised that Mr. Lewis had stated that just qualified people should be appointed, and questioned who was not qualified to be on the committees in the City. Responding, Mr. Lewis stated that he had not indicated that current board members were not qualified. Mr. Shevock felt that this was not what the statement had said, and indicated that he took offense to it. He advised that when Mr. Lewis publishes this in the paper, people read it.

In response to Mr. Shevock, Mr. Lewis advised that he made the statement because he thought that the boards should not be politicized. He felt that there was a need for a better recruitment process and to put qualified people on the boards. Mr. Lewis did not believe that members of Council should just appoint "Joe Schmoe" to a board or committee because they are a friend.

Mr. Shevock questioned if Mr. Lewis felt that committee members were "Joe Schmoes," stating that this is what Mr. Lewis had said in the newspaper. Responding, Mr. Lewis indicated that he had not stated this, and that Mr. Shevock was misinterpreting. Mr. Shevock indicated that a lot of people that he had talked to misinterpreted Mr. Lewis' remarks and there may be a mass exodus from the committees because of Mr. Lewis' statement. Mr. Shevock expressed his hope that there were a lot of qualified people out there. In response, Mr. Lewis indicated that this was why the recruitment process was being changed.

Mr. Hare indicated that he understood both sides, but noted that it was incumbent upon Council members to find qualified people, rather than telling someone to find qualified people. He advised that he was told that because someone did not like the process, they were not going to find people to serve. Mr. Hare stated that when

Council members were elected, they were just unqualified people and knew what was expected of them. He suggested that perhaps members should look at what is expected of them and should be doing it.

Mr. Anderson stated that part of the job of a member of Council is to communicate with the public about his or her decisions. He strongly believed that if Council's discussion is limited to Council Chambers, they are not doing their jobs, because most of the public is not in Council Chambers. Mr. Anderson indicated that this is why members hold town hall meetings, write letters to the editor, and speak with the press when they ask questions. He felt that this is fundamentally Council's job; otherwise, they cannot get the right input back from the public.

Mr. Anderson felt that people would benefit from making more training available. He indicated that he was not typically in favor of mandating things; however, he believed it would be a bad decision to not take advantage of local training that would be set up in Dover for $50. Mr. Anderson believed that training would allow people a different perspective so that they can have more of an independent, informed judgment. He thought that training for these boards should be encouraged and would allow for more diversity, experience, and perspective, and people with various backgrounds and professional understandings would feel that they could serve on the Board of Adjustment or Planning Commission without being experts in those fields. Mr. Anderson felt that these individuals would know they have support for the proper understanding and he supported Mr. Lewis' proposal.

Mr. Cole felt that there was no rush regarding point #5, noting that Mrs. Townshend was required to address this for her training, and this was outside of her job scope. He suggested tabling this matter and coming back to it in 60 or 90 days, or when Mrs. Townshend's research is done to see what it produces.

Mr. Hare informed members that in the 1990s when people were appointed to an entity such as the Planning Commission, they would have a 45-minute meeting with the Planner and review what happens and is expected in a meeting. He indicated that an individual appointed to the Utility Committee would meet with the Utility Director and an individual appointed to the Safety Committee would meet with the Police Chief to review the basics and to receive a little indoctrination, and this was handled similarly for the Legislative and Parks and Recreation Committees. Mr. Hare noted that this was done before individuals were confirmed by Council, and if they did not feel comfortable, they would decline the appointment. Mr. Hare stated that he agreed with Mr. Cole's suggestion.

The Committee tabled this matter to allow Mrs. Townshend to conduct research and come back to Council at a future date with her findings.

Proposed Ordinance #2016-21 Amending Chapter 2 - Administration, Chapter 22 - Buildings and Building Regulations, and Chapter 46 - Fire Prevention and Protection by Removing the Annual Appointment of the City Clerk, Building Inspector, and Fire Marshal (Sponsors: Hutchison, Neil, and Anderson)
This item was deferred by the Committee Chair.

Proposed Ordinance #2016-22 Amending Chapter 54 - Health and Sanitation, Article I - In General, Section 54-4 - Smoking Regulations and Appendix F - Fees and Fines
This item was deferred by the Committee Chair.

Proposed Charter Amendments - Removal of Annual Appointment Requirement for the City Assessor, Controller/Treasurer, City Solicitor, and Deputy City Solicitor; Gender Language Amendments; Administrative Amendments; and Typographical Corrections
This item was deferred by the Committee Chair.

Mr. Sudler moved for acceptance of the Council Committee of the Whole Report. The motion was seconded by Mr. Anderson and unanimously carried.

QUARTERLY REVENUE REPORT
Members were provided the Quarterly Revenue Report as of September 30, 2016.

By consent agenda, Mr. Neil moved for acceptance of the Quarterly Revenue Report as of September 30, 2016. The motion was seconded by Mr. Hare 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 D. Koenig, met with the Fire Chief to discuss fire company issues. Mr. Koenig submitted a memorandum outlining the items discussed and noted 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. The motion was seconded by Mr. Hare and carried by a unanimous roll call vote.

AUTHORIZATION TO PURCHASE VEHICLES (POLICE DEPARTMENT)
Police Chief Paul Bernat informed members that the Police Department started the process for purchasing the FY17 vehicles in early August. He explained that I.G. Burton was the State contract vendor for Police Dodge Chargers at that time and, similar to the previous year, the Police Department Fleet Manager contacted them to find out if they had any leftover 2016 Chargers. Chief Bernat noted that when the Department did this the previous year, they had saved

approximately $15,000. He explained that there were two (2) black Dodge Chargers available and an additional eight (8) were then discovered.

Chief Bernat stated that, unfortunately, there were many questions that occurred during the process of requesting the new vehicles, so the process took longer and the approval was not granted until later in September. Unfortunately, the State contract for 2016 vehicles expired on August 31, 2016 and I.G. Burton was not awarded the State contract; the State contract for 2017 was awarded to Hertrich Fleet. Chief Bernat explained that the Department contacted Hertrich Fleet and they did not have any black 2016 police pursuit Dodge Chargers available. They provided discounted pricing below the current contract rates; however, it was still higher than the pricing from I.G. Burton.

Chief Bernat advised that, as a result, the Police Department was requesting to deviate from the City's Purchasing Policy and to purchase the ten 2016 vehicles that are available from I.G. Burton and the last 2017 vehicle from Hertrich Fleet. He noted that because the I.G. Burton pricing is more competitive, they are the "LEAN" choice. As a result, a total of $29,976.16 in savings will be realized by the City.

Staff recommended approval of the purchase, as requested.

Mr. Lewis asked if these were additional or replacement vehicles. Responding, Chief Bernat stated that these are replacement vehicles, which were already approved through the budget. He noted that the Department was just saving money.

Mr. Lewis asked if there was sufficient funding in the budget. In response, Chief Bernat indicated that there was sufficient funding in the budget and there would be a savings of $29,976.16.

Mr. Anderson thanked Chief Bernat for working hard to save money.

Mr. Hosfelt moved for approval of the purchase of the police vehicles, as recommended by staff. The motion was seconded by Mr. Hare and carried by a unanimous roll call vote.

APPOINTMENT OF JUDGES - ROBBINS HOSE COMPANY ELECTION - NOVEMBER 21, 2016

The Robbins Hose Company election is scheduled for November 21, 2016. The following persons have been recommended to serve as judges for the election:

1. James Hurley 2. William Rhodes 3. Brian Wasko (Alternate)

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

REZONING REQUEST FOR PROPERTY LOCATED ON THE WEST SIDE OF SOUTH BRADFORD STREET - FIRST READING OF PROPOSED ORDINANCE #2016-23

A request was received to rezone property located on the west side of South Bradford Street, south of Waples Avenue and to the rear of 911 South Governors Avenue, consisting of $0.32^{+/-}$ acres, owned

by Capital Grange No. 18, Inc. The property is currently zoned R-8 (One-Family Residence) and the proposed zoning is RG-1 (General Residence).

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

Mr. Hare moved to refer the request to the Planning Commission on November 21, 2016 and set a public hearing for December 12, 2016 at 7:30 p.m., seconded by Mr. Anderson.

Mr. Neil asked if the classification would be for apartments. Responding, Mrs. Ann Marie Townshend, Director of Planning and Community Development, stated that this would not be for apartments, explaining that it is related to the non-conforming use clean-up and it would allow the parking lot that is currently there to remain.

The motion to refer the request to the Planning Commission on November 21, 2016 and set a public hearing for December 12, 2016 at 7:30 p.m. was unanimously carried.

In accordance with Section 1-9 of the Dover Code, Council acknowledged the First Reading of Proposed Ordinance #2016-23 as read by the City Clerk, by title only, as follows:

> AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER BY CHANGING THE ZONING DESIGNATION OF PROPERTY LOCATED ON THE WEST SIDE OF SOUTH BRADFORD STREET

FIRST READING - PROPOSED ORDINANCE #2016-24

Mr. Slavin noted that this item was in anticipation of any potential action related to item #5A - Request of Fordham & Dominion Brewing Company - Amendment to Appendix B - Zoning, Article 3 - District Regulations, Section 22 - Airport Environs Overlay Zone (AEOZ), Subsection 22.4 - Exemptions, Paragraph (c) - Temporary Uses of the Dover Code/Proposed Agreement Approving 80 Event Hours Over 12 Months; however, since item #5A was deferred earlier in the evening, this item should also be deferred.

Mr. Hare moved to defer this item. The motion was seconded by Mr. Sudler and unanimously carried.

CITY MANAGER'S ANNOUNCEMENTS

Mr. Scott Koenig, City Manager, reminded everyone that the day and night leaf collection routes are under way.

Mr. Koenig announced that the third week of the fall 2016 water system flushing is currently under way. He stated that staff has made it to the southwestern side of the City and will be working its way up to the western boundary at Denney's Road later in the week.

Mr. Koenig stated that the gravity sanitary sewer work on North State Street is about to get under way and message boards have been placed. He reminded everyone that there will be traffic

disruptions, and notices have been put in the paper. Mr. Koenig stated that the City hoped to get those projects done quickly and get the traffic pattern back to normal.

COUNCIL MEMBERS' ANNOUNCEMENTS

Mr. Sudler announced that a meeting entitled "Ground Zero" in regard to White Oak/Dover Park would be forthcoming in November.

Mr. Anderson deferred to Police Chief Paul Bernat to share details regarding an upcoming event. Police Chief Bernat announced that the Police Department would be having trick-or-treating on Legislative Mall on Friday, October 28, 2016 from 5:30 p.m. until 7:30 p.m. He stated that there would be a lot of police cars and fire department apparatus, and there would be a small parade. Chief Bernat noted that there would also be a State Police helicopter as long as the weather is okay. He stated that there would be plenty of candy given away asked everyone to invite all of the children to come out and enjoy the trick-or-treating.

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

Meeting adjourned at 8:22 p.m.

TRACI A. McDOWELL
CITY CLERK

All ordinances, resolutions, motions, and orders adopted by City Council during their Regular Meeting of October 24, 2016, are hereby approved.

ROBIN R. CHRISTIANSEN
MAYOR

/TM
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Exhibits
Exhibit #1 - Statement provided by Ms. Sue Harris
Exhibit #2 - Community Voice Coalition Identity - Information provided by Pastor Aaron Appling

I want to address the unclear information that was offered at the last meeting.

I think it's important to first make clear that we have not come to any of these meetings asking for money. We have asked through our voice at the meetings as well as in writing twice with specifics that we are asking for abandoned properties, open lots, vacant buildings. Things that ARE within your possession. I understand the process of Grant writing and how "money" must be requested, but you also understand that without the cooperation of the municipality money isn't always the answer. I have pulled from your very own reports what has been presented in order to apply and be approved as a designated District as well as a recipient of CDBG funds. Remember, this is from your reports and submitted plans.

The Restoring Central Dover Plan includes a plan that identifies a number of goals to include:

Strengthen existing housing stock

Support New Housing and Mixed Use Development

- The Central Dover area has enough vacant land to comprise 25 football fields.
- Removing regulatory barriers
- Explore land banking

The City of Dover working with NCALL received a grant from Wells Fargo for $750,000 that will be distributed over a 5 year period providing NCALL the opportunity to hire a full time neighborhood revitalization coordinator and a community organizer. It appears oddly enough one of the members of the steering committee that suggested the grant was hired as the Community Organizer. Convenient.

In the report by NCALL of the work completed or underway the only mention of housing is the new home construction by NCALL, Central DE, Habitat, MDHC.

From the application for district designation:

According to the 2010 Census

- 15.3% of housing units in the blocks comprising the District were vacant".
- The District includes 49 registered vacant buildings
- There are 25 lots where buildings have been demolished by either City or the owner since 2008.

The City of Dover invested CDBG funds to improve the downtown area through the housing rehabilitation, infrastructure rehabilitation, and support of the DIMH men's shelter over the past 10 years.

The planning documents that comprise the City of Dover District's plan include a series of implementation strategies. The following are key strategies:

- Encourage mixed use development
- Provide additional transitional housing
- Encourage greater zoning flexibility to enable infill housing development

In Sept 2014 DSHA announces that 2.5 million will be divided amongst the municipalities of Kent and Sussex counties for housing rehabilitation, water/sewer hookup, demolition, drainage, street repair, and administration to benefit low income families and individuals.

Executive Summary of the Consolidated Plan for the City of Dover (2015-2019) a five year plan mandated by HUD.

To provide decent affordable housing by assisting homeless persons or those at risk of becoming homeless obtain affordable housing.

Executive Summary The consolidated Plan (2015-2019)

Senate bill 191 provision for CDBG

Page 1

The plan identifies the specific needs concerning affordable housing.

The city continues to meet the timeliness standard for expenditure of funds and continues to obligate over the 70% requirement of CDBG funds on activities that benefit low to moderate income persons. I would like to see the transparent reporting of these expenditures.

Page 3

The priority needs for the City of Dover include initiatives to assist the homeless and rehabilitation activities involving rental housing units.

Page 7

"The strategic goals include the promotion of fair housing for all, preserving the existing stock and providing affordable housing"

Homeless planning council says "The consolidated plan's priorities for ending homelessness are in line with the goals of the 10 year plan".

Page 15 - *57% of households 1-30% of MI pay 50% of their income on housing costs. This population is at risk of becoming homeless with very little left to purchase food and clothing.*

Delaware is the 10th highest in the country with the highest two bedroom housing wage in the Kent County at over $22.00 per hour

Page 17 Discussion:

The city is working on several initiatives in conjunction with other agencies that will assist in providing affordable housing and reducing the risk of homelessness for low income persons.

Every single initiative mentioned refers to home ownership. What happened to helping the homeless into affordable housing?

Page 32 Discussion

The City of Dover fully supports the Homeless Planning Council initiative to end Chronic Homeless in Delaware by 2017. There is still a lack of affordable housing and emergency shelters. Over the next five year, the city WILL PROVIDE CDBG ASSISTANCE TO HOMELESS PROVIDERS TO ASSIST IN REDUCING CHRONIC HOMELESSNESS IN DOVER.

Page 33

The special needs population consists of persons that are elderly and frail and elderly; persons with mental, physical, and/or developmental disabilities; PERSON WITH ALCOHOL AND DRUG ADDICTION. The City will continue to provide support for agencies that service this population and will continue to be a priority to service this population over the next five years.

Consultation of housing providers determined:

A need for permanent supportive housing to address the needs of the homeless and those at risk of becoming homeless

A need for decent affordable rental housing that meets the City's Housing Code to house people with special needs.

Page 34

The City funds facilities that service the special needs population such as homeless facilities through its CDBG allocation

Page 35

Due to homelessness in Dover having a high priority, the City has consistently provided CDBG funding to homeless providers to address this need.

Page 45

Current and new shelter beds 116, Transitional Beds 30, and Permanent supportive beds 10.

Page 49

Over the next year, the City of Dover has designated CDBG funding to housing providers that service the homeless and those that are at risk of becoming homeless

Page 60

Federally required Strategic Plan is prepared every five years

The first two priorities identified are:

Homeless Needs

Permanent Supportive Housing

The following 3 goals and objectives have been set for priorities based on guidelines from HUD:

1. *The city will support the homeless population agencies that service the homeless by providing CDBG funding.*

Page 62

The City of Dover will allocate CDBG funding to homeless shelters for operating cost and maintenance cost, and homeless providers that will provide temporary and permanent supportive housing to those that are at risk of becoming homeless.

The City will coordinate CDBG funding for renovations to existing vacant housing that will affirmatively further fair housing.

Page 65

The City's goals are to support developers who construct affordable rental housing and to preserve existing rental housing.

Page 68

Included in the institutional structure that the city will use to carry out its plans are sub recipients; DIMH, Connections, People's Place for homelessness rapid rehousing and supportive housing.

Page 69

The City of Dover administers the CDBG and provides funding to agencies that service the needs of the very low and low to moderate income persons within the City of Dover. The main gap that exists in the Institutional Delivery System is the lack of affordable rental housing.

Page 70

The City will continue to work collaboratively with non-profits and the State and local housing authorities on initiatives that support affordable housing in the City of Dover.

Page 76

Homelessness Strategy

The City has provided CDBG funding to two local emergency shelters for operating and renovation cost that will assist in maintaining safe, decent affordable housing. Code Purple was established in the fall of 2014 that provides shelter to the homeless when the temps or wind chill drops below 21 degrees.

Over the next five years, the City of Dover will provide CDBG funding to the Connections Community Support Program that will provide rapid rehousing/rental assistance to support homeless population and those that are at risk of becoming homeless transition to permanent supportive housing and independent living.

Page 79

There is a network of service providers presently operating in Dover that serve the City's poor. The City will support the missions and functions of these organizations by providing technical and planning support, and when possible implementing physical improvements to infrastructure which serves these facilities.

The 2015 strategic plan includes projects whose goals and objectives focus on developing and sustaining viable communities and improving low and moderate income persons lives.

According to the Annual Action plan; the one year goal for number of existing units rehabbed was 10. How did we do in reaching that goal? What properties were rehabbed and then rented to homeless

Besides being misled, I am very disappointed that I find out too late to attend the Oct. 13th deadline for providing citizen comments on the CDBG 2017 program guidelines. I see that you received no comments submitted in the 2016 action plan. Could that be because it wasn't well attended? I am disappointed because we stood here in front of you three days before that meeting pleading for help of any kind and not only did we get the usual "weve done all we can" looks, we received misleading information instead of offering useful information referencing this opportunity to have input and understand how to apply for these funds. I am very disappointed and I want those of you who knew my father to know he would be embarrassed and ashamed of how you are treating people who are doing nothing more than offering to help you do your jobs

COMMUNITY VOICE COALITION IDENTITY

(A nonsectarian and nonprofit community development corporation)

NARRATIVE

The Community Voice Coalition (CVC) is a non-profit corporation who partners with various organizational resources of good will: to daily outreach to, for, and with people who are impoverished and homeless; and to prevent and end homelessness through building trust by providing housing, holistic family-like relationships, holistic support, justice advocacy, and protection of civil rights.

VISION

A flourishing home life for every person from the wellspring of daily meaningful relationships with holistic support of a beloved community with a voice for justice and social transformation.

MISSION

We partner with a diversity of people and organizations of good will to prevent and end homelessness by daily building trust with people who are impoverished and/or experiencing homelessness so that housing may be built and properly maintained. Every person may be engaged with holistic support: step-by- step learning to maintain a flourishing home-life contagious to others to join a beloved community with civil rights protection.

PHILOSOPHY

Listen and dialogue in a way that we resolve conflicts. That includes persons knowing that their voice is valued and everyone can contribute to their neighbor having a flourishing home life.

CORE VALUES FOR A CULTURE OF HONOR

1. **Stewardship of Life:** We are committed to a life of generously imparting the light and voice of who we are, what we do, and what we have, so that other people can truly be who they are meant to be—in relationship with and for other people—resulting in a renewed sense of family.

2. **Identity as a Beloved Community:** Self-awareness as a person and as a community that all are conceived with inalienable value to receive; and contribute to the stewardship of the community's well-being. Therefore, we are privately and publicly committed to our neighbor and advocate for justice.

3. **Believing the Best:** Relationships are meant to grow in an atmosphere of encouraging truth. We are committed to one another's personal growth and fulfillment; to clarify any misunderstandings; and to recognize we, individually and collectively, are always striving towards becoming the persons we are to be.

4. **Openness & Honesty -** We choose to give to those we are in relationship with, the gift of vulnerability. With integrity and honesty, we are free to become a light of transparency and a voice of accountability in loving service to others.

COMMUNITY VOICE COALITION (CVC) COMMITMENT RESPONSE

The CVC is resourceful and other-centered…

How can I or who I represent make an immediate difference in the lives of people experiencing poverty and/or homelessness and positively change the trajectory of the next generation?

Since March of 2016, Victory Church has been daily making a difference in the lives of people both by those who contribute and by those who are beneficiaries. The CVC is rooted in Victory Church's legacy of daily commitment and service to those who are impoverished and homeless.

OPPORTUNITY	TIME	LOCATION	SERVING
DAILY MEAL PREP & LUNCH TRANSPORTED TO COMMUNITY	10 am prep; 12 – 2 pm fellowship & distribution **Approximately 75 – 100 daily lunches**	**Victory church to various drop-off locations**	Anyone experiencing poverty & homelessness in the dover metro area at no charge
DAILY SIT DOWN DINNER MEALS	Transportation provided to church; depart from church 6 – 6:30 pm to pick up; dinner starts after 7 pm daily worship service 8:30 – 9 pm transportation for return drop off; returning no later usually than 11 pm to church **Approximately 50 daily dinners**	**Pick up and return to various locations; dinner at victory church**	Anyone experiencing poverty & homelessness in the dover metro area at no charge
DAILY WORSHIP SERVICE	Transportation provided for pick up and return to Victory Church; prayer, singer(s) musician(s) announcer, and preacher **7:00 pm – 8:30 pm Also, on Sunday, an 11:00 am service**	**Pick up and return to various locations; Worship Service at Victory Church**	Anyone experiencing poverty & homelessness in the dover metro area at no charge
WEEKLY FAMILY BOXED FOOD	12 pm: Separate uncooked food items and pack into banana boxes for each family; Transported to families; **Approximately 12 volunteer hours or more to pack and deliver:** **25 – 52 families with banana size boxes of food delivered**	**Packed at Victory Church and transported to various locations**	Anyone experiencing poverty & homelessness in the dover metro area at no charge
DAILY TOTAL OF VOLUNTEER HOURS	**APPROXIMATELY 75 -100 TOTAL VOLUNTEER HOURS**		

DOVER METRO AREA (MARCH – SEPTEMBER 2016: 214 DAYS & COUNTING)

TARGETED POPULATIONS
PEOPLE EXPERIENCING POVERTY AND/OR HOMELESSNESS

16,050 – 21,400
MOBILIZED VOLUNTEER HOURS

$0
GRANTS

LAST SIX MONTHS DAILY LUNCHES TRANSPORTED TO THE COMMUNITY

16,050 – 21,400
HAND PREPARED LUNCHES

$0
GRANTS

LAST SIX MONTHS DAILY SIT DOWN DINNERS COOKED

10,700
DINNERS

1 VAN AND PERSONAL VEHICLES
TRANSPORTATION FOR PICK UP AND RETURN TO SELECTED LOCATIONS

$0
GRANTS

31 WEEKS OF WEEKLY DISTRIBUTED 25 – 52 FAMILY BANANA SIZED FOOD BOXES

775 - 1,550
FAMILY FOOD BOXES

$0
GRANTS

LAST SIX MONTHS DAILY 7 PM WORSHIP SERVICE + WEEKLY 11 AM SERVICE ON SUNDAY

7 PM + 11 AM SERVICES = **260.5 – 367.5 +**
HOURS
(EXCLUDING REHEARSALS AND ENVIRONMENT SETUP/CLEAN UP)

$0
GRANTS

Partner with us to prevent and end homelessness by designing communities where people of diverse incomes, ages, backgrounds, and beliefs build housing and trust with each other by listening in a way that people know that they have been seen and heard as being valuable and capable of contributing to a flourishing community.

Support, partnership, and/or join the Community Voice Coalition (CVC) to prevent and end people from experiencing poverty and/or homelessness through, with, and by a simple check by one or more of the following.

1. _____Pledge to pray individually and/or corporately one time or scheduled planned regular prayer, fasting, and/or alms giving as a work of mercy and/or justice.
2. _____Commit to regularly gathering to reflect, research, and community organize on how to apply our diverse beliefs as one toward daily justice with and for those experiencing poverty and homelessness.
3. _____Commit to having a representative(s) from your church/organization/corporation to meet with a coalition of others to leverage and steward gifts and resources for one time and/or ongoing engagement for CVC Mission and Vision.
4. _____Contribute in-kind donations, volunteers, and/or monetary gifts one time and/or several donations and/or ongoing to the CVC.
5. _____Join us as a servant leader with no strings attached other than upholding our mission, vision, and values.