COUNCIL COMMITTEE OF THE WHOLE

The Council Committee of the Whole Meeting was held on October 25, 2016 at 6:00 p.m., with Council President Slavin presiding (departed at 6:22 p.m., returned at 6:23 p.m., departed at 7:31 p.m. and returned at 7:33 p.m.). Members of Council present were Mr. Anderson (arrived at 6:07 p.m.), Mr. Sudler, Mr. Neil, Mr. Cole, Mr. Hosfelt, and Mr. Hare. Mr. Lewis and Mr. Hutchison were absent. Mayor Christiansen was also present (departed at 6:38 p.m., returned at 6:41 p.m., departed at 7:31 p.m., and returned at 7:33 p.m.). Civilian members present for their Committee meetings were Mr. Keller and Mr. Shelton (*Safety Advisory and Transportation*), Ms. Arndt and Mr. Blakeman (*Utility*), and Mr. Shevock *(Legislative, Finance, and Administration)*. Dr. Stewart (*Legislative, Finance, and Administration*) was absent.

SAFETY ADVISORY AND TRANSPORTATION COMMITTEE

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

AGENDA ADDITIONS/DELETIONS

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

Presentation - RideShare Delaware Program (Kathleen Grier)

Ms. Kathleen Grier, Outreach Coordinator, RideShare Delaware, advised members that she had met Mayor Christiansen at Delaware State University while doing a table event for students in their career center. He invited her to provide Council with an overview of the RideShare Delaware Program to allow those in the community to hear about the program.

Ms. Grier reviewed a presentation, entitled, "RideShare Delaware." She explained that the program had been in existence since 1997 and is a free service of Delaware Area Regional Transit (DART) First State. She informed members that the program is funded through state and federal dollars, and its goals are to lessen congestion on the Delaware roadway system and help the air quality in the State. Ms. Grier indicated that the program has several components, including ride matching, which is available to anyone who works, lives, or goes to school in Delaware, and matches participants with other commuters in their vicinities. She noted that this could include residents of Maryland, Pennsylvania, or New Jersey. Ms. Grier explained that program participants who drive, ride the bus, walk, or ride a bike to work or school are guaranteed reimbursement for the cost of alternative travel arrangements up to five (5) times per year if their ride home falls through. For example, Ms. Grier explained that if someone missed the bus or was left behind by their carpool driver, they could be reimbursed for the cost of their ride home with state and federal dollars that are set aside for this program. She noted that RideShare Delaware tries to make the program fun and interactive by offering monthly contests and holiday promotions. In addition, Ms. Grier stated that participants can track their miles and see how much they are saving in money and wear and tear on their cars. She indicated that there is also a Ride Reward Record Program whereby people who use the services up to three (3) times per month are eligible to win a gift certificate.

Ms. Grier advised that those who register their commute are instantaneously provided a list of ride matches with contact information, based on where they live, work, or go to school. It is then up to

the individual to reach out to those on their ride match list to set up a carpool. Ms. Grier noted that some participants use RideShare Delaware as a back-up, such as telecommuters who go to their work site only on certain days or those who have a car in the shop or being inspected.

Ms. Grier offered to provide information regarding the program to the City Clerk's Office and invited everyone to share this information with their families and business contacts. *(City Clerk's Office Note: Subsequent to the meeting, Ms. Grier provided the City Clerk's Office with a flyer regarding the RideShare Delaware program* ***(Attachment #1)****.)*

Responding to Mr. Hosfelt, Ms. Grier advised that there are currently 11,000 participants in the database, noting that the database had been purged in the last five (5) months. She noted that she had started working with RideShare Delaware in April 2016.

Request for Four-Way Stop Sign - North New and Mary Streets

Mr. Scott Koenig, City Manager, advised that staff had received a request from a citizen interested in the installation of a four-way stop condition at the intersection of North New and Mary Streets. He stated that the concerns related to children playing in this residential area. Mr. Koenig indicated that the engineering staff in the Department of Public Works did a field investigation on August 10, 2016 and determined that a four-way stop was justified at this location based on the current Manual on Uniform Traffic Control Devices (MUTCD). He stated that the primary reason for the justification was the lack of sight distance available on each approach to this intersection, specifically on the New Street side. In addition, Mr. Koenig noted that a speed study was done by the Police Department, and speeding was not nearly as much of a problem at this intersection as it was at others. The speed study data indicated that 66% of the cars were driven at 25 miles per hour (m.p.h.) or less in this location and 33% exceeded the 25 m.p.h. speed limit.

Mr. Koenig explained that the intersection of North New and Mary Streets was part of a fairly heavily traveled walking path that extends from Wesley College to the College's Wesley West Athletic Complex. He noted that both New and Mary Streets are residential in this location. Mr. Koenig advised that there are not a lot of small kids; however, there can be a significant amount of walking traffic in the intersection, including kids who walk up and down the area quite often. He stated that staff did not issue a community survey but was recommending the four-way stop to Council based on phone calls received by staff about this area. Mr. Koenig noted that there were four-way stop conditions in the vicinity at the intersection of Mary and North Queen Streets, Cecil and North New Streets, and at a number of intersections in the Fairview area north of William Street. He stated that a four-way stop condition in this area is, in some cases, expected; however, it had not been installed in the subject intersection.

Staff recommended the installation of the four-way stop condition at the intersection of North New Street and Mary Street; however, final action should consider any public testimony received at the Committee meeting.

Mr. Hosfelt advised that he had a conference call earlier in the day with Police Chief Paul Bernat and Deputy Police Chief Marvin Mailey, who fully supported staff's recommendation to make this a

four-way stop because of the lack of view coming into that intersection. Mr. Hosfelt noted that he had ridden through the intersection earlier in the day and agreed with staff's recommendation.

Mr. Anderson questioned if Mr. Koenig had any of the other results of the speed study, such as traffic in the 25 to 35 m.p.h. range. Responding, Mr. Koenig stated that 5% of the cars were traveling between 5 m.p.h. and 10 m.p.h., 20% between 10 m.p.h. and 15 m.p.h., and 42% between 15 m.p.h. and 20 m.p.h. He noted that these numbers were cumulative, and 66.6% of the traffic was traveling at 25 m.p.h. or less. Mr. Koenig advised that the percentage of those traveling at 30 m.p.h. or less was 88.4%, so there was not a substantial amount of speeding at this location during the time of the study.

In response to Mr. Anderson, Mr. Koenig stated that a four-way stop would be added at this location rather than shifting a four-way stop from another location. He explained that there was an existing stop condition on Mary Street at North New Street, so stop bars and stop signs would be added on North New Street at its approach to the intersection. Mr. Koenig believed that the curb at this location was already painted yellow, so no parking would be removed at this point. He noted that there was previously a house at the southwest side of the intersection; however, this property was currently vacant. Mr. Koenig stated that another house would likely be built on this corner, which would reduce sight distance over time. He noted that there are existing structures at the other corners of the intersection and it has a very downtown feel. Since these structures are relatively close to the street, the field of vision narrows, even when traveling at 25 to 30 m.p.h. Mr. Koenig stated that, considering reaction time and that there may be kids running out into the street, he felt that the four-way stop would be a prudent public safety improvement, although it would be somewhat of an inconvenience.

Mr. Anderson stated that he normally would not support such a recommendation without evidence of speeding because he does not like traffic to be broken up. However, since the houses in this location are older homes constructed under old code and are very close to the corner, he did not believe there was much of a choice in this case.

Responding to Mr. Hare regarding the volume of traffic from the study, Mr. Koenig advised that 7,651 vehicles were identified at that location between Friday, September 16, 2016 and Friday, September 23, 2016.

Mr. Neil moved to recommend installation of the four-way stop condition at the intersection of North New Street and Mary Street, as recommended by staff. The motion was seconded by Mr. Cole and unanimously carried.

Initial Assessment of Public Safety Issues Related to Holding Public Meetings in the City Council Chambers

Mr. Scott Koenig, City Manager, advised members that during recent months, several members of City Council voiced concerns about the security of holding public meetings in the City Council Chambers and, as a result, he requested a review of the City Hall facility by the Dover Police Department. Mr. Koenig explained that staff from the Dover Police Department and representatives from the Delaware State Police Delaware Information and Analysis Center (DIAC) conducted a site

visit on Wednesday, September 28, 2016 and met with Mrs. Kay Sass, Public Information and Emergency Management Coordinator, on Monday, October 3, 2016. Mr. Koenig indicated that the results of that study were placed into a 35-page report which had a series of specific recommendations, and the report was received on October 21, 2016. He informed members that he expected to forward the recommendations to Council at the next Council Committee of the Whole meeting. Mr. Koenig stated that the recommendations were wide ranging and addressed topics such as improvements that could be made to the facility, and individual security policies and procedures.

Mayor Christiansen noted that a security assessment had also been performed on the City's Reed Street building.

Mr. Slavin asked if the report addressed the capacity of Council Chambers for members of the public. He stated that over the last six (6) weeks, he had observed that the City had not followed its own rules in regard to how many people were crowded into the room. Mr. Slavin stated, for example, that it would have been very difficult to get people out of the room during the City Council meeting held on the previous evening. Responding, Mr. Koenig advised that this would have to do with the Fire Marshal's review and not just the security review. Mr. Slavin requested that the Fire Marshal look at this issue and make a recommendation regarding the capacity of the Chambers and how this could be managed. He felt that there was an obvious public safety component, but also a component with regard to the City playing by the rules in regard to fire and security requirements. In response, Mr. Koenig stated that he would make this request and information would be brought back in relation to the full assessment.

Mr. Hosfelt asked if this matter would be placed on the agenda for the Council Committee of the Whole/Safety Advisory and Transportation Committee's meeting in one (1) month. Responding, Mr. Koenig stated that it would, noting that he planned to review the recommendations with the Police Chief. He indicated that the full evaluation may not be included in the materials for the meeting because of security concerns related to sensitive information, but staff would present recommendations.

Mr. Neil moved for adjournment of the Safety Advisory and Transportation Committee meeting, seconded by Mr. Keller and unanimously carried.

Meeting adjourned at 6:22 p.m.

UTILITY COMMITTEE

The Utility Committee meeting was held with Chairman Cole presiding.

AGENDA ADDITIONS/DELETIONS

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

Dedication of Public Infrastructure

Clearview Meadow Pump Station

Mr. Scott Koenig, City Manager, stated that Knollwood Development Corporation, the responsible party for completing the pump station associated with the construction of the Clearview Meadow Development, had requested that the pump station and associated force main be dedicated to the City of Dover for permanent ownership and maintenance. This acceptance is in accordance with the water main abandonment agreement that was executed with the developer on August 11, 2016. Mr. Koenig advised that this agreement outlined an exchange whereby the developer would abandon a water main that is installed under a stormwater management pond and the City would accept ownership of the existing pump station. He indicated that the total construction value of the infrastructure was $333,993. Mr. Koenig stated that Knollwood Development Corporation had completed construction of the infrastructure in accordance with City standards and specifications.

Mr. Koenig explained that after construction was completed, City staff inspected the infrastructure and developed a list of repairs to be made to meet the City of Dover Standards and Specifications for Public Works Construction. He advised that, as of this date, all work required by the Public Works Director had been completed, and a one-year Maintenance Bond and a Release of Liabilities would be submitted as part of the dedication process. The required as-built drawings of the infrastructure had been provided to staff. Mr. Koenig indicated that the infrastructure to be abandoned included a Smith and Loveless 4B2B vacuum primed pump station, approximately 1,740 linear feet of six-inch sanitary force main, and two (2) gate valves, six inches in diameter.

Mr. Koenig explained that this dedication was being recommended as a separate item, noting that the subdivision was currently under construction and the first phase of the development off South Little Creek Road was dedicated several years ago. He stated that the development has a number of duplex houses off South Little Creek Road, as well as a townhouse section. Mr. Koenig advised that the section currently under construction is mostly single-family homes, although there may be some associated duplexes. Mr. Koenig stated that the water main that was installed underneath a portion of the stormwater drainage pond was not to the City's benefit from a long-term maintenance standpoint. He indicated that this was an error that was detected after construction of the basin. Mr. Koenig stated that staff was requesting that the dedication of this pump station be advanced, and in exchange, the contractor had abandoned the water main running underneath this location. He noted that the water main was not required as a looping system and could be abandoned.

Mr. Koenig advised members that the dedication of this station would have happened at some point in the future, when the top coat of the roads and the other infrastructure associated with the subdivision was finished; however, staff and he felt it was in the City's best interest to recommend dedication now. He explained that when a pump station is left in the hands of a developer, houses become occupied, and the developer's response time is not as fast as the City's for pump failures or pump alarms. This creates the potential for back-ups or sanitary sewer issues with customers who are looking to the City to provide service. In addition, Mr. Koenig stated that, from a standpoint of long-term maintenance and integrating this station into the City system, staff recommended advancing the dedication of this pump station because it was always intended to be public infrastructure. He advised that once the developer reaches a dedication point for the streets, the

water main, and the sewer mains, staff would bring this back as a separate item under the normal dedication process. Mr. Koenig explained that, in regard to the issue of the water main abandonment agreement, the City could have abandoned the infrastructure; however, the contractor had all the equipment onsite. He noted that the City did provide the fittings to cap the line for the developer; however, the costs to abandon the line were relatively small, and the City did not really have out-of-pocket expenses, except for the capping mechanisms. Mr. Koenig expressed staff's belief that the proposed dedication was the best recommendation for the citizens who are now or soon to be living in the development as the properties become occupied.

Staff recommended acceptance of the pump station and associated force main at the Clearview Meadow Development. Dedication is to include the entire referenced infrastructure.

Mr. Anderson moved to recommend approval of staff's recommendation. The motion was seconded by Mr. Blakeman and unanimously carried.

Water Infrastructure - New Burton Road and Webbs Lane

Mr. Scott Koenig, City Manager, informed members that Kent County, the responsible party for completing the water infrastructure extension from Webbs Lane due south within New Burton Road to the new Kent County Recreation Center, had requested that all water infrastructure within the right-of-way be dedicated to the City of Dover for permanent ownership and maintenance. He reviewed the Water Utility Infrastructure to be dedicated, noting that the total construction value of the infrastructure is $239,900. Mr. Koenig stated that Kent County's prime contractor, A-Del Construction, Co., Inc. completed construction of the infrastructure in accordance with City standards and specifications. After construction was completed, City staff inspected the water infrastructure and developed a list of repairs to be made to meet the City of Dover Water/ Wastewater Handbook. He noted that, as of this date, all work required by the Public Works Director had been completed. Mr. Koenig stated that a one (1) year Maintenance Agreement and a Release of Liabilities will be submitted as part of the dedication process, and required as-built drawings of the infrastructure had been provided to staff.

Mr. Koenig explained that in 2014, Kent County asked if the City was willing to be the water provider for the new Kent County Recreation Center and there were no objections, because this was in the City's overall water master plan or concept. Mr. Koenig noted that under the extension rules, the County was required to pay for the extension of the water main to that area; however, the City asked Kent County to increase the size of the water main along the road from the ten-inch main in their design to a 12-inch main. Mr. Koenig reminded members that Council had authorized a reimbursement in September 2015 in the amount of $30,000 as cost sharing for the increased size of the infrastructure.

Mr. Koenig stated that, in his opinion, this was a good investment for the City's water utility because it would extend the City's water system to the Kent County Recreation Center, which would put the City within a couple hundred feet of the end of the Camden-Wyoming system. He indicated that if there was an opportunity in the future for the City to develop a pipe interconnection and metering system to allow water to be transferred back and forth between the City of Dover and the Camden-Wyoming Water and Sewer Authority, this would be beneficial in the long range because it would:

1) provide a drought protection measure for the City if there was a need to purchase water from them; and 2) provide the potential for Camden-Wyoming to purchase water from the City if this becomes economical for them. Mr. Koenig informed members that this water main represented some of the southernmost reaches of the City's water system, noting that the property is in unincorporated Kent County; therefore, they are an out-of-City water customer who pays one-and-a-half times the in-City rate. He noted that instead of paying $3 per 1,000 gallons, they are paying $4.50 per 1,000 gallons, which is consistent with how customers in Rodney Village are treated. Mr. Koenig indicated that these customers are out of the City's incorporated limits but are part of the City's water and sewer utility. He explained that the Kent County Recreation Center is a water-only customer for the City, noting that the County extended sewer to this property because there was no City sewer available.

Mr. Koenig explained that staff was asking for the dedication of the infrastructure in the Webbs Lane and New Burton Road right-of-way. He requested that three (3) words be added to language in the staff's recommended action, stating that the recommendation was for acceptance of water infrastructure within the right-of-way of New Burton Road and Webbs Lane or any dedicated easements. Mr. Koenig explained that there would be a jog in the main off the road coming across the Kent County property because the cost of digging in dirt was much cheaper than digging in the edge of the roadway.

Staff recommended acceptance of water infrastructure within the right-of-way of New Burton Road and Webbs Lane or any dedicated easements. Dedication is to include all of the referenced water infrastructure.

Mr. Neil moved to recommend approval of staff's recommendation, seconded by Mr. Hosfelt and unanimously carried.

Mr. Hosfelt moved for adjournment of the Utility Committee meeting. The motion was seconded by Mr. Blakeman and unanimously carried.

Meeting adjourned at 6:35 p.m.

LEGISLATIVE, FINANCE AND ADMINISTRATION COMMITTEE

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

AGENDA ADDITIONS/DELETIONS

Mr. Hare stated that Mr. Lewis had requested that item #4 - Study of City's Current Recruitment/Hiring Processes be deferred.

Mr. Neil requested that item #5A - 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, and item #6 - 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 be deferred until Mr. Hutchison could be present.

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

Incentive Program for City Employees Opting Not to Be Covered by the City's Health Care Plan (Deferred by the Committee Chair during the meeting of October 11, 2016)
During the Special Council Meeting - Budget Review of May 26, 2016, Council referred the discussion of the possible inclusion of an incentive program for City employees opting not to be covered by the City's health care plan to the Legislative, Finance, and Administration Committee.

Mr. Scott Koenig, City Manager, advised that staff sought input from the law firm Young, Conaway, Stargatt and Taylor on an opt-out arrangement. He stated that there are currently nine (9) City of Dover employees who are eligible for the City's health insurance plan but have declined or opted out of enrolling in the City's plan. Mr. Koenig informed members that one (1) employee is represented by the Fraternal Order of Police (FOP), two (2) by the American Federation of State, County, and Municipal Employees (AFSCME), three (3) by the Dover Organization of Employees (DOE), and three (3) are non-bargaining employees. He explained that the reasons for opting out of coverage were as follows: 1) the employee is under the age of 26 and continues to remain on their parent's plan; 2) the employee is retired military and is enrolled in Tricare; 3) the employee is retired from the State of Delaware; and 4) the employee did not provide a reason; therefore, the reason was unknown.

Mr. Koenig informed members that any incentive option must be a conditional opt-out system. He explained that in a conditional opt-out system, the employee must provide documented proof that they have the minimum essential health care coverage through another source other than coverage in the individual private market for themselves and the "expected tax family." Mr. Koenig indicated that if an incentive payment was to be issued on an unconditional opt-out system, the City would be exposed to violations of the Affordable Care Act (ACA); specifically, the health insurance the City provides would be deemed unaffordable.

Mr. Koenig advised that several entities in the Delaware offer incentives for opting out of health care insurance and reviewed the Background and Analysis regarding this matter.

Mr. Koenig noted that each employee electing to opt out would save the City approximately $7,800 to $8,500. He explained that if Council decided to further pursue an opt-out incentive, staff recommended that the effective date be July 1, 2017 to allow for proper budgeting. Mr. Koenig felt that a $200 per month incentive would be minimally attractive to employees. He noted that the City would have to cover the cost of the nine (9) employees who are already opting out, and would need approximately five (5) or six (6) employees to opt out to reach the break-even point of the analysis. Mr. Koenig advised that this would also depend on what happens with health insurance rates moving forward. He stated that staff believed that the incentive was a method that could be used to

potentially entice some people to decline the City's coverage and go to the market to find other coverage.

Staff recommended authorization to bring back a final proposal based on the discussion of an opt-out incentive for employees with respect to health care coverage.

Mr. Slavin questioned if the assumption was that the nine (9) employees who currently opt out would continue to do so. Responding, Mr. Koenig stated that it was not known what will happen in this regard on a year-to-year basis; however, the City's exposure could be that expense.

Mr. Slavin stated his view that if Council passed a motion to provide direction to Mr. Koenig on this matter, this matter could be presented during budget discussions as a possible program to be implemented. He asked if there would be sufficient time between tonight's meeting and March or April 2017, when Mr. Koenig is shaping the budget, to educate and poll existing workers to provide an idea if there is enough critical mass to make the opt-out incentive work. Mr. Slavin noted that he was not asking for a commitment from employees at this time. He stated that the incentive program may not be worth it, for example, if only two (2) additional employees opted out, since this could create a net loss for the City. In response, Mr. Koenig had no objection to doing an internal survey that would poll those employees who were willing to answer. He stated that the incentive could be put into the budget as a draft line item to allow further discussion.

Mr. Slavin indicated that another option would be to extend the incentive to new employees, so that the existing employee base would not have to be addressed, which may cause confusion. He was unsure if current employees want the incentive or not, noting that they may have already chosen their health insurance. Mr. Slavin suggested that if the results of the employee poll indicate that they are not really interested, the incentive could be implemented with a day-forward approach.

Mr. Koenig expressed concern, from a union standpoint, that if the incentive was out there it would become part of union negotiation discussions. Responding, Mr. Slavin expressed his hope that this would not be the case, noting that the incentive may fit some people's situations exactly but would not fit those of others.

Mr. Koenig reminded members that the health care market was changing rapidly. He felt that the incentive program may be a useful tool for the City, but he could not guarantee it at the moment.

Mr. Slavin noted that someone who opts out of the City's health care coverage can re-enroll during that coverage year if they experience an involuntary loss of coverage, and he felt that was a kind and decent thing.

Mr. Neil questioned at what point an employee could state that they had lost their coverage and wanted to opt back in the City's health care coverage. Responding, Mr. Koenig explained that if an employee experiences a life event that meets the criteria, they could opt back in at that point during the year. He noted that there is also an annual election when there is essentially a renewal of the policy. Mr. Koenig stated that it is possible for an employee to opt out for one (1) to three (3) years and then decide to opt in at the appropriate time.

In response to Mr. Neil regarding the effect of an opt-out incentive on retirees, Mr. Koenig stated that staff did not make a recommendation regarding retirees.

Mr. Hare stated that he was not opposed to having research done; however, he noted that most employers today will not cover health insurance for an employee's spouse if the spouse works somewhere where they can get insurance. He did not believe that $200 would be enough incentive for someone to opt out unless they are retired from the military or the State, because insurance cannot be bought for $200 per month. Responding, Mr. Koenig agreed, stating that the incentive would have to be higher than $200 to get significant movement on this issue. He indicated that his recommendation at this point was to start at a $200 incentive level.

Mr. Hare believed that $400 would still not be enough to buy insurance. In response, Mr. Koenig believed that $400 would start to look attractive to some people. Mr. Hare noted that the proposal indicated that an employee must state that they have insurance in order to opt out. He felt that, except for the nine (9) employees who already have insurance, $400 would not buy insurance.

Mr. Slavin believed that there were some individuals who have double insurance. He stated that he knows people who get insurance from their employer and are glad to pay to have a secondary policy. Mr. Slavin felt that it was possible that the City could capitalize on this, noting that the incentive could make it more attractive for employees to take family coverage from their spouse's plan. He believed that the incentive would target these individuals but noted that they would have to be non-State employees.

Mr. Koenig recalled that when the City went to 15% cost sharing for health care, several employees were essentially double covered and they discontinued the City's insurance once there was a cost for double coverage. Mr. Koenig reiterated that it would be difficult to determine ahead of time how many employees would opt out.

Mr. Slavin felt that if an incentive was implemented, Council should be careful to implement it for a one-year trial period to see what the data shows and if it is returning the City's investment.

Mr. Slavin moved to recommend instructing the City Manager to further develop a proposal for an incentive program for the opt-out insurance for the FY18 budget negotiations, and to poll existing City workers to gauge their level of interest. The motion was seconded by Mr. Cole.

Mr. Shevock asked if Mr. Koenig would be pursuing a $200, $300, or $400 rate. Responding, Mr. Koenig stated that staff recommended $200.

The motion to recommend instructing the City Manager to further develop a proposal for an incentive program for opting out of health insurance for the FY18 budget negotiations, and to poll existing City workers to gauge their level of interest carried, with Mr. Anderson voting no.

Fund to Combat Violent Crime - FY-2017 Grant

Mr. Scott Koenig, City Manager, advised members that the Fund to Combat Violent Crime Program is a recurring grant program managed by the Department of Safety and Homeland Security for use by local law enforcement agencies in connection with initiatives to combat violent felonies pursuant to Section 4201(c) of Title 11 of the Delaware Code. He stated that the first increment of funding was released during FY13. Mr. Koenig advised that this year's $97,320 allocation of funds was much higher than FY16, which was funded at $64,050.39. He indicated that, as a result of this, not enough funds were budgeted in the FY17 grant budget for the total amount of the grant, so a budget adjustment would be needed to cover the unbudgeted portion in the amount of $17,400.

Mr. Koenig stated that the Police Department was requesting approval to use its grant allocation from this program. He informed members that funds were requested to fund the third-year cost in the amount of $26,320 of the five-year Taser weapons upgrade program for all officers' Tasers and purchase tactical rifles for patrol vehicles at a cost of $52,000, two (2) Unmanned Aerial Vehicles (UAVs) and the parts and training needed for them for $12,000, wrestling mats for use during training for police officers in ground fighting skills at a cost of $5,000, and training/public information materials for victims of violent crimes for $2,000. Mr. Koenig noted that the Police Department had submitted a Grant Application and Analysis Form.

Staff recommended approval of the grant and intended purchases.

In response to Mr. Anderson regarding the purpose of the drones, Mayor Christiansen explained that the Police Department found that they could use drones in such instances as hostage standoffs and to determine if subjects have gone into areas that police officers or dogs cannot readily get into without putting them in harm's way. He stated that drones would have quite a few tactical advantages and could be used in the same way a helicopter is used, without having to disturb an entire community. Mayor Christiansen advised that drones would be used for the safety of police officers as well as the citizens in the community and are very effective.

Mr. Sudler asked if research had done to determine the success rate in using drones in surrounding cities. Responding, Mr. Hosfelt informed members that the use of drones is relatively new in law enforcement and public safety and is being pushed by Homeland Security. He indicated that learning about drones is an ongoing process. Mr. Hosfelt noted that drones could be used for traffic control in the City with regard to major events. He stated that Officer Christopher Hermance would lead this unit at the Police Department. Mr. Hosfelt indicated that Officer Hermance was working hand in hand with officials from the Delaware Department of Transportation (DelDOT) who had been a big part of writing the newly formed State law that passed this year and was signed by Governor Jack Markell regarding the appropriate use of drones and unmanned vehicles.

In response to Mr. Sudler regarding research in surrounding areas, Mayor Christiansen indicated that they had done preliminary research on the success of drones.

Responding to Mr. Sudler regarding an example of a nearby city that had adopted and used this concept, Mayor Christiansen indicated that they could get that information. Mr. Koenig stated that

he did not have that information tonight but could have it by the time the report is considered by Council.

Responding to Mr. Anderson regarding the law that outlines appropriate use, Mayor Christiansen offered to obtain that information, explaining that a policy was in place and the law was signed within the last month or 45 days by Governor Markell ***(Attachment #2)***.

Mr. Anderson felt that there were benefits to the use of drones but expressed privacy concerns. He stated that drones with cameras could fly low enough to violate privacy by seeing in windows and the like.

Mr. Neil moved to recommend approval of the grant and intended purchases, as recommended by staff. The motion was seconded by Mr. Shevock and carried, with Mr. Anderson voting no.

Equal Employment Opportunity (EEO) Briefing

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. During that discussion, Mr. Slavin informed members that he, Mr. Scott Koenig, City Manager, and Mrs. Kim Hawkins, Human Resources (HR) Director had discussed the City's Equal Employment Opportunity (EEO) policies. Mr. Slavin advised that he had asked Mrs. Hawkins to prepare a full briefing on what the City's policy is, what its goals are, where the City is vis-a-vis those goals, and what strategies are in place with recruitment and hiring.

Mr. Scott Koenig advised members that in recent months, several members of Council had inquired about the City's posture and position in regard to EEO and what type of information is made available in this regard. He reminded members that Council President Slavin had inquired about the City's EEO statement, and Mr. Koenig stated that an EEO statement had now been added to the HR section on the new City website. He indicated that the City was transitioning to its new website and a more appropriate position for this statement may be found in the future after people visit the website and understand the functionality of it. Mr. Koenig reminded members that the City has approximately 360 full-time employees, a number of additional part-time employees, Council members, and members of boards and commissions. He stated that labor expenses were approximately $35M - $36M. Mr. Koenig remarked that the workforce is significant, noting that almost nothing happens inside the City of Dover without a human touch, and the City's human capital is its number one asset. Mr. Koenig stated his belief that a number of improvements had been made in recent years to encourage people to come and work for the City, train the City's workforce, offer opportunities, and encourage everyone to participate.

Mrs. Hawkins thanked Council for bringing this matter forward, stating that this required the HR Department to do an audit of their recruiting and reporting efforts. She explained that from that staff had learned that there were some areas for improvement. Mrs. Hawkins advised that staff would be making great strides in the next 60 days to do a full audit of staffing, categorize employees correctly according to Equal Employment Opportunity Commission (EEOC) guidelines, and implement this in the City's ADP payroll software. She stated that staff could then generate reports and look at information at a deeper level than was currently being done.

Mrs. Hawkins explained that in 2011, a Minority Recruitment Committee was formed, led by Dr. Bobby Jones. This Committee presented several recommendations at the beginning of 2012 that dealt with improving employee morale, upward mobility and career ladders, enhanced technology for the City's image in recruiting, and internship for high school and college students. Mrs. Hawkins offered to provide the Minority Recruitment Committee's recommendations to members. *(City Clerk's Office Note: During their Regular meeting of February 13, 2012, Council accepted the Legislative, Finance, and Administration Committee's recommendation that the Minority Recruitment Committee (MRC) Report* ***(Attachment #3)*** *be referred to staff for a report back to the Committee within 60 days. During their Annual meeting of May 14, 2012, Council accepted the Implementation Plan for the Minority Recruitment Committee Recommendations* ***(Attachment #4)****, as recommended by the Legislative, Finance, and Administration Committee.)* Mrs. Hawkins stated that staff would be revisiting this information to see what could be done to implement these recommendations. Mrs. Hawkins informed members that the HR Department does not recruit for police officers, but offered to relay any specific questions that members may have in this regard to Police Chief Paul Bernat.

Referring to page 3 of her Equal Employment Opportunity (EEO) Briefing memorandum dated October 16, 2016 and the supporting documents, Mrs. Hawkins noted that Article IV - Equal Employment Opportunity and Affirmative Action of the City of Dover Personnel Policy was approved by Council in 2004. Referring to page 5, Section 4 - Responsibilities for Implementation, B - Human Relations Commission, Mrs. Hawkins stated her recollection that the language in the policy had been forwarded to the Dover Human Relations Commission (DHRC) for their review and input. She reiterated that HR staff now had an opportunity to review the policy on a deeper level than had been done in the past and act upon it.

In regard to page 6, Equal Opportunity Reporting, Mrs. Hawkins indicated that she had been asked to present information regarding the City's last three (3) EEO report filings. She expressed concerns regarding discrepancies in the data. For example, Mrs. Hawkins indicated that one (1) report stated that 15 employees were hired; however, a spreadsheet that she maintains reflected that 30 employees were hired. She noted that these discrepancies must be addressed.

In response to Mr. Slavin, Mrs. Hawkins stated that the EEO reports are required to be filed on behalf of the City every other year and are filed in odd years. She explained that the next filing would be due on June 30, 2017.

Mr. Slavin noted that the memorandum stated that "the report for 2013 was unavailable for review" and questioned why it was not available. Responding, Mrs. Hawkins stated that staff did not have a copy of this report but had been able to secure one from the EEOC.

Referring to page 6, Recruitments and Hires, Mrs. Hawkins explained that Facebook and the City's website are used heavily to advertise job announcements. She noted that staff had discontinued advertising through the local media, including *The Dover Post* and *The Delaware State News* due to budget cuts. Mrs. Hawkins advised that individuals in the City's organization had encouraged HR to return to advertising through print media, and they would be looking to do this in the FY 18 budget.

Mr. Slavin noted that each job announcement is mailed to seven (7) colleges, two (2) religious affiliated organizations, and three (3) community organizations and asked that they be identified. Responding, Mrs. Hawkins advised that those who receive announcements include Salisbury State University; Delaware Technical and Community College in Dover; Bible Way Temple Church on Kirkwood Street; Lincoln University; Wilmington University; the Dover Interfaith Mission for Housing; Mount Zion AME Church on Queen Street; Cheyney University of Pennsylvania; the Latin America Community Center in Wilmington; Coppin State University; the University of the District of Columbia; and Mr. Ken Abraham.

Mr. Slavin inquired if staff had been able to correlate if any of these locations were producing any measurable results. In response, Mrs. Hawkins indicated that this information is requested on the last page of the City's employment application; however, this is voluntary information that is most often left blank.

Mr. Slavin asked if it could be surmised where candidates are coming from and if there were candidates from Cheyney University of Pennsylvania. Responding, Mrs. Hawkins stated that she did not have the data to support that.

Mr. Sudler questioned why Delaware State University was not on the list since it is in Dover, and what process was used to determine which institutions were placed on the list for solicitations. Responding, Mrs. Hawkins stated that there had been changes in staff in the HR Department in 2011 and 2012. She advised that staff was able to find a paper copy of the addresses that the Department was mailing job postings to, and there were approximately three (3) pages of addresses. Mrs. Hawkins stated that sometime between 2011 - 2012 and today, it had been reduced to the current number. She advised that Mr. Sudler's query about Delaware State University was an excellent question and stated that she had no response, other than that they will be added. Mrs. Hawkins noted that she was also very alarmed that the National Association for the Advancement of Colored People (NAACP) was not on the list and that they would be added. She advised that the HR Department was doing a full review of this, explaining that, where they see deficiencies, she has asked staff to start Googling the internet to determine if there are community centers, etc., within the Dover community and Kent County where information could be distributed.

Mr. Sudler suggested that the Solid Rock communities be added.

Mayor Christiansen noted that there are a number of retired military personnel from Dover Air Force Base (DAFB) and asked if contact is made with any of the veterans organizations or with DAFB personnel who are separating. He indicated that those leaving the military have a great work ethic and are a diverse population. Mayor Christiansen stated that he found it unconscionable that Delaware State University was missed totally since it is a school that is right in the City's district. He indicated that it was blatant that someone overlooked a school that is right in the City's backyard and provides highly-educated, highly-qualified people that could fill positions in the City of Dover. Mayor Christiansen expressed his hope that this would be remedied.

Mrs. Hawkins noted that Wesley College was also not on the list. She agreed wholeheartedly with the Mayor and stated that this is why she had expressed thanks for bringing this matter to the

Department's attention. Mrs. Hawkins stated that she does not like to look to the past but to the future and reiterated that the list would be expanding. She stated that veterans organizations had not been contacted; however, the Dover Public Library was asked to hire two (2) part-time employees for the passport program and she had direct contact with a woman who assists veterans with recruiting efforts. Mrs. Hawkins assured members that they would be added to the list and personally reached out to for the passport program. She stated that she would be glad to stop by tomorrow to obtain any personal contacts that the Mayor may have in this regard.

Mr. Anderson recommended adding the Employer Support of the Guard and Reserve (ESGR), noting that it is usually a very good source with a very qualified and diverse population. He expressed confusion regarding affirmative action, noting one (1) page of the document reviewed indicated that the City had no Affirmative Action Plan, yet Article IV of the Personnel Policy included an Equal Employment Opportunity and Affirmative Action section. Responding, Mrs. Hawkins advised that, to her knowledge, there was no City of Dover affirmative action plan; however, there was a statement about affirmative action in the Personnel Policy. She stated that if there was a directive from Council, staff would address an affirmative action plan.

Mr. Anderson asked if EEOC filings are used for the EEO report and if there is anything that has the City's overall recruitment goals and directives. Responding, Mrs. Hawkins advised that the EEOC has a specific form with a standard format that is completed by government agencies. She explained that staff is broken down into eight (8) categories, and there is also a breakdown of gender, race, and salary range. Mrs. Hawkins stated that there are not specific goals in regard to recruiting.

Referring to page 7 of the memorandum and supporting documents from Mrs. Hawkins, Mr. Neil noted that the statistical material indicated that the City did not have a lot of hires. He stated that recruitments decreased from 31 in 2014 to 30 in 2015 and 29 in 2016. Mr. Neil indicated that the number of applicants dropped between 2014 and 2016 and the number applicants with a Dover address also decreased during this time. He was unsure if this was because of recruitment or how the City had been advertising those positions. Mr. Neil pointed out that there were 31 open positions in 2014 with over 1,000 applicants; however, in 2016 there were 29 recruitments and only 558 applicants. He also indicated that the percentages of female and male applicants had switched, noting that this could be the result of the appeal of the jobs being advertised. He found the statistics very interesting but was unsure what story they really told.

In regard to the recruitments, Mrs. Hawkins stated that the number of recruitments in 2014 through 2016 was quite substantial for what their staff was doing, noting that this reflected almost a 10% turnover being experienced in the organization, which was approximately (2) hires per month. She stated that, in the view of HR, recruitment was extensive and consumed approximately 90% of one (1) staff member's time. Mrs. Hawkins explained that an administrative assistant position was recruited in 2014, which typically results in female applicants, and that was the reason for the spike.

Mr. Neil reiterated that applicants from non-Dover addresses were much higher in 2016 than in the other two (2) years reflected. There were approximately 1,000 applicants from outside Dover in 2014, 444 in 2015, and 558 in 2016. Mr. Neil expected that there would be more people from Dover during that period of time due to the unemployment; however, he felt that the statistics could be

related to the jobs that were being recruited for. He found it interesting to see how the pattern rises and falls.

Mrs. Hawkins stated that when she and Mr. Koenig were reviewing the numbers, she indicated the need to not just look at a chart but to see what is behind the chart. She commented that positions may or may not be highly qualified positions that require a high skill set. Mrs. Hawkins pointed out that when hiring a city manager there would not be a flood of applications; however, when recruiting for an administrative assistant, applicants are very abundant. She stated that she wished she had a magic ball when recruiting in order to find all the great candidates.

Mrs. Hawkins informed members that employees job hop in the current market. She expressed the need to prove to the community that the City is an organization of choice, and she felt that the City's benefit package meets this need. Mrs. Hawkins advised members that staff has heard from some individuals that the City's salaries are not in line with the market, and it is often indicated that people will travel an hour north to Wilmington or a little further to Philadelphia and basically double their salary. She informed members that a staff member in her office is from the Philadelphia area and frequently reminds them of this salary difference, although some of the City's positions pay quite a bit more than the private market. Mrs. Hawkins indicated that staff tries to convey the total compensation and the value of the City's health insurance and pension plans. She noted that there have been rumblings that the closure of the defined benefit pension plan in 2009 and the change to offering only a 401 plan is sometimes a deterrent, since people often think that they will have a defined benefit plan if they come to a government organization. However, Mrs. Hawkins noted that two (2) individuals were recently recruited from the State of Delaware and the City was paying them more than they earned at the State, however, they forfeited their defined benefit pension plan for a 401 with the City. Mrs. Hawkins stated that there are different generations in the City's workforce. She indicated that the older generation typically prefers the defined benefit plan, while the younger generation are job hoppers, who will go where the money is. Mrs. Hawkins explained that this relates to retention, noting that after employees are brought onboard, there is a desire to retain them. She stated that if the City invests in training employees, it is desired that this training stays with the City, and this is particularly true in the Police Department and for the line crew.

Mr. Sudler asked how HR defines minority applicants. Responding, Mrs. Hawkins indicated that they would use the definitions in the EEO report. Mr. Sudler questioned if white women would be considered minorities. Responding, Mrs. Hawkins stated that they would not be considered minorities for this report. She explained that the EEO report is broken down by gender and then by race; therefore, there are two (2) categories and staff would classify everyone by gender and classify everyone by race.

Mr. Sudler asked if Mrs. Hawkins was aware that Caucasians are considered minorities. Responding, Mrs. Hawkins stated that she would have to research that.

Mr. Sudler questioned if HR notifies applicants who are not qualified for jobs and how long this takes once applicants have applied. In response, Mrs. Hawkins explained that when applications or resumes are received, HR puts them into its software system, and every applicant receives a letter acknowledging receipt of their application or their resume. She stated that applicants are advised

in the letter that if the City wishes to further the conversation, they will be called. Mrs. Hawkins stated that the time frame cannot be defined, noting that each department has their own pace that depends on how eager the department head or department is to fill the position.

Mr. Sudler stated that someone had told him that they had applied over six (6) months ago and had yet to hear back. Responding, Mrs. Hawkins advised that she would be happy to look into the matter, stating that this was not good communication for staff.

Mr. Slavin stated that Mrs. Hawkins had mentioned that an audit of the HR office was being conducted and asked what was involved. In response, Mrs. Hawkins stated that the HR office was conducting an audit of every employee and placing them in the correct EEO categories. Mr. Slavin asked if this was an audit or something that should have been done. Responding, Mrs. Hawkins stated that it should have been done. Mr. Slavin stated that he would not characterize this as an audit, stating that when he heard the word "audit" he assumed that an objective third party was coming in to look at some of the practices that members were now hearing about. He indicated that he had a range of reactions to what he was hearing, stating that he did not believe he had heard everything. Mr. Slavin stated that he was deeply concerned. He advised that this matter was originally triggered because when he went to the City's website to look for the EEO and affirmative action statements, it said "under construction." He stated that he thought it was offensive to the people of Dover that the City had not taken the time to post something as simple and easy as this. Mr. Slavin stated that he was also saddened and alarmed, and was not grandstanding about this.

Referring to Mrs. Hawkins' comment that she did not like to look at the past but to the future, Mr. Slavin stated that part of the problem was that the City had been criticized in the recent past by the minority community time and again about its hiring practices. He indicated that the City should not be surprised by the results that were engendered, stating that what was received was because of what was done. Mr. Slavin expressed his opinion that what was done was not a very thorough or complete job of attempting to manage the issue of the complexion of the City's workforce as it relates to the population being drawn from.

Mr. Slavin stated that page 14, Exhibit C, City of Dover - October 2016, Part-Time New Hires, 1/2/2012 - 10/16/2016, provided a four-year history of part-time new hires which reflected 24 part-time new hires in a four-year period. He noted that four (4) of those new hires were African Americans, which reflected a percentage of 16.67%, and the population of African Americans in Dover is 42.2%. In reference to page 15, Exhibit D, City of Dover - October 2016, Full-Time New Hires, 1/2/2012 - 10/16/2016, Mr. Slavin indicated that there were 103 full-time new hires during the four-year period, 11 of whom were African American, which reflected a rate of 10.68%. Referring to page 18, Exhibit F, City of Dover - October 2016, Gender & Race by Department for all Full-time and Part-time Employees, he stated that the result of all the practices in place was that there were 381 employees, 47 of whom are African American, which is 12.34% for a City whose population is 42.2% African American. Mr. Slavin stated that his interpretation was that over four (4) years, this issue had not been managed at all, and nothing had been done to move the needle and make the City's workforce reflective of what it should be. He stated that these were not questions for now; however, he expressed his belief that there would be a lot of follow-up regarding this issue. Mr. Slavin stated that the process of recruitment was part of this, as well as how the City

interviews and puts together interview panels, and the kind of diversity training and awareness being provided to employees throughout the year. He indicated that the City's retention rate for minorities was also an issue, noting that the information regarding retention of minorities after being hired was not available in the numbers. Mr. Slavin stated that this was not an issue that he would be taking off the front burner.

Mr. Anderson thanked Mr. Slavin for his remarks and stated that he agreed with him 100%. He stated that it seemed that another minority was being overlooked, noting that Dover citizens were also a minority group in the City's workforce. He indicated that he had no issue with a broad base; however, he was curious if the number of citizens hired could be artificially skewed by the City's not recruiting in the local community through the universities, the Dover Air Force Base, and the newspapers. Mr. Anderson also noted that he had not heard about the State's job link and asked if the City was part of that. He advised that this is a job link that the State puts together and promotes online with all of their programs in the Department of Labor. In response, Mrs. Hawkins stated that she would look into it and follow up with Mr. Anderson.

Mr. Anderson asked if the City uses any of the big job boards such as CareerBuilder, Indeed, or GovJobs. In response, Mrs. Hawkins stated that those sources would only be utilized for higher-level or hard-to-fill positions. She noted that the City also utilizes professional organizations, such as the American Public Works Association, American Public Power Association, Library Association, and Planning Association, as well as professional websites and job boards for higher-level or hard-to-fill positions when necessary.

Mr. Hare stated that he has a HR background, and he stated that whenever his organization advertised positions, they would develop a breakdown for each position, including the number of applications received and the number of male and female applicants, as well as information about who was hired. He explained that there may be jobs for which no minorities apply. Mr. Hare suggested having this type of base to keep a record of who did and did not apply for all positions advertised, noting that this is a lot easier to keep than it was 20 years ago. Responding, Mrs. Hawkins stated that this information is captured on the HR Department's monthly report.

Study of City's Current Recruitment/Hiring Processes (Request of Councilman Lewis)
The Committee deferred this item until the next meeting.

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 (Deferred by the Committee Chair during the meeting of October 11, 2016)
The Committee deferred this item until the next meeting.

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 (Deferred by the Committee Chair during the meeting of October 11, 2016)
During their Regular Meeting of August 8, 2016, Council considered a Proposal for Dover Public Library to Adopt a Smoke-Free Policy. Members accepted the Legislative, Finance, and

Administration Committee's recommendation to authorize the City Manager to implement a smoke-free policy on the campus and grounds of the Dover Public Library, as amended to include all parks and recs facilities and within 25 feet of City buildings.

Mr. Scott Koenig, City Manager, reviewed Proposed Ordinance #2016-22, explaining that it would amend a portion of the City's smoking regulations. Referring to Appendix F - Fees and Fines, he advised members that the current language states that penalties are "Not to exceed $25.00; each day such violation continues shall constitute a separate offense." Mr. Koenig stated that he believed that the State has a $100 fee for the first violation and not less than $250 for additional violations. He advised members that increasing the City's fine would require staff to adjust the fee table, which was not part of the staff proposal. Mr. Koenig noted that the State's fines were significantly higher than those currently included in Appendix F - Fees and Fines.

Mr. Koenig stated that there had been questions about who would enforce the ordinance, noting that Mr. Kirby Hudson, Assistant City Manager, had met with Councilman Lewis in this regard. Mr. Koenig indicated that staff's position was that it would be enforced by the Police Department, and police officers and cadets would have the authority to write tickets for this type of violation. He explained that it was not intended for Code Enforcement staff, the Fire Marshal's Office, or the inspectors associated with those offices to be the persons that would write these violations. Mr. Koenig believed that the minor changes proposed to the language in the ordinance would allow the Dover Police Department and the cadets to enforce the smoking ban on City property.

Mr. Sudler suggested that Code Enforcement staff be included as agents to enforce the ordinance, since they ride around quite often and inspect units throughout the City. He also suggested following the State penalty, at least the $100 fee. He was unsure if it should be $250 for additional offenses, stating that the fees should perhaps be $100 for the first offense and $100 for every additional offense.

Mr. Slavin moved to recommend adoption of Proposed Ordinance #2016-22. The motion was seconded by Mr. Hosfelt and carried, with Mr. Anderson voting no.

Mr. Shevock questioned how City property would be posted for no smoking. Responding, Mr. Koenig indicated that Mr. Hudson had been working with the American Lung Association to obtain signs that meet the guidelines of the City's grant application. He noted that the City was in receipt of a $12,000 grant, with a caveat that the City must put a significant amount of language related to the American Lung Association on the signs. Mr. Koenig indicated that he had not seen the latest size for the signs; however, the original intent was 12 x 18 inches. Mr. Hudson confirmed that the size would be 12 x 18 inches.

Mr. Koenig stated that staff was prepared to place the sign order but wanted to make sure that the ordinance was further along in the approval process before placing a $12,000 sign order. He indicated that the sign would reference Section 54-4 of the Code. He noted that it did not list the dollar amount of the violation, which would be part of Appendix F. Mr. Koenig noted that the sign had been reviewed by the Police Department in regard to enforcement. He stated that staff would

obtain a final sign-off from the American Lung Association for the grant approval and would then have signs fabricated and the property posted, noting that this would happen over time.

Mr. Hudson stated that below the Code reference, the signs would say, "Penalties will apply." He explained that anyone looking at it would know there is a penalty if they are caught.

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 (Deferred by the Committee Chair during the meeting of October 11, 2016)
The Committee deferred this item until the next meeting.

For clarification, Mrs. Traci McDowell, City Clerk, asked if the deferred items would be considered during the Special Council Committee of the Whole meeting scheduled for October 26, 2016. Responding, Mr. Hare stated that the deferred items would be considered during the Council Committee of the Whole meeting scheduled for November 15, 2016.

Mr. Neil moved for adjournment of the Legislative, Finance, and Administration Committee meeting. The motion was seconded by Mr. Shevock and unanimously carried.

Meeting adjourned at 7:41 p.m.

By unanimous consent, the Council Committee of the Whole meeting adjourned at 7:41 p.m.

Timothy A. Slavin
Council President

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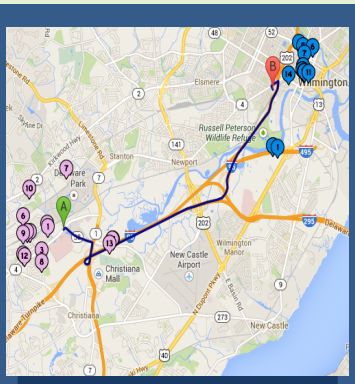
Attachments
Attachment #1 - Flyer - RideShare Delaware Program
Attachment #2 - House Bill No. 195, relating to unmanned aircraft systems
Attachment #3 - Minority Recruitment Committee (MRC) Report
Attachment #4 - Implementation Plan for the Minority Recruitment Committee Recommendations

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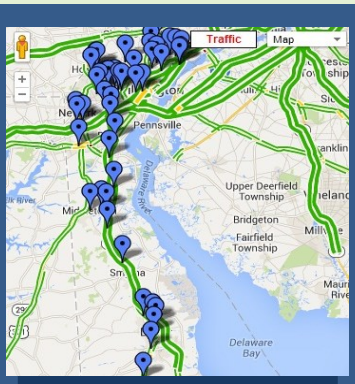
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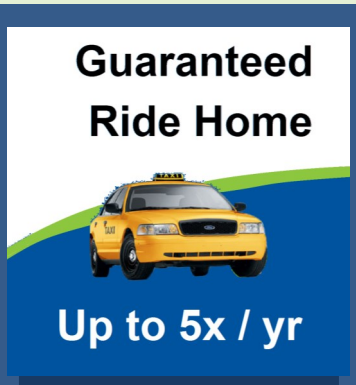
LOG & EARN

Use the online commute calendar to track your commutes and earn rewards!



PARK AND RIDES

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GRH

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SPONSOR: Rep. Mitchell & Sen. Ennis
Rep. Schwartzkopf

HOUSE OF REPRESENTATIVES
148th GENERAL ASSEMBLY

HOUSE BILL NO. 195

AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO UNMANNED AIRCRAFT SYSTEMS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend Title 11 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 1480. Unlawful use of an unmanned aircraft system; unclassified misdemeanor; class A misdemeanor; class G felony

(a) Definitions. – The following terms shall have the following meaning as used in this section.

(1) "unmanned aircraft system" means a powered, aerial vehicle that:

1. Does not carry a human operator;

2. Uses aerodynamic forces to provide vehicle lift;

3. Can fly autonomously or be piloted remotely; and

4. Can be expendable or recoverable.

(2) "Critical infrastructure" means petroleum refineries, petroleum storage facilities, chemical storage facilities, chemical manufacturing facilities, power plants, electric generation facilities, military facilities, commercial port and harbor facilities, rail yard facilities, drinking water treatment and/or storage facilities, government buildings and public safety buildings and/or facilities.

(b) No person shall operate, direct, or program an unmanned aircraft system to fly over any sporting event, concert, automobile race, festival or event at which more than 5000 people are in attendance, or critical infrastructure in the State of Delaware. However, this subsection shall not apply to an unmanned aircraft system used for law enforcement purposes and an unmanned aircraft system flying over property where written permission has been granted by the property owner.

(c) Unlawful use of an unmanned aircraft system is an unclassified misdemeanor for a first offense and a class A misdemeanor for a second or subsequent offense unless an injury to a person occurs as a result of a violation of this section or property damage occurs as a result of a violation of this section in which case unlawful use of an unmanned aircraft system is a class G felony.

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SYNOPSIS

This bill creates the crime of unlawful use of an unmanned aircraft system. The bill prohibits unmanned aircraft systems from flying over sporting events, concerts, automobile races, festivals, and events at which more than 5000 people are in attendance and critical infrastructure in the State of Delaware. The penalty for the crime is an unclassified misdemeanor for a first offense and a class A misdemeanor for a second or subsequent offense unless injury occurs to a person or property damage occurs as a result of a violation in which case it is a Class G. Felony.

September 29, 2011

Dr. William McGlumphy, Chair
Legislative and Finance Committee
Dover City Council
Dover, Delaware

Mr. Scott Koenig
Acting Manager
City of Dover
Dover, Delaware

Gentlemen:

The Minority Recruitment Committee (MRC) was commissioned by Mr. Anthony DePrima, former City Manager to develop recommendations to improve minority hiring with the City. The first meeting of the Committee was held on February 17, 2011. Mr. DePrima provided the MRC with a working document that included recommendations brought forward earlier by a Minority Recruiting Focus Group. (Exhibit A).

The attached report reflects the result of deliberations and recommendations, addressing the outlined purpose of the Committee. While Priority # 1 (Current Employee Morale) is not directly related to recruitment, members of the committee felt strongly that it was germane to the issue and must be addressed before they were willing to move forward.

The Minority Recruitment Committee completed its work August 23, 2011. Sincere thanks are extended to Ms. Kim Hawkins for speaking with the group and providing information about employment with the City. Recommendations, addressing four (4) major areas are hereby submitted on behalf of the Minority Recruitment Committee.

Sincerely,

Bobby C. Jones

Bobby C. Jones, Ed. D.
Chair, Minority Recruiting Committee
Member, Legislative and Finance Committee

September 29, 2011
MINORITY RECRUITING COMMITTEE

Priority #1: Employee Morale

Rationale: The prevailing low moral among employees should be addressed before new employees are actively recruited.

Recommendations:

1. Implement mandatory structured training for all employees, including supervisors, managers, others who supervise members of the Bargaining Units. Suggested training topics are Effective Communication Skills, Harassment Prevention (verbal, sexual, etc.), Diversity and Employee Evaluations.

2. Implement a published document outlining procedures for hearing non-bargaining employee grievances.

3. Develop consistent training materials for all employees. Outside training materials should be considered and adapted to the City's needs.

4. Implement an on-going program of activities/communications for all employees to facilitate a sense of pride and satisfaction. For example, holiday city-wide events, in-house newsletter, focusing on staff and their accomplishments. Such activities are very low cost or no cost.

Priority #2: Upward Mobility/ Career Ladder

Rationale: The percentage of minorities employed by the City does not mirror either the percentage of city employees or the minority population in the City. (Exhibit B, Paragraph 1 provided by K. Burns and Exhibit C, provided by K. Hawkins).

1. Implement a "Mentoring" Program to identify employees who may wish to move up the career ladder within the City.

2. Guidelines relative to goals and eligibility should be developed and made available to all employees, via website, newsletter, bulletin boards, handbooks, etc.

3. Develop strategies to recruit minorities for professional positions.

Priority # 3 Enhanced Technology for City Image and Recruitment

Rationale: To attract quality prospective employees, the city's website must be enhanced provide information that is inviting and clearly addresses such topics as Recruitment, Employee Benefits, Commitment to Diversity, and Departmental Goals/ Responsibilities.

Recommendations:

1. The City's website should be enhanced to convey pertinent information that may be of interest to a prospective employee.

2. The City should have links that will give specific information about the Departments.

3. There should be a standard format for information representing departments.

Priority #4: Internship for high school and college students.

Rationale: Provide a well-defined one or two day experience for students who may be thinking of a career in municipal government. A special effort would be made to recruit minority students, including Blacks, Hispanics, and women. Criteria for participation would be jointly developed by the schools and the City.

Exhibit A

Minority Recruiting Committee
DRAFT

Purpose: The purpose of a Minority Recruiting Committee is to 1) implement several recommendations that were brought up during the session held with minority and female employees, 2) attend community events to promote commitment to fair hiring 3) develop new ideas to improve minority hiring that may arise from the group. The list below is the recommendations brought forward that the initial Minority Recruiting Focus Group:

- Develop a mentorship/internship program for students and unemployed persons. Suggested names would be "First Step Program" or "City Academy".
- Visit local graduating classes to discuss employment opportunities and prepare students for employment after high school and college. It was expressed that, not only management, but also all levels of employees should go to the schools to talk with students and answer their questions.
- An employee expressed that minorities are not applying due to the perception in the community that the City of Dover does not hire minorities. Improve our image through community events and involvement.
- Develop a City organized Youth Government Day.
- Develop a cover to the City of Dover application with images of actual employees at work, as well as, introductory material on jobs highlights, benefits offered, etc.
- Slideshow on the City of Dover website of employees at work.
- Develop a video advertisement with image of employees at work.

Volunteers: The following employees have volunteered to participate on the Committee and/or to help with the cover of the City application:

- ***Denise Roberson*** has been with the City for 20 years and currently works as an Account Clerk III in the Customer Service Dept and Library Clerk I in the Library (part time).

- ***Kelli Burns*** has been with the City of Dover Police Department for 17 years and currently hold the rank of Police Master Corporal. She is responsible for recruiting at Dover Police Department.

- ***Francis Stevens*** has been with the City of Dover for 3 years and currently works as a Motor Equipment Operator I within the Sanitation Department of Public Services. He previously worked in the Water and Electric Departments.

- ***Kerry Walker*** has been with the City of Dover for 2 years and currently works as a Motor Equipment Operator I within the Grounds Department of Public Services.

- ***Ron Cotton*** has been with the City of Dover for 19 years and currently works as a Lineman 1st Class II within the Transmission and Distribution Department of Public Utilities.

- ***Sharon Duca*** has been with the City of Dover for 7 years and currently works as Water / Wastewater Manager within Public Utilities.

- ***Pattee Luppino*** has been with the City of Dover for 8 years and currently works as Administrative Assistant for Public Utilities.

- ***Tracey Harvey*** has been with the City of Dover for 10 years and currently works as Community Development Manager within the Planning and Inspections Department.

- ***Alicia Rabenold-Connelly*** has been with the City of Dover for 6 years and currently works as a Motor Equipment Operator II within the Grounds Department of Public Services.

- ***Kristen Couden*** has been with the City of Dover for 2 years and currently works as a Custodian I within the Facilities Maintenance Department of Central Services. She performs her duties at the Dover Police Department.

- ***Curtis Scott*** has been with the City of Dover for 21 years and currently works as a Lineman 1st Class II within the Transmission and Distribution Department of Public Utilities.

4/21/11

Exhibit B

Burns Kelli (Dover PD)

From: Utami Lisna (DEDO) [Lisna.Utami@state.de.us]
Sent: Thursday, April 07, 2011 3:55 PM
To: Burns Kelli (Dover PD)
Cc: Saleem Ishaq M.; Bach Stephen
Subject: RE: Dover

Kelli:
Here is the information that you requested. The U.S. Census Bureau (Census 2010) provides the following information for Dover City. More detailed demographics subjects, such as gender and age group, which are necessary for the purpose of your report are not available.

DOVER CITY, CENSUS 2010

Subject	Total	
	Number	Percent
POPULATION		
Total population	36,047	100
RACE		
White	16,443	45.6
Black or African American	14,798	41.1
Others of One Race	1240	3.4
Two or More Races	1,204	3.3
Hispanic or Latino (of any race)	2,362	6.6

Source: U.S. Census Bureau, 2010 Census.

I include the following estimate using DemographicsNow®, which provides detailed demographic statistics for the City of Dover. The most current data is Spring 2010.

Dover City Demographics, Spring 2010 Estimate

Population, Total **37,251**

Age Group

Age 20-34

Percent to total = 23.6%

Population = 8,791

Gender

% Male population = 46.60%

% Female population = 53.40%

Exhibit C

Ethnicity of City of Dover Employees
March 2011

Ethnicity	Number of City of Dover Employees
Asian/Pacific Islander	3
Hispanic	5
Alaskan/American Indian	10
Black	43
White	314
Total Number of Employees	375

City Manager's Implementation Plan for the Minority Recruitment Committee Recommendations

The Minority Recruitment Committee held a series of meetings during 2011 and concluded their work in August 2011. From the meetings held by this Committee, a series of recommendations were put forward, which were shared with the Legislative, Finance and Administration Committee in January 2012. The Committee referred the recommendations back to the City Manager for development of a plan to implement the recommendations. This action plan includes a tentative timeline and strategy for addressing the recommendations of the Minority Recruitment Committee.

To ensure that the action plan measures are completed in accordance within the specified tentative timelines, a steering committee will be developed by the City Manager to include the Human Resources Director and various staff members representing multiple City departments. This steering committee will meet quarterly or as needed to ensure the actions are implemented.

Priority #1: Employee Morale

The Minority Recruitment Committee asserted that the low morale among City employees should be addressed prior to actively recruiting new employees. The employee morale is largely tied to the City's budget issues and the overall stress under which the City organization functions. Four (4) recommendations were put forward by the Minority Recruitment Committee to help address employee morale.

1. Implement mandatory structured training for all employees, including supervisors, managers, others who supervise members of the Bargaining Units. Suggested training topics are Effective Communication Skills, Harassment Prevention (verbal, sexual, etc.), Diversity and Employee Evaluations.

   Implementation Plan: The City holds mandatory harassment and diversity training for employees. Under the recommendation, this program should be expanded. One of the concerns associated with the current training provided is that it involves a trainer "talking at" staff. An internal training committee will be developed by the City Manager to include the Human Resources Department and key staff from other departments to develop a training program that is more interactive and covers the variety of topics that will help employees build their skills to thrive in the work place.

   Timeline: This committee will be appointed by the City Manager in July 2012, and will be tasked with developing an interactive training program to provide quarterly training for all employees beginning in the fall of Fiscal Year 2013.

2. Implement a published document outlining procedures for hearing non-bargaining employee grievances.

   Implementation Plan: A grievance procedure is outlined in the Employee Handbook beginning on page 61. The procedure covers all employees and also indicates that the entire grievance procedure is

subject to employee labor agreements, when applicable. Changes to the City's Employee Handbook are currently being developed by the Human Resources Director in draft form. Changes to this section can be considered with the review of the entire document.

Timeline: Changes to the Employee Handbook will be presented to the Legislative, Finance, and Administration Committee on or about July 2012.

3. Develop consistent training materials for all employees. Outside training materials should be considered and adapted to the City's needs.

   Implementation Plan: This will be implemented along with the training program discussed in recommendation #1.

4. Implement an on-going program of activities/communications for all employees to facilitate a sense of pride and satisfaction. For example, holiday city-wide events, in-house newsletter, focusing on staff and their accomplishments. Such activities are very low to no cost.

   Implementation Plan: The Employee Committee has become active again, and is focusing its efforts on planning and fundraising for a Christmas Party. The City Manager will offer support to expand the Employee Committee and encourage the Committee to plan events throughout the year. Submissions to an in-house newsletter could be part of the purview of the Employee Committee. A greater focus will be placed on city-wide lunches to provide employees the opportunity to interact between various departments. NOTE: The Employee Committee has considered disbanding due to lack of interest in participation and fundraising. Support and enthusiasm needs to come from the management level to reinvigorate the committee and improve participation.

   Timeline: This will be implemented continually, beginning immediately through the Employee Committee.

Priority #2: Upward Mobility/Career Ladder

The Minority Recruitment Committee report included the observation that the City's workforce does not mirror the population served by the City, particularly as it relates to minorities. Based on the attachments provided to the Committee's report, in March 2011 nearly 84 percent of the City's workforce was white. By comparison, according to the 2010 Census, only 45.6 percent of the City's population is white.

1. Implement a "mentoring" program to identify employees who may wish to move up the career ladder within the City.

   Implementation Plan: The Human Resource Department will be assigned the task of developing an internal mentoring program. Each department will be asked to identify at least one professional or management level staff person who would be interested in serving as a volunteer professional mentor. An application process would be developed for employees interested in working with a mentor to

develop their career skills, and employees would be matched with a mentor whose professional background generally meets their career interests. The mentoring program could involve "shadowing" the mentor as well as regular meetings to help build the mentoring relationship.

Timeline: The program would be developed and mentors identified during fall 2012, with the implementation of the proposed program in spring 2013.

2. Guidelines relative to goals and eligibility should be developed and made available to all employees, via website, newsletter, bulletin boards, handbooks, etc.
   Implementation Plan: This will be part of the implementation of #1.

3. Develop strategies to recruit minorities for professional positions.

   Implementation Plan: The City of Dover currently sends send copies of all job postings for professional positions to all colleges and/or universities within the City of Dover, as well as the Historically Black Colleges in Delaware, Maryland, Pennsylvania, and New Jersey. In addition, the City reaches out to various churches and civic entities in an effort to expand the applicant pool for vacancies (Attachment A lists the various entities). The City will also approach the Delaware chapter of the NAACP for suggestions in recruiting minority applicants.

   Timeline: Staff will meet with the Delaware chapter of the NAACP in the summer of 2012 to develop ideas for additional ways to expand the potential applicant pool.

Priority #3: Enhanced Technology for City Image and Recruitment

The Minority Recruitment Committee has recommended that the City's website be updated to improve recruitment opportunities by including information on recruitment, employee benefits, the City's commitment to diversity, and departmental goals and responsibilities.

1. The City's website should be enhanced to convey pertinent information that may be of interest to a prospective employee.

   Implementation Plan: The Human Resources Department will be assigned the task of reviewing the City's website information relating to employment and to develop content to provide improved information about the City as an employer to prospective employees.

   Timeline: This review will be complete and the website content updated by October 1, 2012. This timeline may be delayed if updating the website results in substantial costs that need to be budgeted.

2. The City should have links that will give specific information about the Departments.

   Implementation Plan: Each Department Head will be assigned the task of reviewing the website content relating to that department and providing updates as necessary on a continual basis.

Timeline: Departments will be required to review and update departmental information by July 2012, with minimum quarterly reviews thereafter. This will ensure that the information remains fresh.

3. There should be a standard format for information representing departments.

   Implementation Plan: The City's new website has established a standard format.

Priority #4: Internship for high school and college students

The Minority Recruitment Committee recommended that the City develop a well-defined internship program for high school and college students who may be interested in a career in municipal government. This program would include concerted effort to recruit African-Americans, Hispanics, and women.

Implementation Plan: Beginning in fall 2012, the Human Resources Director will schedule meetings with the local colleges and high schools to assess their interest in an internship program. If there appears to be interest, the Human Resources Director will work with the City departments, colleges and high schools to outline an internship program that matches the needs of the City departments with the academic and community service goals of the participating schools. Several issues would need to be determined prior to implementation of such an internship program, including:

- Will this be a paid internship program or an unpaid program?
- How would students be recruited and placed?
- Would students be eligible for academic credit?
- What liabilities would be the city be incurring?

These issues would need to be explored in working with the schools involved. It is likely that a program for high school students would be different from a program for college students. These issues would need to be worked out during the development of the program.

Timeline: Staff will contact the schools in the fall of 2012. If the interest exists among the high schools and colleges in the area, an internship program could be outlined and potentially proposed for the fall of 2013 which is part of the 2013/2014 academic year.

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