REGULAR COUNCIL MEETING

The Regular Council Meeting was held on November 14, 2016 at 7:42 p.m. with Council President Slavin presiding. Council members present were Mr. Sudler, Mr. Neil, Mr. Lewis, Mr. Cole, Mr. Hosfelt, Mr. Hare, and Mr. Hutchison. Mr. Anderson was absent.

Council staff members present were Deputy Police Chief Mailey, Mrs. Mitchell, Mr. Koenig, Mrs. Townshend, Fire Chief Carey (arrived at 8:23 p.m.), City Solicitor Rodriguez, and Mrs. McDowell. Mayor Christiansen was absent.

OPEN FORUM

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

Mr. Stephan Hill, 38 Bertrand Drive, Dover, advised that his parents are in their eighties and someone was recently being chased through their yard. He stated that there was shooting and a bullet came through the window of his parents' house. Mr. Hill noted that he has been in that community from February 1969 to the present day and they have been law abiding citizens, but people are coming in that do not live in their neighborhood. He stated that homelessness is a problem because they come through his neighborhood every morning and drop trash. Mr. Hill also stated that there have been break-ins and he feels that enough is enough and something has to be done.

Mr. Hill stated that the only time he sees the police is when something happens and he would like to see more of a police presence to maybe curb the criminal activity, noting that the people have no reverence for the law.

Mr. Steven Hall of Dover read the following statement:

> *"November the 14th, 2016, this is addressed to the state, county, and government officials, along with the governor, and the city officials of Dover. As the winter months approach us, and temperatures continually drop, it saddens me to know that out of all the crying out and pleading that we have done, ignoring our cry for help has been your solution. I'm not asking you to take money out of your personal account. I'm not asking you to take food from your family. Neither am I asking you to take clothes that you're wearing to give to me. What I'm asking you is, "Who cares enough to meet me after this city council meeting in the vestibule and step up and say, 'Steve, I'm here to help.'"*
>
> *As I represent the rest of the homeless people that I know my time is preceding me, I want you to know that I do thank you for listening to us. I realize that it is out of your hands. I'm not here to impress you with fancy words. I'm here for help. I'm tired. I'm oppressed. I know many people that if they were at the point that I'm at, they would consider taking their life to keep from enduring this trauma. It's nice that you listen. Now it's time for you to get out of your chair, and do something and help me. I had said at the last meeting that when your carve your turkey on Thanksgiving*

day, and I'm closing with this, I would like to have keys in my hand to a home that I can call my own, to carve one as well. Thank you for listening to me."

Ms. Ruth Ann Purchase, 3796 Seven Hickories Road, stated that she has been helping an elderly man who is very generous and who wants to spend his retirement years helping other people. She noted that he has often volunteered at the men's homeless shelter and he offered to take a fellow home who had used up his allotted time in the homeless shelter. Ms. Purchase stated that he took him home for just a couple weeks, saying, "Until you get your feet on the ground." She advised that he would drive him to little jobs that he had. Ms. Purchase stated that eventually the man put a lock on the bedroom door and, three years later, her elderly friend has not been in that room since and that man now has the keys to her friend's car and he is in control of her friend's life. Ms. Purchase advised that the elderly man has been a resident in Dover for decades and he is currently in Silver Lake with an injury. She stated that she goes to visit him almost every day and she can do nothing to help him because she is not a family member. Ms. Purchase stated that the homeless man needed help, more help than an elderly man with Asperger's Syndrome could give him.

Ms. Purchase stated that there are very generous people in Dover and in the United States in general. She noted that United States citizens give, and give, and give, and it is statistically proven that they are philanthropists. Ms. Purchase asked for help to know how to help. She stated that we need strategic thinking, we need very clear long-term thinking, and we need not just social services in an office somewhere, but training for every citizen who wants to help. Ms. Purchase encouraged learning more and looking at examples where human citizens of a town are all learning together how to bring peace, how to build up their neighbors, and how to close the technology gap, the financial economic gap, and the skill-set gap. She stated that they could all work together, but they need permission and encouragement to make it happen.

Ms. Teri Staub, 198 Hammond Drive and Wedgewood in South Dover, stated that she and/or her parents have lived at that address for over 48 years consecutively. She stated that Dover is her home, she votes in every city, state, and federal election and she thought that her government was there to represent the interests and concerns of its citizens. Ms. Staub stated that they have been coming to the meeting for months to bring their plans for affordable housing to Council's attention and have asked them to meet and work with them to help house the homeless in their community. She advised that they have wonderful, doable solutions, and are ready to implement them with armies of people waiting to help them with time, resources, money, and supplies. Ms. Staub stated that men and children die in the streets from problems that can be traced to their homelessness while they are waiting for their chance to begin. She asked for bravery, compassion, and for affordable housing to be a priority to address their needs. Ms. Staub stated that they wanted a definitive answer as to whether or not they would ever be put on the agenda.

Mr. Richard Harmon, speaking on the behalf of homeless people, stated that he is 25 years old and has been homeless for quite a while. He stated that he gets help from Victory Church. Mr. Harmon stated that winter is coming and people are sleeping on the ground. Mr. Harmon advised that they need more resources and that people have been leaving the Whatcoat and Interfaith shelters without the things they have been promised, such as affordable housing, or an apartment. He advised that they need more advocates and more programs to teach them financial, stable things.

Ms. Alexis Simms, on behalf of the homeless, stated that all homeless people are not criminals or animals, they are people in need of help. She advised that they were asking for affordable housing, noting that full disability is $733 and a one-bedroom apartment is $650, which would leave $88 to pay an electric bill. Ms. Simms stated that they were asking for the old Dover library or different types of housing.

Mr. Aaron Appling, Pastor at Victory Church, 2660 Forest Avenue, stated that he wanted to speak on a moral issue of ignoring things. He spoke of the history of ignoring the Native Americans, of the ignorance of them being real people, and now there are barely any Native Americans anywhere in this land. It was almost completely genocide. Mr. Appling spoke about ignoring black people as being a real people in times of Martin Luther King. He stated that he thought they were running the risk of ignoring poor people and just going on with daily business, as if somehow they are a sub-par group and they are not real. Mr. Appling stated that the homeless are real people and, although they might act, dress, or think differently, it may be because their ancestors acted, thought, and dressed differently. He said that maybe they do not fit into this system of things and maybe this system is not good for everybody. Mr. Appling stated that when you have a great amount of wealth, resources, or power and you don't use it to do anything to help, that's a responsibility that's being neglected.

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

AGENDA ADDITIONS/DELETIONS

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

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

ADOPTION OF MINUTES - SPECIAL COUNCIL MEETING OF OCTOBER 24, 2016

The Minutes of the Special Council Meeting of October 24, 2016 were unanimously approved by motion of Mr. Neil, seconded by Mr. Hosfelt and bore the written approval of Mayor Christiansen.

ADOPTION OF MINUTES - REGULAR COUNCIL MEETING OF OCTOBER 24, 2016

The Minutes of the Regular Council Meeting of October 24, 2016 were unanimously approved by motion of Mr. Neil, seconded by Mr. Hosfelt and bore the written approval of Mayor Christiansen.

PRESENTATION - RECOGNITION OF SERVICE - PAUL LAKEMAN - DOWNTOWN DOVER PARTNERSHIP (JUNE 2008 THROUGH JUNE 2016)

On behalf of the Mayor, Council, and City Staff, Council President Slavin presented Mr. Paul Lakeman with a Dover Cup in recognition of his many years of service on the Downtown Dover Partnership (DDP). Mr. Slavin noted that Mr. Lakeman's service to the City included much more than his service on the DDP, indicating that while Mr. Lakeman worked for the Bayhealth Foundation he was very charitable with his time and resources and gave to many people.

Mr. Lakeman expressed appreciation for the honor of being recognized. He noted that he had retired from Bayhealth in June and had been involved in City issues since the mid 1990s. Mr. Lakeman stated that, based on what he had heard this evening, there was a lot of work to be done. He commended Council and staff for having the best interest of the City at heart, and expressed his hope that they would continue to do the work that needs to be done. Mr. Lakeman stated that this is a great place to be and that he hoped that they would continue to make it that great place that it could be.

PRESENTATION - RECOGNITION OF SERVICE - CHARLES A. SALKIN - HISTORIC DISTRICT COMMISSION (AUGUST 2007 THROUGH JULY 2016)

On behalf of the Mayor, Council, and City Staff, Council President Slavin presented Mr. Charles A. Salkin with a Dover Cup in recognition of his many years of service on the Historic District Commission. Mr. Slavin stated that Mr. Salkin's service and contributions to the City did not only include his time on the Historic District Commission, noting that he was the recently retired Director of Delaware State Parks, where he helped to create the First State Heritage Park in Dover.

Mr. Salkin expressed appreciation for the recognition and stated that it was his pleasure to serve on the Historic District Commission. He explained that it is especially important to him because he really believes in the historic integrity of Dover, not just downtown Dover, but all of Dover. Mr. Salkin stated that the Historic District Commission serves a very small area in downtown Dover and expressed his opinion that it needs to be expanded because the City is losing a lot of its historic fabric everyday. He noted that people in the community are always saying why they love Dover, and that they love it in part because of its historic integrity. Mr. Salkin stated that it is the legacy that the City has with old buildings and old stuff, and it is losing it. He expressed his hope that the City will figure out a way to redouble its efforts to pay attention to historic preservation, and to expand the historic district and the incentives for people to participate privately and publicly in that. Mr. Salkin also noted that it behooves everyone to figure out how to find a nexus between historic preservation and housing homeless people, and expressed his hope that members will take that into account when they deliberate that issue.

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

The City Clerk read the following Proclamation into the record:

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

WHEREAS, geographic information has many useful applications for our municipal government and is a valuable resource used in the analysis of infrastructure, emergency services, economic development, and long-range planning; and

WHEREAS, Geographic Information Systems (GIS) technology provides an efficient means of managing geographic information and providing data that allows for effective decision-making and improved delivery of services to the residents of the City of Dover and our surrounding area; and

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

NOW, THEREFORE, I, ROBIN R. CHRISTIANSEN, MAYOR OF THE CITY OF DOVER, DELAWARE, do hereby proclaim November 16, 2016 as GIS Day, and November 13 - 19, 2016 as GEOGRAPHY AWARENESS WEEK in the City of Dover and urge all residents to adopt the national Geography Awareness Week theme, "Explore! The Power of Parks," and encourage all citizens to participate in this special observance.

On behalf of the Mayor, Council, and City Staff, Council President Slavin presented the proclamation to Mr. Mark Nowak, GIS Manager, and thanked him and his colleagues in the GIS community. Mr. Slavin indicated that the decisions that Council makes are made better by the use of this technology. He noted that the Planning Department uses this technology, and he expressed his hope that Council would begin to incorporate this type of technology into more and more decisions about the well-being of the City. Mr. Slavin stated that while a picture is worth a thousand words, a well drawn map is worth a thousand pictures.

Mr. Nowak thanked members for the proclamation. He stated that he began working for the City to start the GIS program 11 years ago. Mr. Nowak announced that the City would be celebrating its 10th GIS Day on Wednesday, November 16, 2016 from 10:00 a.m. to 2:00 p.m. in the City Hall Conference Room, where staff would be demonstrating GIS technologies. He noted that it was amazing to see what had happened over the past 10 years and how GIS is now being used. Mr. Nowak explained that it has gone from being on a desktop computer, to laptops, mobile devices, tablets, etc., and can be used at home or in the office. He stated that data can be collected in the field in real time, and it has really benefitted the City a lot. Mr. Nowak noted that he always thinks that the City should be doing more; however, he advised members that when he attends state and county meetings and GIS conferences, he sees that the City is doing a lot and he regularly receives compliments by other municipalities and governments because of that.

PROCLAMATION - NATIONAL HOSPICE AND PALLIATIVE CARE MONTH

The City Clerk read the following Proclamation into the record:

WHEREAS, all people are encouraged to learn about options for care before they are confronted with a healthcare crisis and to share their wishes through appropriate advance care planning activities with family, loved ones, and their healthcare professionals; and

WHEREAS, hospice and palliative care bring patients and family caregivers the highest quality care delivered by an interdisciplinary team of skilled professionals and volunteers who make the wishes of each patient and family a priority; and

WHEREAS, through pain management and symptom control, caregiver training and assistance, and emotional and spiritual support, allowing patients to live fully up until the final moments, surrounded and supported by the faces of loved ones, friends, and committed caregivers, hospice and palliative care focus on quality of living; and

WHEREAS, Each year, hospice saves Medicare more than $2 billion by providing solutions for physicians, care to patients and comfort to families anywhere, at any time; and

WHEREAS, every year more than 1.65 million Americans living with life-limiting illness, and their families, receive care from the nation's hospice programs in communities throughout the United States;

NOW, THEREFORE I, ROBIN R. CHRISTIANSEN, MAYOR OF THE CITY OF DOVER, DELAWARE, do hereby proclaim November 2016 as National Hospice and Palliative Care Month and encourage citizens to increase their understanding and awareness of care at the end of life and to observe this month with appropriate activities and programs.

On behalf of the Mayor, Council, and City Staff, Council President Slavin presented the proclamation to Ms. Elaine Pinkowski, representative, Compassionate Care Hospice.

Ms. Pinkowski thanked the City for recognizing National Hospice and Palliative Care Month, noting that it is an honor and privilege for Compassionate Care Hospice to be able to provide such a wonderful service. She indicated that she had been providing this service for the community of Dover for approximately 14 years and it had been a true honor and a privilege.

PROCLAMATION - WORLD PANCREATIC CANCER DAY

The City Clerk read the following Proclamation into the record:

WHEREAS, in 2016 an estimated 53,070 people in the United States will be diagnosed with pancreatic cancer, one of the deadliest cancers, and 41,780 people will die from the disease; and

WHEREAS, pancreatic cancer surpassed breast cancer this year to become the third leading cause of cancer death in the United States, and it is projected to become the second leading cause of cancer death in the United States by 2020; and

WHEREAS, pancreatic cancer is the only major cancer with a five-year relative survival rate in the single digits at just eight percent; when symptoms of pancreatic cancer present themselves, it is generally in later stages, and 71 percent of pancreatic cancer patients die within the first year of their diagnosis; and

WHEREAS, pancreatic cancer is the seventh most common cause of cancer-related death in men and women across the world; and

WHEREAS, approximately 140 deaths will occur in Delaware in 2016; and

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

NOW, THEREFORE, I, ROBIN R. CHRISTIANSEN, MAYOR OF THE CITY OF DOVER, DELAWARE, do hereby proclaim November 17th 2016 as “World Pancreatic Cancer Day” in the

City of Dover and encourage all citizens to help increase public awareness and support for the individuals and families who are affected by cancer.

On behalf of the Mayor, Council, and City Staff, Council President Slavin presented the proclamation to Mr. Matt Wilson, Volunteer, Affiliate Chair, Delaware Affiliate, Pancreatic Cancer Action Network.

Mr. Wilson expressed appreciation for the proclamation. He informed members that, approximately five (5) years ago, at the age of 29, he went to the Christiana Hospital emergency room for kidney stones and after months of testing, he found out that he had pancreatic cancer, a cancerous tumor on his pancreas. He stated that he is probably one of only a few people who are thankful for a kidney stone, explaining that if it had not been for the kidney stone, statistically, he would not be here today. Mr. Wilson advised that there is no early detection for pancreatic cancer and diagnosis is usually too late, explaining that 78% of people who are diagnosed die within the first six (6) months to a year. He stated that he is very blessed to be here today, noting that tomorrow he would be celebrating his five-year anniversary of being cancer free, and he continues to raise awareness and advocate for this disease, along with many others in Delaware. On behalf of those individuals, Mr. Wilson thanked the City for proclaiming November 17th World Pancreatic Cancer Day. He explained that the City would be joining much of the United States and many countries in turning the world purple, predominantly on social media and throughout newscasts, to raise awareness for this terrible disease, help the fight to double the survival rate by 2020, and ultimately to end pancreatic cancer.

COUNCIL TRIBUTE NO. 2016-01 - DR. EDWARD W. GOATÉ

The City Clerk read a proposed Tribute expressing sympathy and condolences upon the passing of Dr. Edward W. Goaté.

By motion of Mr. Hare, seconded by Mr. Lewis, Council unanimously adopted Tribute No. 2016-01, as follows:

A TRIBUTE EXPRESSING SYMPATHY AND CONDOLENCES UPON THE PASSING OF DR. EDWARD W. GOATÉ

WHEREAS, the Mayor and Council of the City of Dover have been greatly saddened by the death of Dr. Edward W. Goaté, who passed away in Fairfax, Virginia, on October 26, 2016, after a long illness; and

WHEREAS, in 1971, Dr. Goaté moved to Dover and began his career with the Capital School District, serving as Director of Secondary Curriculum, Assistant Superintendent, and ultimately Superintendent of Schools. During his tenure with the District, he worked diligently on programs directly benefitting youth, including drug education; a pilot Children-at-Risk Program; and the Dover High School Wellness Center, which offers free medical and mental health services to youth who were previously unable to secure them. Under the direction of Dr. Goaté, the District was the recipient of many awards, including the prestigious Model School Award, which was given to only 123 public schools throughout the nation that were unusually successful in meeting the educational needs of all of their students. He also offered tremendous support to the Dover Police Department

in their youth programs, and to the City of Dover in the coordination of joint efforts in an array of areas; and

WHEREAS, upon his retirement from the Capital School District in 1992, Dr. Goaté was awarded the City of Dover Bronze Medal by the Mayor and Council as an expression of their sincere appreciation for his contributions to youth and the community. Following his retirement, his passion for volunteerism inspired Dr. Goaté to serve the community as an officer or member of over 20 state and local organizations, including the City of Dover Board of Adjustment, Dover Arts Council, and Sex Offender Legislation Review Committee. He took joy in working with others, particularly with organizations devoted to improving the lives of young people.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council extend their deepest sympathy and condolences to the family and friends of Dr. Edward W. Goaté and hope that they will be consoled by the memories of his exemplary life and commendable achievements.

BE IT FURTHER RESOLVED that the Mayor and Council direct the City Clerk to place this Tribute in the permanent records of the City of Dover and that a copy of this Tribute be provided to the family of Dr. Edward Goaté.

ADOPTED: NOVEMBER 14, 2016

On behalf of the Mayor and Council, Council President Slavin and Councilmen Hare and Lewis presented Tribute No. 2016-01 to Ms. Denise Goaté, Dr. Goaté's daughter.

Mr. Slavin stated that the only words that he would add to that lovely tribute was that Ms. Goaté's father was a true gentleman. He noted that Dr. Goaté was a gentleman to everyone around him, and that he would miss having him in the City of Dover.

Mr. Hare stated that he had known Dr. Goaté for many years, noting that he had lived around the corner from him and they had many conversations and solved many problems of the world and the City standing on the sidewalk. He stated that Dr. Goaté was a great guy and truly missed.

Mr. Hutchison noted that he was the Police Chief for the City of Dover when Dr. Goaté was the Capital School District Superintendent of Schools, and they became very close friends. He stated that Dr. Goaté was a wonderful supporter of the Police Department. Mr. Hutchison indicated that Dr. Goaté was quite a special person, and noted that he knew that Dr. Goaté was very proud of his daughter.

In accepting the Tribute, Ms. Goaté stated that her dad could write three (3) words on his hand and talk for hours about whatever it was that was on his hand; however, since she did not inherit that quality, she asked members to forgive her. She noted that she was incredibly humbled and very proud to accept this Tribute, and thanked the Mayor and members of Council from the bottom of her heart for this honor. Ms. Goaté stated that her dad would be incredibly blessed, explaining that he loved the City of Dover and its people, and loved helping others. She noted that her dad had set the bar very high for her, in her life, to contribute in her own way, and to always be kind and generous with her time.

PUBLIC HEARING/FINAL READING OF PROPOSED ORDINANCE #2016-20 - REZONING REQUEST FOR PROPERTY LOCATED AT 51 ROOSEVELT AVENUE

A public hearing was duly advertised for this time and place to consider the rezoning of property located at 51 Roosevelt Avenue, consisting of $7,675^{+/-}$ S.F., owned by Carla M. and John W. Russum. This property is currently zoned R-8 (One Family Residence) and the proposed zoning is C-1 (Neighborhood Commercial) (Tax Parcel: ED-05-077.17-05-72.00-000; Planning References: Z-16-05 and MI-16-13; Council District: 2).

Mr. Neil moved that the Final Reading of Proposed Ordinance #2016-20 be acknowledged by title only, seconded by Mr. Hare and unanimously carried. *(The First Reading of the ordinance was accomplished during the Council Meeting of September 26, 2016.)*

Planner's Review

Mrs. Ann Marie Townshend, Director of Planning and Community Development, reviewed the petition to amend the zoning district and the findings and recommendations of the Planning Commission. She stated that this rezoning is part of the clean-up of non-conforming uses within the residential zones. Mrs. Townshend advised that there is a beauty shop at the location and the proposed zoning of C-1 (Neighborhood Commercial Zone) that has been requested by the applicant is consistent with the Comprehensive Plan for the residential medium density land use classification, and would allow the beauty shop to remain. She stated that if the beauty shop were to close at some point, the proposed zoning would also allow the property to revert back to a residential use. Mrs. Townshend noted that this classification seemed to work very well for both the existing business as well as the long term thoughts about how the property may be used.

Mrs. Townshend informed members that, following a public hearing, the Planning Commission recommended approval of the rezoning request.

Public Hearing

Council President Slavin declared the public hearing open.

Mr. John Russum stated that he lived at 580 Silver Leaf Lane; however, he also owned the property located at 51 Roosevelt Avenue. He indicated that his wife had been at that location for approximately 19 years and nobody was complaining about the beauty shop being there.

Responding to Mr. Russum, Mr. Slavin explained that this matter was not brought forward as a complaint; it was brought forward as a clean-up.

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

Mr. Hare moved for approval of the rezoning request, as recommended by the Planning Commission. The motion was seconded by Mr. Hutchison and, by a unanimous roll call vote (Mr. Anderson absent), Council adopted Ordinance #2016-20, as follows:

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER BY CHANGING THE ZONING DESIGNATION OF PROPERTY LOCATED AT 51 ROOSEVELT AVENUE

WHEREAS, the City of Dover has enacted a zoning ordinance regulating the use of property within the limits of the City of Dover; and

WHEREAS, it is deemed in the best interest of zoning and planning to change the permitted use of property described below from R-8 (One-Family Residence Zone) to C-1 (Neighborhood Commercial Zone).

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

1. That from and after the passage and approval of this ordinance the Zoning Map and Zoning Ordinance of the City of Dover have been amended by changing the zoning designation from R-8 (One-Family Residence Zone) to C-1 (Neighborhood Commercial Zone) on that property located at 51 Roosevelt Avenue, consisting of $7,675^{+/-}$ S.F., owned by Carla M. and John W. Russum.
   (Tax Parcel: ED-05-077.17-05-72.00-000; Planning References: Z-16-05 and MI-16-13; Council District: 2)

ADOPTED: NOVEMBER 14, 2016

COUNCIL COMMITTEE OF THE WHOLE REPORT - OCTOBER 25, 2016

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.

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.)*

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.

The Committee recommended installation of the four-way stop condition at the intersection of North New Street and Mary Street, as recommended by staff.

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

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.

UTILITY COMMITTEE

The Utility Committee meeting was held with Chairman Cole presiding.

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.

The Committee recommended approval of staff's recommendation.

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

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.

The Committee recommended approval of staff's recommendation.

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

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

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

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 Committee recommended 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.

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

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.

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.

The Committee recommended approval of the grant and intended purchases, as recommended by staff.

During the Council meeting, Mr. Hare reminded members that additional information had been requested during the Council Committee of the Whole/Legislative, Finance, and Administration Committee meeting, noting that Deputy Police Chief Marvin Mailey was present to provide an update.

Deputy Chief Mailey advised members that the grant would be used to upgrade the Police Department's taser inventory and to purchase Unmanned Aerial Vehicles (UAVs). He stated that the UAVs would be used for aerial surveillance, tracking criminal activities, communication with dangerous subjects in violent situations, and helping citizens and police personnel to observe areas that have previously been considered hazardous for officers. Deputy Chief Mailey explained that the grant funding would also go toward the purchase of rifles for the Department's patrol officers, which he believed would complete outfitting the entire patrol force of approximately 48.

Deputy Chief Mailey informed members that during the past year the City had seen an increase in violent crime, and he reviewed current crime rates. He stated that there were currently 90 confirmed burglaries this year, compared to 88 last year and noted that the Department has a clearance rate of 65%, which is much higher than the national average. Deputy Chief Mailey advised that there were 51 robberies this year, 54 last year, and the Department's clearance rate for robberies is 88%. He stated that, to date, the Department had 33 confirmed shootings where people were injured or property was damaged, and they did not have a number to compare that to for last year. Additionally, Deputy Chief Mailey noted that the Department's Criminal Unit, with the use of detectives and the Street Crimes Unit, had seized 88 guns so far this year. He advised members that the Department investigated two (2) murders this year, and explained that the City is becoming more and more violent, as observed over a three-year time frame. Deputy Chief Mailey stated that the Department's Crime Analyst performed a study which showed that, on average, two (2) out of every 1,000 people in the City will be charged with a weapon violation this year.

Mr. Sudler asked what Deputy Chief Mailey would attribute the increase of the violent crimes to and in what district the increase of violent crimes was in. Responding, Deputy Chief Mailey stated that he would link the City's violent crimes to the sale of heroin and other drugs, noting that it had always been tied to that throughout his career. He explained that it had been crack cocaine, then powder

cocaine and now it is heroin. Deputy Chief Mailey informed members that the Police Department could definitely tie the crime to an increase in the sale of drugs, explaining that virtually every arrest that they make now is for trafficking amounts of heroin, and a lot of home invasions are tied to drug use, drug distribution, etc. He stated that they see a lot of violence as a result of drug crimes.

In response to Mr. Sudler, Deputy Chief Mailey indicated that the increase of violent crimes was mainly in the downtown area; however, the Department sees it throughout the City.

Mr. Hosfelt stated that he believed that one (1) of the original questions regarding the purchase of the UAVs was whether members should expect the Police Department to come up with policies and procedures outlining the use of the UAVs in conjunction with search and seizure protocols. Responding, Deputy Chief Mailey stated that the Department would have a policy. He noted that Lieutenant Chris Hermance would be heading up the UAV program and asked him to elaborate.

In response to Mr. Hosfelt, Lieutenant Hermance informed members that the policy regarding UAVs will be in compliance with search and seizure procedures and regulations. He stated that, additionally, the flying will be in compliance with federal aviation standards, and the policy will be built around those standards in terms of how the Department operates, and when they do and do not operate. Lieutenant Hermance explained that the policy will cover a broad spectrum and will include everything from procedures for flight and checklists to when they do not fly. He informed members that the Department is part of a state-wide team for UAVs called the Maintenance Operations Safety and Training (MOST) Committee, which is a conglomerate of different agencies in the State of Delaware, including the Department of Transportation (DelDOT), Delaware Emergency Management Agency (DEMA), State Police, and Wilmington. Lieutenant Hermance stated that the different agencies are working all together, in their different genres of law enforcement, transportation, etc., on plans, policies, and procedures that work consistently in the UAV arena.

Referring to gun charges, Mr. Hutchison indicated that he had noticed that there had been a lot of violent crimes where weapons were used, typically a gun, and that he constantly sees that those charges are being dismissed. He asked if Lieutenant Hermance saw that as a problem in the State of Delaware. Responding, Lieutenant Hermance stated that he did see that as a problem. Mr. Hutchison asked why those charges were being dismissed. In response, Deputy Chief Mailey stated that the Police Department does see this problem; unfortunately, once they arrest someone and put them into the criminal justice system, they can make some recommendations to the Attorney General's Office; however, how the cases are worked out is usually in the hands of the Department of Justice. He explained that, at that point, it is out of the Police Department's hands.

Mr. Hutchison expressed his hope that Delaware law enforcement would join together to sit down with the Attorney General's Office because gun because the dismissal of gun charges is a very serious problem. He indicated that gun charges carry an automatic five-year mandatory sentence, which may have a lot to do with the charges being dismissed; however, he stated that something needed to be done to express this problem. Deputy Chief Mailey agreed with Mr. Hutchison.

Mr. Lewis asked how long the grant was for. Responding, Deputy Chief Mailey stated that the grant would pay for these purchases; however, it did not encompass a time frame. He explained that the Police Department could apply for it every year, so it is a yearly grant.

Mr. Lewis asked what the Department's intentions were when the grant runs out and whether they would apply again. In response, Deputy Chief Mailey stated that the Police Department applies for the grant every year.

Mr. Hosfelt stated that, in an effort to address some of the concerns that had been brought to light by members of Council, he had asked Police Chief Paul Bernat to compile some statistics. He stated that he was alarmed by some of the news releases and the different things that he had been seeing and was working with Mrs. Traci McDowell, City Clerk, to schedule a briefing from the Police Department for the Council Committee of the Whole/Safety Advisory and Transportation Committee meeting later in the month. Mr. Hosfelt explained that the briefing would allow the Police Department to provide an update and the Department's thoughts, noting that he thought that the questions members were asking this evening would be answered during the briefing or would be better suited for that conversation.

Mr. Hutchison moved for approval of the grant and intended purchases, as recommended by the Committee. The motion was seconded by Mr. Hosfelt and carried by a unanimous roll call vote (Mr. Anderson absent).

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 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, 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.

During the Council meeting, Council President Slavin reminded members that the Council Committee of the Whole/Legislative, Finance, and Administration Committee had received a briefing regarding equal employment opportunity. He stated that he wanted to begin with an apology to the minority community, explaining that for years the City had said that its best efforts were not yielding the kind of results that it wants to see in regard to hiring, which would be reflective of the population of the City. Referring to the briefing members received, Mr. Slavin stated that what members heard as far as the City's practices was embarrassing and troubling. He expressed his belief that the City did not put its best foot forward regarding this matter, and the results received were due to the type of effort put forth.

Mr. Slavin informed members that, by his discretion, he had directed Councilmen Hosfelt and Cole to initiate a fact-finding investigation on the operations of the Human Resources Office. He stated that they will report back to Council within 30 days with what they have found.

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.

The Committee recommended adoption of Proposed Ordinance #2016-22.

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

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. Hare moved for acceptance of the Council Committee of the Whole Report, seconded by Mr. Hosfelt and unanimously carried.

MONTHLY REPORTS - SEPTEMBER 2016

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

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

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

Members were provided the Quarterly Report for the Capital Investment Plan (CIP) as of September 30, 2016.

By consent agenda, Mr. Neil moved for acceptance of the Quarterly Report for the Capital Investment Plan (CIP) as of September 30, 2016. The motion was seconded by Mr. Hosfelt and carried by a unanimous roll call vote (Mr. Anderson absent).

PROPOSED RESOLUTION NO. 2016-12 - PROPOSING INCLUSION OF FOUR SEASONS INTO THE KENT COUNTY STORMWATER MAINTENANCE DISTRICT

Mr. Scott Koenig, City Manager, advised members that Kent County has a maintenance operation which it has been offering to subdivisions throughout the County, including subdivisions within the City of Dover since the City does not currently have its own stormwater utility. He explained that the offering creates a maintenance district, whereby the properties of the subdivision will pay into a fund and will receive a service from the Kent Conservation District with respect to maintenance of their stormwater facilities, typically the stormwater management pond.

Mr. Koenig explained that a resolution is required for the subdivision to enter the district. He noted that if the City does create a stormwater utility or its own stormwater maintenance district in the future, these properties would revert to the City's district.

Staff recommended adoption of Proposed Resolution No. 2016-12.

By motion of Mr. Hosfelt, seconded by Mr. Neil, Council unanimously adopted Resolution No. 2016-12, as follows:

A RESOLUTION PROPOSING INCLUSION OF FOUR SEASONS INTO THE KENT COUNTY STORMWATER MAINTENANCE DISTRICT

WHEREAS, pursuant to 9 Del. C. §5202 et.seq. and Chapter 187 §90.4E(1) of the Kent County Code, a Petition to extend the stormwater maintenance district for the area known as Four Seasons was submitted by a majority of the real property owners within the proposed district; and

WHEREAS, pursuant to Chapter 187 §90.4.E(2) of the Kent County Code, the Kent Conservation District inspected the stormwater management facilities for the proposed stormwater maintenance district, identified required repairs, and developed an operation and maintenance plan; and

WHEREAS, all required repairs have been completed and inspected by Kent Conservation District; and

WHEREAS, Chapter 187 §90.4.E.(7) of the Kent County Code requires that for subdivisions and land developments located within incorporated areas, the petition shall be accompanied by evidence of concurrence of the local governing body.

NOW THEREFORE BE IT RESOLVED:

1. That the proposed stormwater maintenance district expansion is adequate and appropriate; and

2. That all of the property owners within the district are benefitted directly or indirectly thereby; and

3. That it is in the public interest to extend the stormwater maintenance district in the manner proposed; and

4. That the stormwater maintenance infrastructure within Four Seasons, exclusive of that within Delaware Department of Transportation/City of Dover right-of-way, shall be maintained in accordance with the Operation and Maintenance Plan and that maintenance shall include regular minor and major maintenance as well as emergency repairs as needed, as defined by Chapter 187 §90.4.B of the Kent County Code; and

5. That the inclusion of Four Seasons within the Stormwater Maintenance District and the resulting infrastructure maintenance managed by the County shall take precedence over any homeowner obligation for stormwater management included in declarations of restrictions or similar development agreements. Any common open space or infrastructure within a community not maintained as part of a stormwater maintenance district shall remain the responsibility of the homeowners; and

6. Inclusion of Four Seasons within the Stormwater Maintenance District shall not exempt lot owners within the subdivision from participation in a stormwater utility should one be established by the City of Dover; and

7. That the Dover City Council concurs with the extension of the Stormwater Maintenance District - Four Seasons.

ADOPTED: NOVEMBER 14, 2016

EVALUATION OF BIDS - DELAWARE AVENUE SANITARY SEWER EXTENSION

Mr. Scott Koenig, City Manager, advised members that during fiscal year 2014, staff identified a combined sewer (wastewater and stormwater) situation in Kent Avenue and the sanitary flow was removed from said pipe. He stated that with the removal of the sanitary sewer in Kent Avenue, a vacant lot on the southwest corner of Kent Avenue and Delaware Avenue would not have access to sanitary sewer if the parcel were to be developed. Mr. Koenig explained that if staff maintained the sanitary sewer main in Kent Avenue to provide sanitary sewer access to this lot, the price would be unjustifiable, due to the implications in the recently upgraded Division Street. He stated that this project will provide a sanitary sewer main extension to provide services to the northwestern portion of the vacant lot.

Mr. Koenig informed members that the bid was initially advertised to the public as a request for quotations in accordance with the City's Purchasing Policy under 2016-008DPW and bids were opened on May 13, 2016. He stated that the City only received one (1) quote, which was in the amount of $49,175, and City staff decided to re-bid the project. Mr. Koenig advised members that the bid was then advertised to the public as an Invitation to Bid in accordance with the City's Purchasing Policy by the City's Purchasing Agent under ITB #17-0011PW and bids were opened on October 5, 2016. He stated that the City received four (4) bids, one (1) each from Eastern States Construction Services, Inc., Gateway Construction, Lindstrom Excavating Contractors, Inc., and Reybold Construction Group, LLC.

Mr. Koenig stated that City staff reviewed the submissions and found that the Gateway Construction bid met all requirements for the qualifications of the project. He reiterated that the City had bid this project out on two (2) separate occasions and, although the bids had come in over budget, staff believed that the price would only increase if the project were to be bid in the spring season, which coincides with the busy season of construction activity.

Mr. Koenig stated that staff recommended awarding the contract to Gateway Construction in the amount of $33,000 for the Delaware Avenue Sanitary Sewer Extension Project. He advised members that the shortfall for this project will be supplemented by a budget amendment from the Inflow/Infiltration (I & I) Removal Project. Mr. Koenig explained that the design contract for this project was accepted and is under budget; therefore, staff would be moving $8,000 from the I & I Removal Project to cover the low bid amount of $33,000 for the proposed Delaware Avenue Sanitary Sewer Extension.

Mr. Neil moved for approval of staff's recommendation to award the contract to Gateway Construction for the City of Dover Delaware Avenue Sanitary Sewer Extension, Bid #17-0011PW, for the amount of $33,000. The motion was seconded by Mr. Cole and carried by a unanimous roll call vote (Mr. Anderson absent).

MCKEE RUN UNIT #3 STACK REPAIRS - CHANGE ORDER (PROJECT #EG1613)

Mr. Scott Koenig, City Manager, advised members that NAES Power Contractors - Chimney Division was awarded the original contract work to perform the repairs on the McKee Run Unit #3 boiler stack, which included the removal of the existing stack gunite liner. He stated that the contract was awarded on August 22, 2016 in the amount of $223,852 and the authorized project budget was $485,000 in FY 2016. Mr. Koenig informed members that the requested change order amount was

currently $66,030 ($60,740 for the liner removal and $5,290 for Continuous Emissions Monitoring System (CEMS) platform grating clip repairs), which represents a 29.5% increase over the original contract award.

Mr. Koenig reminded members that the City Manager can approve change orders up to 25% without additional City Council approvals; however, he stated that the City is in the middle of the project and cannot stop for additional Council approvals due to time constraints associated with the planned outage for this work. He stated that the requested change order would need to be approved by City Council after the fact, explaining that if work had been stopped, the City would have incurred additional costs from the contractor due to the delay as well as potential penalties from PJM for the extension of the planned outage for Unit #3.

Mr. Koenig informed members that during the removal of the existing liner, it was discovered that the liner thickness increased at different levels moving downward toward the stack base. He explained that the original technical documents indicated that the liner thickness was 2" throughout the entire length of the stack, as is indicated on the original design stack detail drawing; however, at the 105' height from the base, the gunite thickness increased to 3.5". At the 90' height from the base, it was 5.5" and finally at 85' height from the base, it was measured to be 7.5". Mr. Koenig stated that the initial disposal was for 925 cubic feet of material and, due to the extra thickness of the liner, the actual disposal would be closer to 2,170 cubic feet of material, which would result in an increase in labor costs for removal as well as disposal costs. He explained that there was no documentation that the liner thickness was increased since the original installation, so it was assumed that the insulation was incorrectly installed when the stack was erected. Mr. Koenig noted that, in addition, it was found that the grating clips on the top level platform and the CEMS platforms were either broken or missing, explaining that, under the right weather conditions, this could allow the grating to become dislodged and fall from the stack platforms.

Mr. Koenig informed members that NAES recommended approval of the additional costs and the revised work scope to allow work to continue and be completed on schedule. He stated that, due to a difference between actual conditions inside of the stack and the available inspection documentation used for the bid documents, the change order is required to complete the repairs.

Staff recommended approval of the requested change order in the amount of $66,030 to complete the necessary repairs to the McKee Run Unit #3 boiler stack as detailed.

Responding to Mr. Sudler, Mr. Koenig explained that the construction drawings for the stack indicated that it had a 2" thick liner and there was no indication that the liner thickness had changed, from the drawings or what was seen inside the stack, when the inspection was done for the preparation of the bid documents. He stated that it was not until the contractor began the actual removal of the old liner that they found that the thickness of the liner changed as they went further down the stack, and that resulted in additional material changes. Mr. Koenig explained that since they were in the middle of the construction project, it was not really feasible to stop work and wait.

Mr. Sudler moved for approval of the requested change order in the amount of $66,030 to complete the necessary repairs to the McKee Run Unit #3 boiler stack as detailed. The motion was seconded by Mr. Neil and carried by a unanimous roll call vote (Mr. Anderson absent).

STATUS REPORT - PROPOSAL FOR DOVER PUBLIC LIBRARY TO SERVE AS A PASSPORT ACCEPTANCE FACILITY

During their meeting of August 8, 2016 City Council considered staff's request for authorization to submit an application for the Dover Public Library to serve as a passport acceptance facility for the United States Department of State, and members approved the Council Committee of the Whole/Legislative, Finance, and Administration Committee's recommendation to authorize the City Manager to submit the necessary documentation to provide passport services at the Dover Public Library and incur the necessary expenses to implement and manage the program.

Mr. Scott Koenig, City Manager, informed members that the City's application for the Dover Public Library to serve as a passport acceptance facility was approved by the Department of State on September 8, 2016. He stated that Mrs. Margery Cyr, Library Director, was notified of this approval via a telephone call from the Philadelphia Passport Office.

Mr. Koenig advised that staff is now prepared to advertise the part-time positions and begin recruitment for the program. He stated that the estimated annualized cost to staff the program with two (2) part-time employees, working fifteen (15) hours per week was approximately $23,000, and the start-up costs to purchase the necessary equipment and supplies were estimated at $12,000. Mr. Koenig explained that the FY 2017 budgetary impact was $23,500, with $12,000 for start-up and $11,500 for wages and ancillary costs for the remainder of the budget year.

Mr. Koenig stated that the City of Dover would retain a $25 acceptance fee for each passport application, as well as income from any additional services, such as passport photos, fees for expediting, etc. He explained that, based on a $25 fee for each application, the FY 2017 estimated breakeven target would be 940 passports. Mr. Koenig indicated that the FY 2018 estimated breakeven would be 1,240 passports, which was calculated as follows: $23,500 for personnel + $7,500 for supplies = $31,000/$25 = 1,240 passports.

Mr. Koenig informed members that the service desk for the completion and acceptance of passport applications would be located in the lobby area adjacent to the parking lot side of the Library. He stated that if the program is not deemed successful by the end of the FY 2018 budget, the program can be discontinued.

Staff recommended the hiring of the two (2) part-time employees for the purpose of allowing the Dover Public Library to serve as a passport acceptance facility. The estimated budget impact to the Dover Public Library is $23,500 for FY 2017.

Mr. Sudler asked what the passport projection was for the first year, from looking at the amount of passports that were currently being produced. Responding, Mr. Koenig stated that he did not talk to the post office about how many passports they process each month. Mr. Kirby Hudson, Assistant City Manager, stated that it would be difficult to answer Mr. Sudler's question. He indicated that he went to the post office at least twice to try to talk to their staff; however, each time he went, they were busy. Mr. Hudson advised that last week, he did have an opportunity to talk to a post office employee while he was at the New Castle Post Office, which is the biggest post office in the state and where all of the mail is distributed from for Delaware. He explained that the post office employee reiterated to him that passports are not one of the top priorities for post offices, especially

with the cutbacks they have experienced. Mr. Hudson indicated that he explained to the employee that the state was seriously looking at utilizing libraries to help alleviate some of the bottlenecks with passports and informed members that the employee expressed his opinion that it would be a very good service that would be welcomed.

Mr. Hudson reminded members that the operating hours that the Library was considering would be the off hours from the post office, so the Library would not be in competition with them. He stated that the Library would be enhancing the service, especially on Saturdays and Sundays.

Mr. Hudson noted that from all indications the Dover Public Library may end up being, if not the first, one of the only libraries offering this kind of service. He explained that anyone in this particular area or region who wants to get passport services, aside from the Library next door, would have to go up to New Castle County, Baltimore or Washington, D.C., noting that this was one of the reasons why the Governor reached out to Mrs. Cyr. Mr. Hudson referenced the recent presidential election, noting that it was said that there should be an uptick in people traveling abroad, and expressed his belief that passport services would experience an uptick in business. He stated that this is what the City would be looking for, explaining that he was hopeful that the City would be able to generate enough people to come in, in order to bring in more revenue for the Library. Mr. Hudson stated that he thought that, overall, the Library would be able to make a good showing for at least the first year.

Mr. Lewis noted that Mr. Hudson had indicated that, as far as he knew, there were no other libraries in the state currently offering passport services. Mr. Lewis indicated that, as a result, the City did not really know if offering passport services was effective or not. Responding, Mr. Hudson confirmed that he did not know whether offering passport services was effective or not in Delaware. Mr. Lewis questioned whether it was effective nationally. In response, Mr. Hudson stated that he did not have the records with him; however, he offered to email them to members the following day. He stated that he thought that there were only approximately 12,000 of these facilities across the United States. Mr. Hudson noted that one of these facilities was a public library in New Jersey where Mrs. Cyr worked at one time. He stated that when that facility began issuing passports, it was rather busy, and explained that it has been in existence now for several years and is making well over six figures.

Mr. Lewis stated that his only concern with this project was, with it being new, if the City would be stuck in a hole if it does not cut even. He asked if the City has sufficient funds in the budget to cover this project if the City does not break even. Responding, Mr. Hudson stated that it is a service that people who are traveling are going to need. Additionally, he explained that the City would retain any and all money that comes in for any service, including putting the package together and sending it out, expedited service, and photos, which the City is allowed to charge for as well. Mr. Hudson reminded members that the City would be receiving $25 per application and would not have to share that money with anyone. He explained that there are different mechanisms for this service to be profitable, and it is just a matter of trying to determine how many people are actually going to utilize the City's service. Mr. Hudson stated that he tends to believe that the Library is going to be pretty busy, although he indicated that he was not sure how quickly that would occur. Based on what he had heard regarding people wanting passports because of the presumed uptick in traveling, Mr. Hudson stated that he thought the City's service would make a good go of it.

Mr. Lewis asked if there were two (2) part-time positions on hold for budgetary reasons at the Library. In response, Mr. Koenig stated that there had not been any positions on hold at the Library.

Mr. Lewis noted that the City would be putting the money out for the purchase of equipment, and asked if staff was presuming that the City would get that money back through selling these passports. Responding, Mr. Hudson asked for clarification regarding the equipment Mr. Lewis was referring to, explaining that paper, a camera, envelopes, and all of those costs would be paid for by the customer. In response, Mr. Lewis asked if the two (2) part-time positions would be included with the equipment that the City would be putting out the money for up front and if the City would then be hoping to get that revenue back through the sale of the passports. Mr. Hudson indicated that the two (2) part-time positions would be included with the equipment, and there would need to be approximately 1,000 passport sales to breakeven. Mr. Lewis stated that he wanted to be clear and make it clear for the residents because this is tax dollars. Mr. Hudson noted that he believed that the passport service would be a needed service.

Mr. Neil asked how the Library would promote the service, explaining that the key to getting off to a fast start would depend on promoting the service. Responding, Mr. Hudson indicated that staff would promote the service by putting up websites and potentially alerting the media that the City is open for business. He stated that the U.S. Passport Service would also help put the word out that the City is now officially a passport service facility. Mr. Neil stated that he would strongly recommend that, noting that there was a downtick in traveling at this particular time and finding a source for photographs, etc. is a problem. He noted that if the City was going to provide this service during the leisure hours, it would be a marvelous service.

Mr. Neil stated that he presumed that there would be several categories of passports, including one (1) for those who are willing to be recognized as a frequent traveler and one (1) for those who travel within certain areas, for instance up to Canada and back. He explained that if the Library would be able to process all of these, it would be a real service, particularly if it is provided during the off-times, and not during the daytime when some people cannot get off. Mr. Neil noted that the younger generation that is going to be traveling could use this. He stated that he thought that the whole key to the success of this service would be making sure that it is known that people can go to the Library, with lots of parking, in the evening, the off-hours, or on a Saturday and get their passport.

Mr. Hudson informed members of the full extent of what a passport agent at the Library would be doing, explaining that they would have a checklist, look at the application, make sure that the pertinent things that need to be in the package are included, and then send it off. He stated that the City would not ultimately be giving the passports out, the City would simply be like a collection depot. Mr. Neil stated that this service would be a tremendous convenience.

Mr. Hosfelt asked if the $23,500 would be coming out of the Library's budget this year and whether they could accept that. In response, Mr. Koenig confirmed that the $23,500 would be charged to the Library budget. He advised that, at this time, there were some salary savings because of unfilled positions or positions that have been vacated for a short period of time. He expressed his hope that by the end of the year the City could implement the passport program without an overall budget impact that would require budget amendments. Mr. Koenig explained that if a budget amendment

were required, it would probably be less than $20,000, based on the expected expense. He advised that there was some risk, noting that the outside risk was approximately $23,500; however, he expressed certainty that the City would process a certain amount of passports by the end of the year. Mr. Koenig reiterated that for each passport processed, the City would keep a minimum of $25.

Mr. Hosfelt asked if the two (2) positions would be additional City staff or if they would be pulled from somewhere else. Responding, Mr. Koenig explained that when he first presented this item to the Committee, he thought that they were existing staff; however, they are actually two (2) additional part-time people. He stated that 30 hours of part-time work would be added to the overall Library budget, and these two (2) positions would be reserved specifically to process passports.

Mr. Hudson noted that the two (2) employees would know from the very beginning that the City is hoping that the program will be successful and continue, but that if it is a failure, they will end up losing their positions and will not be transitioning to anything else.

Mr. Slavin stated that what Council grants, Council can take away. He explained that the City was being entrepreneurial with this program and he did support it; however, he wanted to be clear that if it does not at least break even, staff can expect that Council will pull the plug and will not carry the expense for a service that cannot carry itself.

Mr. Hare asked if the post office was going to continue its passport service. In response, Mr. Hudson stated that the post office's passport service is provided for very limited hours and it is not every day.

Responding to Mr. Slavin, Mr. Hudson confirmed that the post office's service was by appointment.

Mr. Lewis requested clarification that the two (2) part-time staffers that would be hired, if this is approved, would distinctly be doing passports, and nothing else. Mr. Hudson responded yes; however, he explained that the only thing that could possibly change is if, for instance, there was a slow period while waiting for customers, then that person may be used to help reshelve books, but that would be it. He noted that this help is something that the Library needs anyway.

Mr. Koenig informed members that to monitor this program, the number of passports processed would become part of the Library reporting once the program is up and running. He explained that the monthly reports would show how many passports were processed on a monthly basis and whether the City is meeting the breakeven point.

Mr. Slavin asked that if someone was ready to make a motion, that they consider in that motion that there be a separate quarterly report before Council, explaining that he would be glad to place it as a separate agenda item so that Council does not lose sight of monitoring their concerns about this.

Mr. Hare moved for approval of staff's recommendation to hire two (2) part-time employees for the purpose of allowing the Dover Public Library to serve as a passport acceptance facility. The estimated budget impact to the Dover Public Library is $23,500 for FY 2017. Additionally, quarterly reports will be provided and a review will be conducted after the first year of operation. The motion was seconded by Mr. Neil.

Mr. Lewis stated that he was hesitant on this project and, therefore, would not be supporting it.

The motion to approve staff's recommendation to hire two (2) part-time employees for the purpose of allowing the Dover Public Library to serve as a passport acceptance facility, with an estimated budget impact to the Dover Public Library of $23,500 for FY 2017, and that quarterly reports be provided and a review be conducted after the first year of operation was carried by a roll call vote of seven (7) yes (Mr. Sudler, Mr. Neil, Mr. Cole, Mr. Hosfelt, Mr. Hare, Mr. Hutchison, and Mr. Slavin), one (1) no (Mr. Lewis), and one (1) absent (Mr. Anderson).

APPOINTMENTS RECOMMENDED BY COUNCIL PRESIDENT SLAVIN

Council President Slavin requested approval of the following appointments:

Compensation Commission

Thomas J. Leary (to fill the expired term of P. Raquel Bushweller - term to expire May 2018)

Human Relations Commission

Alan P. Gaddis (to fill the unexpired term of James G. McGiffin, Jr. - term to expire February 2017)

By consent agenda, Mr. Neil moved for approval of the appointments of Mr. Thomas J. Leary and Mr. Alan P. Gaddis, as recommended by Council President Slavin. The motion was seconded by Mr. Hosfelt and carried by a unanimous roll call vote (Mr. Anderson absent).

COUNCIL AND COMMITTEE MEETINGS - HOLIDAY SCHEDULE

Council President Slavin noted that, as Council had done in the past, due to the holiday season, it was recommended that the December 27, 2016 City Council meeting and December 28, 2016 Council Committee of the Whole meeting be cancelled. He stated that these meetings were scheduled for Tuesday and Wednesday due to the Monday holiday. Mr. Slavin assured members that if the need arose, special meetings would be called.

Mr. Hare moved to cancel the December 27, 2016 City Council meeting and December 28, 2016 Council Committee of the Whole meeting as presented by Council President Slavin. The motion was seconded by Mr. Hutchison and unanimously carried.

FIRST READING - PROPOSED ORDINANCE #2016-22 WITH STAFF AMENDMENT #1 (SA#1)

Council President Slavin reminded the public that copies of the proposed ordinance are available at the entrance of the Council Chambers, on the City's website at www.cityofdover.com under "Government," or by contacting the City Clerk's Office at 736-7008 or cityclerk@dover.de.us. Final action by Council on the proposed ordinance will take place during the Council Meeting of November 28, 2016.

Mr. Scott Koenig, City Manager, reviewed Proposed Ordinance #2016-22 with Staff Amendment #1 (SA#1), explaining that the proposed changes would make the City's Code consistent with Council action. Referring to SA#1, Lines 120-149, he advised members that Deputy City Solicitor William Pepper indicated that this language was no longer needed because the City's original

ordinance was adopted prior to recent changes to the Delaware Code. Mr. Koenig referred to Appendix F - Fees and Fines, noting that there were no proposed changes to the fines associated with this ordinance and the penalties are "Not to exceed $25.00; each day such violation continues shall constitute a separate offense."

Responding to Mr. Sudler, Mr. Koenig confirmed that Council would be able to increase the fine in the future, if they deem it necessary.

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

> #2016-22 WITH STAFF AMENDMENT #1 (SA#1) AMENDING CHAPTER 54 - HEALTH AND SANITATION, ARTICLE I - IN GENERAL, SECTION 54-4 - SMOKING REGULATIONS AND APPENDIX F - FEES AND FINES
> *(Legislative, Finance, and Administration Committee)*

CITY MANAGER'S ANNOUNCEMENTS

Mr. Scott Koenig, City Manager, announced that there were a number of construction projects underway all across the City, including various Delaware Department of Transportation (DelDOT) projects, City of Dover projects, water and sewer projects, and soon to be the street programs. He expressed appreciation for the patience of the public, noting that there had been a number of detour issues which staff had been working on with residents and members of Council, as well as State elected officials. Mr. Koenig noted that the City appreciated everyone's patience as the City improves the systems to provide better levels of service to the customers and residents. He stated that any concerns could be submitted to any of the departments, including the Electric or Public Works Departments, or through the City Manager's Office, and staff would do their best to make any adjustments necessary to continue the traffic and improve the system.

COUNCIL MEMBERS' ANNOUNCEMENTS

Mr. Slavin extended early wishes for a happy birthday to Mr. Neil, whose birthday is November 26th.

Mr. Slavin noted that one of the construction projects currently underway in the City has affected North State Street and created a significant issue in the area about where the traffic was going and detouring. He stated that the City continues to learn about driver behavior in a very real way everyday. Mr. Slavin expressed his thanks for the efforts of the Public Works and Police Departments, as well as the Delaware Department of Transportation (DelDOT), who were very responsive in helping to resolve this problem, noting that when you take away people's regular route of travel it becomes really hard.

Mr. Sudler congratulated Union Missionary Baptist Church on the celebration of their 114th anniversary on November 13, 2016.

Mr. Sudler announced that on Thursday, November 17, 2016, from 5:30 p.m. to 6:45 p.m., a special community meeting would be held downstairs in the basement of Union Missionary Baptist Church concerning a Code Purple housing initiative in the community of Simon Circle and Lincoln Park. He stated that the question was "how do you want your council persons to vote on this matter and why."

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

Meeting adjourned at 8:59 p.m.

TRACI A. McDOWELL
CITY CLERK

All ordinances, resolutions, motions, and orders adopted by City Council during their Regular Meeting of November 14, 2016, are hereby approved.

ROBIN R. CHRISTIANSEN
MAYOR

/TM
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