COUNCIL COMMITTEE OF THE WHOLE

The Council Committee of the Whole Meeting was held on November 15, 2016 at 6:02 p.m., with Council President Slavin presiding. Members of Council present were Mr. Sudler, Mr. Lewis, Mr. Cole, Mr. Hosfelt, Mr. Hare, and Mr. Hutchison. Mr. Anderson and Mr. Neil were absent. Mayor Christiansen was also present. Civilian members present for their Committee meetings were Mr. Caldwell and Mrs. Horsey (*Parks, Recreation, and Community Enhancement*), Mr. Blakeman (*Utility*), and Mr. Shevock and Dr. Stewart (*Legislative, Finance, and Administration*). Ms. Arndt *(Utility)* was absent.

PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE

The Parks, Recreation, and Community Enhancement Committee meeting was held with Chairman Sudler presiding.

AGENDA ADDITIONS/DELETIONS

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

Proposed Ordinance #2016-25 Amending Appendix B - Zoning, Article 6 - Off-Street Parking, Driveways and Loading Facilities and Article 12 - Definitions

Mrs. Ann Marie Townshend, Director of Planning and Community Development, advised members that Proposed Ordinance #2016-25 had been requested by Council President Slavin. She explained that the City had received a number of complaints from residents about tractor-trailers parked in commercial parking lots, mainly when these vehicles are not in a loading zone. Mrs. Townshend stated that the Proposed Ordinance would not allow tractor-trailers to be parked in the lesser intense commercial zones or in all residential zones. She explained that active loading or unloading would be permitted; however, long-term parking would not. Mrs. Townshend indicated that in the higher intensity commercial zones, such as service commercial, highway commercial, institutional and office, and community and regional shopping center, tractor-trailer parking would be permitted only in areas that are designated as loading zones or loading areas. She advised that if this amendment to the Zoning Ordinance came out of committee, there would be a first reading before City Council. It would then be referred to the Planning Commission, where it would be subject to a public hearing. It would then be subject to another public hearing before City Council.

Mr. Hare asked if the owner of a shopping center could allow someone to park a tractor-trailer on their private property. Responding, Mrs. Townshend stated that the ordinance would not allow it. She advised that it would allow parking in a loading zone in a highway commercial, service commercial, larger shopping center, or institutional and office zone. Mrs. Townshend noted that tractor-trailers were often being parked in front of commercial buildings in parking areas that are striped for car parking.

Mr. Slavin explained that very large vehicles had been parking for extended periods of time, which detracted from the quality of life at some of the neighborhood strip malls, noting that these vehicles

idle overnight and during the day while drivers are at rest. He indicated that this was an issue that the City had been pursuing for years. Mr. Slavin stated that the City had gotten some resolution when Royal Farms opened on Pearson's Corner Road; however, tractor-trailers were beginning to be seen back in the City. He informed members that he had heard related concerns from a number of residents living in different districts in the City, and he stated that this was a worthwhile amendment.

Mr. Hosfelt moved to recommend adoption of Proposed Ordinance #2016-25, seconded by Mr. Hutchison and unanimously carried.

Community Development Block Grant (CDBG) Program Quarterly Update (July, August, and September)

Mrs. Ann Marie Townshend, Director of Planning and Community Development, referred members to the Community Development Block Grant (CDBG) Quarterly Report for July, August and September 2016. She stated that the grant year had just started; therefore, expenses were beginning to be incurred. Mrs. Townshend indicated that funds had been expended only on the Dover Interfaith Mission for Housing project at this point, noting that contracts were signed with the City's grant recipients in the fall and expenses would be coming in over the next several months.

Mr. Cole moved for adjournment of the Parks, Recreation, and Community Enhancement Committee meeting. The motion was seconded by Mr. Hare and unanimously carried.

Meeting adjourned at 6:09 p.m.

UTILITY COMMITTEE

The Utility Committee meeting was held with Chairman Cole presiding.

AGENDA ADDITIONS/DELETIONS

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

Quarterly Review of Utility Related Capital Investment Plan (CIP) (Electric and Water/Wastewater) (July, August, and September)

Mr. Scott Koenig, City Manager, reviewed the Quarterly Report for the Capital Investment Plan (CIP) as of September 30, 2016. Referring to the Capital Investment Plan - Project Tracking Report, He explained that the draft report is issued by the Finance Department and sent to the Public Works and Electric Departments to update the notes section prior to distribution to Council. Mr. Koenig stated that the total funding source for the CIP was $18,825M as of September 30, 2016.

In reference to the General Fund - Major CIP Projects, Mr. Koenig stated that the General Fund Projects were design projects at this point. He advised that the Old PW2 Site Improvements project was in design and would provide a good idea about what could be built at the old PW2 site, as the City transitions from a storage facility to what was hoped to be a wetlands restoration project.

Mr. Koenig noted that improvements would be moved from the Old PW2 site to the Schutte Park site.

Mr. Koenig advised that the FY-16 Street and Alley Program had been completed and closeout documents were being finalized. He stated that the Valve Replacement - Silver Lake Dam was also complete and staff was working on final invoicing and project close-out. Mr. Koenig indicated that the Salt Storage Barn project had been bid several times, and the last time this was done, the City rejected the bids. He informed members that the project had gone back to the purchasing agent for distribution under a performance standard to obtain an acceptable building condition and layout, and it was hoped that those bids would be back soon for Council's review. In reference to the Persimmon Park Place Drainage Study, Mr. Koenig explained that the City had been working with several State legislators to fund and to evaluate drainage problems that are occurring on the boundary between Persimmon Park Place and the Wild Meadows subdivision. He stated that staff expected to bid this project out shortly, and funding would come before Council.

Regarding the FY 2017 projects, Mr. Koenig advised that staff was working on vehicle purchases and pointed out the Annual Contribution to Robbins Hose Company for Ladder 1. He stated that staff would be working on park improvements this year and noted that the Video Storage Array was part of the Police Department's funding. Mr. Koenig reminded members that the FY 17 Street and Alley Program had been authorized by City Council and construction would begin shortly and noted that there were several other small CIP changes in the General Fund.

Referring to the Community Transportation - Major CIP Projects, Mr. Koenig advised that there were funds left over from the Pat Lynn Drive/Dover High School Storm Drain Pipe project from a number of years ago, and staff must complete the paperwork to move this funding to another project. He explained that the Lincoln Park Center project was on hold, noting that funding was not available at the moment for the acquisition of land. Mr. Koenig indicated that the project's design had been prepared and, if the project is picked up at a future date, staff could move forward at the point where they left off on the project. He informed members that construction was underway for the East Water Street Brick project. Mr. Koenig advised that the knee wall had been built and estimated that the contractor would complete the project, clean up, and backfill everything in the next two (2) to three (3) weeks. He stated that the project seemed to be going well, even though this was a high traffic area.

In regard to the FY 2016 projects, Mr. Koenig noted that the Boggs Drive Paving Project was a Community Transportation Fund (CTF) project that was carried forward into the FY 2016 Street program, which had now been awarded. He indicated that this project would get underway with paving in either late Fall 2016 or early Spring 2017 and reminded members that this was a location where a sewer line was replaced approximately 16 - 18 months ago. Mr. Koenig stated that Mrs. Ann Marie Townshend, Director of Planning and Community Development, had brought forward the Pedestrian Enhancement - Mallard Pond Pathway project, which was mostly complete. He advised that staff was working on the final change order and closeout documents and noted that this was a major improvement to the park on the west side of town that enhances the walking path extending toward the Dover High School property.

Referring to FY 2017 projects, Mr. Koenig stated that funding had been received to improve a paper alley, which he stated he thought was located between Kirkwood and West Streets. He advised that 200 feet of this alley would be improved with a stone underlay and a two-inch mat to provide access to the rear paper alley properties. Mr. Koenig stated that staff was working to fund portions of the FY 2017 Street Program. He noted that Senator Brian Bushweller had committed some funds and Representative Sean Lynn had also indicated that he would be committing funds. Mr. Koenig stated that the General Assembly needed to make changes to prevailing wage language related to CTF. He stated his understanding that those changes would take place in January.

In reference to Electric Improvement & Extension Fund - Major CIP Projects, Mr. Koenig informed members that Mr. Harry Maloney, Electric Director, was working on the interconnection meter upgrades listed under FY 2014, explaining that these meters read the interconnection between the City's and Delmarva's systems. Mr. Koenig explained that staff was also evaluating whether the City should advance in the direction of smart metering technology and the timeline for advancement.

In reference to FY 2015 projects, Mr. Koenig indicated that staff was also working on items related to the West Dover Connector. There was a lot of utility relocation work going on, especially in the North Street area, as the Delaware Department of Transportation (DelDOT) widens the intersection of the West Dover Connector and Hazlettville Road at the Royal Farms. Mr. Koenig advised that staff received a letter that day from DelDOT authorizing reimbursement for approximately $150,000 of electric work that the City would perform. He explained that staff was also working on the 69kV Rebuild at Horsepond Road, as well as dropping portions of the Towne Point Distribution Feeders underground.

In regard to the FY 2016 projects, Mr. Koenig informed members that the Blue Hen Apartments and the Tall Pines Condos were complete, noting that these were private projects where the City made system improvements. He noted that the developer pays the City for these improvements, which are completed in concert with the development. Mr. Koenig advised that there would soon be 24 new housing units at Tall Pines, located at Kenton and Chestnut Grove Roads, where exterior work was currently being done.

Mr. Koenig advised that a number of FY 2017 projects were in process, noting that some projects related to Hirsh Industries were complete. He indicated that there were also a number of small improvements going on in the system. Mr. Koenig stated that large projects, such as the Van Sant Inspections and McKee Run Boiler Repairs, were moving forward and the power plant contractor and staff were working their way through the FY 2017 CIP. He noted that Council had reviewed a Change Order regarding the McKee Run boiler repairs during the Regular City Council Meeting of November 14, 2016.

In reference to the Water/Wastewater Improvement & Extension Fund - Major CIP Projects, Mr. Koenig stated that the proposed 1.0 million gallon (MG) elevated water storage tank that was intended to be near Maple Glen at the northern boundary of the City had been outstanding for some time. Staff had been working on an alternative site, and he advised that he thought it had been tied down with the developers, and staff had been working on an agreement with them. Mr. Koenig explained that as soon as an executed agreement was obtained, staff would come forward to Council

to authorize the City's side of the agreement for potential site purchase and location of a new 1.0 MG elevated tower on the north central boundary of the City in the McKee Road area.

Mr. Koenig informed members that the Westover Pump Station had been authorized for construction for a while; however, there were some conflicts with overhead power lines that had to be adjusted. He advised that this project would start up again late in 2016 or very early in the Spring of 2017 under the same parameters and costs.

Under the FY 2015 projects, Mr. Koenig stated that the Hazlettville Road Interceptor Sewer project had been bid out several times, and a bid was finally obtained that was reasonable to go to construction. He noted that the project was complete in the field and they were working on the close-out documentation. Mr. Koenig advised that the Retreat Pump Station was under construction, and he hoped that project would close out in the next few months.

Mr. Koenig stated that, under FY 2016 projects, the design work was wrapping up for Water Treatment Plant Process Improvements. He noted that staff had been working with the State on the Revolving Loan Fund and the project would go out to bid shortly. Mr. Koenig indicated that staff had to meet all the conditions of the funding and project guidelines for the State. He advised that design of the Rolling Acre Pump Station occurred last year, construction was proposed for this year, and the construction package was being coordinated with the procurement officer. Mr. Koenig reminded members that the bids for the Delaware Avenue Sanitary Sewer were approved by Council during their meeting of November 14, 2016.

With regard to the FY 2017 projects, Mr. Koenig noted that there were vehicle and equipment purchase, water meter and sewer meter replacement, and wellhead redevelopment projects. He stated that a fence project at Well #6 was authorized several meetings ago, and staff was also working on a future supply well. Mr. Koenig advised that projects related to pump stations that are in design would be completed this year, and construction would follow shortly in the following fiscal year. He advised that Inflow and Infiltration (I&I) projects would also be developed and brought forward, stating that he thought they would include Bradford Street sewer improvements that staff would bring forward later in the current fiscal year.

Mr. Koenig advised that the capital plan was moving forward, reiterating that approximately $18M was being spent on improvements related to these projects. He indicated that some projects were moving very quickly and others had experienced minor glitches; however, he was very proud of how staff was working the projects through the system, noting that a number of backlogged projects in the inventory had been completed. Mr. Koenig stated that staff had been experimenting with the project summary that was being sent to Council and expressed his hope that some electric projects would come forward shortly in a similar fashion.

Updates

Green Energy Funding and Programming

Mr. Scott Koenig, City Manager, reviewed the Green Energy Summary as of October 28, 2016, explaining that this document is used by the Electric Department for tracking. He reminded members that the City collects Green Energy Funds as part of a fee that appears on electric bills.

Mr. Koenig stated that a portion of the funds that the City collects is dedicated to the repayment of improvements related to the Dover Public Library, and funds are also distributed in relation to individual grants. He advised that approximately one (1) year ago, the City put a hold on new solar grants because of changes being made at the State level. In Mr. Koenig's opinion, the flow of requests for grants had slowed down.

Mr. Koenig informed members that there was increased activity and interest in load management, energy efficiency, and going through buildings and trying to evaluate ways to improve efficiency, noting that there are companies that perform audits of individual properties. He explained that there are opportunities through the Sustainable Energy Utility (SEU) to finance things such as LED lighting. Mr. Koenig noted that although there are such opportunities for the City, in general the City's electric load seemed to be flattening out as the City grows. He indicated that the long-term expectancy is for businesses to invest in higher efficiency units for pumps, motors, and HVAC, which reduces their load. Mr. Koenig stated that as new businesses and housing are brought in, they are basically replacing the load that is becoming more efficient. He advised that this trend was expected to continue for the foreseeable future, as people become more adept at looking at their energy bills and figuring out how to save money and drive down the cost.

National Pollution Discharge Elimination System (NPDES) Municipal Separate Storm Sewer Systems (MS4) Permit

Mr. Scott Koenig, City Manager, advised members that the City had struggled to maintain its National Pollution Discharge Elimination System (NPDES) Municipal Separate Storm Sewer Systems (MS4) Permit for some time. He explained that staff had made a lot of progress over the last few months in getting the City into compliance. Mr. Koenig stated that the City had received verification that it had completed the outstanding items from the Department of Natural Resources and Environmental Control (DNREC) Conciliation Order by Consent that was issued earlier in 2016. He indicated that a majority of the items were related to delivering paperwork to DNREC and then continuing to follow up and improve the City's paperwork and reporting processes. Mr. Koenig stated that staff had installed new inlet skimmer boxes at industrial sites to decrease the amount of unwanted materials entering the stormwater system, and had also been working with the St. Jones Reserve and the Partnership for the Delaware Estuary to create additional public outreach partnerships, which are all part of the permit. In addition, he advised that they had been working on things like only rain down the drain placards on catch basins and had also been working with its authorized contractor on the Illicit Discharge and Detection and Elimination Program. Mr. Koenig explained that the gentleman who was originally running this program for the City left for a private sector job, and another young man, who would be introduced to members at some point, had now taken over this position. Mr. Koenig advised that this staff member had hit the ground running and was helping to coordinate these activities. He noted that this was a very labor intensive permit with a personal touch, and a combination of things that were being done operationally must be reported. Mr. Koenig advised that some things related to construction would add value to the permit, and staff must write all these things into the permit response. Mr. Koenig stated that staff was moving toward compliance and had been successful at adjusting the annual reporting period to line up better with budgeting. He indicated that the Public Works Department Monthly Report would gravitate toward items that are required and important for the permit, so that multiple reporting avenues used by staff could feed information into the permit over time. Mr. Koenig noted that staff had made a lot of

progress and expressed pride that they had been working diligently to come into compliance. He stated that this permit would be an ongoing expense since it must be maintained in perpetuity.

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

Meeting adjourned at 6:29 p.m.

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

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

AGENDA ADDITIONS/DELETIONS

Mr. Sudler moved for approval of the agenda, seconded by Mr. Hosfelt and unanimously carried.

Customer Service Staffing Plan

Mr. Kirby Hudson, Assistant City Manager, stated that members had probably seen complaints from some of their constituents regarding the lag time being experienced at the Customer Service Department. Mr. Hudson reminded members that the Customer Service Department provides support for more than 23,000 utility accounts and performs other functions to support City operations. He noted that staff levels had been reduced in recent budgets to meet general budget targets; however, the department was very inefficient at its current level. Mr. Hudson stated that some key employees in the department had decided to retire, compounding the problem. He advised that a request for retirement had been received last week from Ms. Denise Roberson, Customer Service Supervisor, who had been with the department for approximately 25 years. Mr. Hudson stated that her last day would be December 16, 2016, and she would be sorely missed.

Mr. Hudson stated that staff was recommending revising the staffing plan for the Customer Service Department to restore staffing to the level it was several years ago. He noted that the wages and salary budget for the Department would be increased by $97,500 for the remainder of FY 2017 and, if approved, budget amendments would be made at the appropriate time. Mr. Hudson stated that increased customer interaction was required and customer satisfaction was reduced to an unacceptable level. He indicated that the Customer Service Department was continuously experiencing long phone waiting times, lines in the drive-through, and lines in the lobby extending out of the door and into the vestibule. Mr. Hudson advised that this was unacceptable and was creating customer dissatisfaction and adding to high levels of stress on the remaining staff. He noted that several members of Council, in particular Councilmen Hutchison and Sudler, had expressed concerns over these issues, and staff had been requested to prepare an optimal staffing plan for consideration. Referring to the Customer Service Department Staffing Needs Assessment, Mr. Hudson explained that staff was requesting an increase of five (5) full-time employees, which would be partially offset by the reduction of part-time employees from four (4) to two (2). He indicated that staff would be added to the Billing and Collection, Customer Services, Cashiers, and

Meter Reading sections. Mr. Hudson informed members that the annualized cost for the proposed increase in staffing levels for this department would be approximately $195,000 in FY 2017.

Mr. Hudson advised that, for the remainder of FY 2017, a budget increase of $97,500 would be necessary to cover the anticipated cost of the proposed changes, noting that this increase in funds could be covered through a budget amendment from the anticipated carry-forward balances as follows:

Electric Fund:	$ 97,500 x .625 = $ 60,937.50
Water/WW Fund:	$ 97,500 x .201 = $ 19,597.50
General Fund:	$ 97,500 x .174 = $ 16,965.00

Mr. Hudson indicated that the Electric Fund currently had an FY 2016 favorability of approximately $7.5M, the Water/Wastewater Fund had an FY 2016 favorability of approximately $374,000, and the General Fund had an FY 2016 favorability of approximately $930,000. He stated that these funds could be used to fund the proposed staffing plan, provided that Council authorized the changes.

Staff recommended approval of the revised staffing plan for the Customer Services Department. The wages and salary budget for the Department will be increased by $97,500 for the remainder of FY 2017. Budget adjustments will be made at the appropriate time.

Mr. Sudler thanked Mr. Hudson, stating that approximately 60 to 75 days ago he had called the Customer Service Department to inquire about utility services and it took over 37 minutes on more than two (2) separate occasions to speak with a representative. He expressed concern that the time period that one must wait to speak to a representative could impact potential earnings and businesses for the City. Mr. Sudler advised that he believed that looking at the budget again and approving the requested increase would bring additional earnings to the City and also satisfy constituents. He asked how many positions would go to Customer Service, Meter Reading, and Billing, noting that he would like to see at least three (3) go to Customer Service, perhaps one (1) to Meter Reading, and one (1) to Billing. Mr. Sudler stated that he believed that Customer Service was likely the top priority to obtain satisfaction in the process.

Responding to Mr. Sudler, Mr. Hudson advised that the Customer Service area had been revamped to address security issues.

Mr. Hudson stated that staff was requesting to put five (5) Customer Service Representatives in this area, which he calls The Fish Bowl, noting that at one time there had been four (4) part-time employees there. He indicated that these four (4) part-time positions would be reduced to two (2) part-time employees, who would be removed from that area and placed into a small call center that was placed in an area in the back. These employees would have staggered times; therefore, there would be a dedicated person to aid in answering the phone at any point during the day. Mr. Hudson explained that general operations currently require the five (5) full-time employees who are on the Customer Service floor to take care of customers in front and also answer the phone. He indicated that by having one (1) or two (2) people constantly on the phone in the back and also having the

ability to monitor the phone, different people could be appointed to make calls between servicing customers.

Mr. Hudson explained that three (3) employees would be serving as cashiers, including two (2) at the window and one (1) at the drive-thru, noting that there was a supervisor in this area. He stated that the metering section had lost an individual due to retirement, and Mr. Ryan Carroll was the logical choice to fill this position since he had previously worked in metering. He advised members that Ms. Kathy Divver, Customer Service Manager, had retired, and her position had been budgeted to be upgraded to a Director, since a Director for the Department was sorely needed. Mr. Hudson reiterated that Ms. Roberson would have to be replaced and this position was also budgeted.

Mr. Sudler questioned what the projection was for decreasing the amount of time that a customer would have to wait to be accommodated. Responding, Mr. Hudson indicated that staff would start off by attempting to decrease the wait time to the 10-minute range, if not lower. He advised that with five (5) Customer Service agents on the floor, at least one (1) part-time person who would be able to service the phone at key high-volume times, and the ability to see how many calls are coming into the queue, this should allow for alternating some of the employees who are on the floor. As soon as employees are finished servicing a face-to-face client, they could pick up a phone call, and once the phone level reduces a little, the employees in the back should be able to service them.

Referring to the Customer Service Department Staffing Needs Assessment, Mr. Hosfelt noted that there were currently six (6) vacancies and asked if five (5) additional positions would be added.

In response, Ms. Patricia Marney, Billing Supervisor, advised that six (6) employees had left the City, and these positions were currently being recruited. The five (5) requested positions would be additions to the current staff level. Responding to Mr. Hosfelt, Ms. Marney stated that after the six (6) vacant positions were filled, there would be 11 total staff.

Mr. Hudson stated that exceptionally poor service was being experienced. He noted that five (5) or six (6) people had left and staff had not had an opportunity to fill these positions, although they had started the interview process. Mr. Hudson explained that there had been one (1) interview for the Director the previous day, two (2) that day, and one (1) was scheduled for the following day. Staff was looking to get a favorable response any day to start a cashier, after which Mr. Carroll would be permanently removed. Mr. Hudson advised that Mr. Carroll was covering for an employee in Meter Reading who was on vacation. He stated that staff was slowly ramping back up and was hoping that with the requested staffing all the issues that members had been hearing about would disappear.

Referring to the figures reflected in the Background and Analysis section of the request, Mr. Hosfelt asked Mrs. Donna Mitchell, Controller/Treasurer, if she had any concerns. Responding, Mrs. Mitchell indicated that the she did not have concerns, stating that although an ordinance had not yet been brought forth for the carry-forward balances, there was sufficient money to cover the amounts listed.

Mr. Hutchison thanked Mr. Hudson and Mr. Scott Koenig, City Manager, for bringing this matter forward. He indicated that he, like Mr. Sudler, had a firsthand opportunity to call and see a delay

in Customer Services. Mr. Hutchison stated that this matter needed to be addressed and he would gladly support it, noting that what the Customer Service Department does every day for the City's customer base is very important.

Mr. Hudson informed members that the previous day had been an exceptionally bad day for staff since the receptionist had to go to the doctor and one of the billing people received an emergency call from her son's school and had to leave because he was ill. He stated that two (2) employees were on vacation and the customer line was going out the door. Mr. Hudson advised that Councilman Lewis came by the Department the previous day and was concerned to see eight (8) people in line, and Mr. Hudson had responded that only eight (8) people represented a good day since the line usually extends out the door. Mr. Hudson informed members that these were the sorts of things that staff was trying to resolve.

Mr. Slavin asked how long it had taken to accumulate the number of vacancies that the Department currently had. Responding, Ms. Marney indicated that the vacancies were since January when Ms. Robin Parker, Customer Service Clerk II - Collections, left.

Mr. Hudson explained that Ms. Robin Parker was initially hired as a part-time collector; however, because staff was experiencing issues on the floor and needed more help, she was never fully given an opportunity to do collections and was constantly being pulled out of the office to help the cashiers or Customer Service. He advised that a long-time employee in Metering retired soon after that. Mr. Hudson indicated that Ms. Dorothy Morris, Customer Service Clerk III - Cashiers, who worked in the drive-thru, recently retired and he reiterated that Ms. Roberson was getting ready to retire and Ms. Divver had already done so.

Mr. Slavin asked what the typical length of time would be to replace an employee who announces they are leaving; for example, if an employee gave two (2) weeks notice tomorrow. Mr. Hudson stated that the length of time varies and that staff would start putting paperwork together instantly.

Mr. Slavin asked how long the process takes and for the position to be posted. Responding, Mr. Hudson explained that the issue was not so much that it takes long for the process or for the position to be posted, but when the Human Resources (HR) Department is able. He advised that it was not just the Customer Service Department that had issues. He noted that the Public Works Department had up to 13 or 14 vacant positions at one time. Mr. Hudson advised that emphasis was put on trying to hurry with a lot of those key positions and Customer Service was in this battle at the same time as Public Works.

Mr. Slavin asked how long a period is required after an employee is hired and begins working before staff is comfortable having them on the floor. He noted that the Department currently had five (5) vacancies and was asking to hire six (6) employees, and he did not want anyone on Council to feel there would be an immediate fix once members vote yes. Mr. Slavin indicated that it would be a long, slow process to get employees to the point of being independent workers. Responding, Mr. Hudson stated that when he and HR interview candidates, they look to see if they can get people who have not only customer service experience but also experience dealing with utilities, which is

difficult to find. He estimated that it would take approximately six (6) months to be comfortable.

Mr. Hudson invited members to come by the Customer Service Department. Aside from being given a tour, he stated that he would like members to look at what employees have to do, noting that it is more than just greeting customers and taking their money. Mr. Hudson explained that it is not an easy job, and there are a lot of different screens and other things that go into it. He noted that things must move quickly, and the phone is ringing while people in line are waiting and wondering why staff is on the phone when they could be taking care of their needs. Mr. Hudson invited those members who have an interest to come by to see what staff goes through. He stated that within 10 or 15 minutes they would understand that it takes a very disciplined individual to sit there and take the heat that staff does every day, and he commended staff.

Mr. Slavin thanked Mr. Hudson for bringing this forward. He stated that he believed that there are a few places in City government where if certain things are done wrong, the City will hear about it, no matter what else is done right, and one of those is how people interact with the City to pay a bill, whether on the phone or in person. Mr. Slavin advised that if there is undue delay or any kind of duress, immediate judgment is invited on the rest of the City's operations; therefore, the City would do well to take care of those retail moments when people are walking in the door and interacting with staff. Mr. Slavin noted that it had been stated that the City had sufficient funds to cover the request from the carry-forward balances, and he assumed this was after applying the financial policy regarding where those balances would be directed. He expressed the desire to remind Council of those financial policies.

Mrs. Mitchell explained that the policy states that if the City has favorable revenues, they go toward capital, and if there are favorable personnel expenses, they are to go toward Other Post-Employment Benefits (OPEB) and pension liabilities. She indicated that any favorability in operating expenses is not designated. Mrs. Mitchell advised that this money would have to come from either the revenue bucket or personnel favorability. She indicated that she had not looked at this recently; however, the last time she did, the operating expenses were generally breaking even and there was enough favorability in personnel to cover this request.

Mr. Slavin stated that the reason for those policies was so that if a large transfer tax or other source of revenue is known when the year starts, this revenue would be dedicated to a one-time expense rather than an ongoing expense. In addition, Mr. Slavin stated that there would be a little bit of risk, since the City could meet its bills this year but would be pushing hard on FY 2018 and would be adding additional expenses there.

Mrs. Mitchell agreed, stating that approximately $700,000 of the $900,000 in the General Fund was revenue, some of which had been used to purchase capital – the land by the police station. She reiterated that the $900,000 favorability was in the General Fund, noting that the Water/Sewer and Electric Funds were fine and had no problems.

Mr. Slavin stated that if the request receives a favorable recommendation, members may want to ask staff for more information by the time it comes to Council for action.

Mr. Hosfelt asked if $197,000 would be the total cost for five (5) employees plus benefits. Responding, Mr. Hudson noted that health care was expensive. Mr. Hosfelt stated that he thought it would be more, and this figure sounded low to him. In response, Mr. Hudson stated that this was what staff saw in the figures.

Dr. Stewart indicated that she shared Mr. Hosfelt's concern about the vacancies and asked what the center looked like when fully staffed. She questioned how many extra hours per week would be gained by moving two (2) positions to full-time and if this would justify basically doubling the cost. In response, Mr. Hudson stated that these employees would be busy and would not have down time or be sitting around. He indicated that the part-time employees currently work 29 hours per week and would work 40 hours per week as full-time employees.

Mr. Hare stated his understanding that, if the request was approved, there would be 24 employees in the Department, consisting of 22 full-time and two (2) part-time staff members. There would be a Meter Reading Supervisor, Cashier Supervisor, Billing Supervisor, and Customer Service Supervisor. Mr. Hudson noted that there would also be a Director. Mr. Hare asked if the supervisors are working supervisors. Responding, Mr. Hudson advised that supervisors have duties, do not just go out on the floor and direct, and are working supervisors.

Mr. Hare asked if meter readers work eight (8) hour days five (5) days per week. Responding, Mr. Hudson explained that meter reading includes reading and servicing meters, as well as doing disconnections and reconnections.

Mr. Hare questioned if this would be eight (8) hours a day, five (5) days per week for four (4) or five (5) people. Responding, Mr. Hudson stated that staff cannot keep up with the daily reports that they receive for cuts because they do not have enough individuals, noting that staff could experience anywhere from 175 - 200 cuts in one (1) day. In addition, he noted that staff must turn the power back on when the customer pays. Mr. Hudson explained that there had been issues in the past when they performed approximately 60 cuts in one (1) day. He stated that when a customer comes in at the end of the day after work and wants their electricity turned back on, this may not be done until the next day because the City does not have enough personnel to return and turn the power back on.

Dr. Stewart asked if staff had thought about hiring more part-time people instead of taking positions to full-time, since benefits become quite expensive. In response, Mr. Hudson explained that there had been problems in the past with hiring part-time employees, since these individuals are typically looking for full-time work. Although it was thought that some of those hired as part-time would become great employees, they ended up leaving because they needed full-time work with benefits. In addition, Mr. Hudson stated that part-time people do not put their heart and soul into the job because they are only there for a few hours, and the work ethic is not there. Mr. Hudson advised that staff is planning for two (2) part-time positions for the call center, one (1) of which will be filled by a current part-time employee who does not want any more hours. He indicated that staff hoped to find a retiree or someone who wants part-time work for the other position, but those individuals are few and far between.

Mr. Cole asked when the Department was last evaluated with its full staffing of 17 full-time and four (4) part-time employees. He noted that the current level was 11 full-time and four (4) part-time employees and the Department was obviously shorthanded, so there were a lot of waiting and calls. Mr. Cole stated that he was open to the request; however, five (5) more employees were being requested and it was not known what the Department would be like with 17 full-time and four (4) part-time employees.

Mr. Hudson explained that staff has a high number of interactions with people, some of whom consider this to be the height of their day, especially the elderly. He advised that, although he did not want to call these people complete shut-ins, they like coming in and talking to someone, and staff are probably the only ones that they will get a chance to talk to and they have to cut them off and move them on in the most courteous way. Mr. Hudson indicated that students come in, as well as realtors, since there are a lot of people moving in and out at certain times. He noted that he had been overseeing this operation for over a year.

Mr. Cole questioned if the Department had ever been fully staffed. Mr. Hudson stated that it had not. He indicated that the Mayor could attest to the fact that, at its height before employees started leaving, the Department was less in size than it had been some years ago.

Mr. Cole asked if the request for 17 full-time and four (4) part-time employees was based on where the Department needed to be or if staff was looking for more employees based on the 11 full-time and four (4) part-time employees. In response, Mr. Hudson stated that the Department was at 17 four (4) years ago, before the population in Dover grew. He explained that staff was asking for more people than everyone was now used to seeing; however, the request was for the Department to be exactly the same as it used to be years ago. Mr. Hudson advised that he was asking for the jobs that were in place before he came to the City and before Council cut jobs.

Mr. Cole stated that positions had not been cut, but the Department was reduced through attrition and retirement. Responding, Mr. Hudson stated that the Department was gutted. Mr. Cole noted that the Department was at 17 full-time and four (4) part-time positions and was still funded at that level. He advised that the request was now for 22 full-time and two (2) part-time positions, and was currently at 11 full-time and four (4) part-time, which was a total of 15 employees. He indicated that the Department was now short six (6) positions. Mr. Cole stated that the Department had always been at 17 and four (4) but had not been fully staffed.

Mr. Scott Koenig, City Manager, informed members that approximately five (5) or six (6) budgets ago, the Customer Service Department had no part-time employees and had only full-time employees. He noted that there was an additional cashier. Mr. Koenig advised that the City went through a period when the number of meter readers was downsized, as the City went to such things as automated metering. Mr. Koenig stated his recollection that there may have been a reduction-in-force in meter reading at one point; however, the reduction in Customer Service Representatives, etc. happened through attrition as the budget contracted. He advised that the City went through a three (3) or four (4) year period prior to 2011 when there was a contraction in the total number of employees. Mr. Koenig advised that previously there probably had been as many as 22 full-time employees, the same level that was now being requested. To Mr. Koenig's recollection, there had

been no part-time employees, and he noted that the issue of part-time employees had been debated internally. He indicated that, although he would love to be able to say that staff could meet needs with part-timers, there had not been as much success with part-timers in this department as there had been, for example, in the library, which has a different type of work and work environment. Mr. Koenig explained that part-time employees in Customer Service may start out well, but then something changes, noting that they may not need to work anymore, or they get a full-time job elsewhere and are instantly gone. He stated that several months are spent training these employees, and then they take a position that is associated with full-time work.

Mr. Koenig indicated that the meter reader and managers who retired were all employees in the defined benefit pension plan, and the payroll burden of those wages was significant. He advised that new people coming in are in the defined contribution plan and, although the numbers for the medical package benefit are increasing, the overall payroll is not spiking like it would if they were in a defined benefit plan.

Mr. Koenig stated that if members reviewed some of the prior budgets from a number of years ago, they would see that staffing levels were at about the level requested. He indicated that the hope was to become more efficient; however, staff was challenged because the City, as a municipality, requires more paperwork than some other entities. Mr. Koenig explained that as there are more students, there are more required rental agreements, and the City tries to enforce rental permit ordinances and gets copies of leases and additional paperwork. He noted that the City does a lot of work for Catholic charities and people who are paying other people's utility bills, and also works with medical notes. Mr. Koenig indicated that the City has tried to apply additional pressure to get customers to pay, and staff must be able to take the money, cut the power, and turn the power on in a defined window. He noted that if it is too hot, staff has trouble cutting the power, and if it is too cold, the City cannot cut power by law. Mr. Koenig explained that staff has a backlog of work that had been growing over a number of years that had reached the point that the level of service was not being developed. He stated that a number of discussions had been held about changing the Enterprise Resource Systems. Mr. Koenig stated that, assuming this project goes forward, it would have a major impact on these employees because they are the interface of entering information into the billing system and pulling it out, and a workforce that is paying attention to detail is needed to accomplish this.

Mr. Koenig reiterated that a number of retirements were being seen, stating that staff was thin on corporate knowledge, and he noted that, in a municipality, corporate knowledge has meaning and value. He acknowledged that the request was a significant increase, stating his hope that at some point, if the positions were filled, the Enterprise Resource System is replaced, the new E-billing begins, and these type of process improvements are made, consideration could be given to whether the next position is needed, or if it should be altered to part-time. Mr. Koenig stated that the City had reached a level where Council members had expressed frustration and unhappiness, and the City's customers were at a disadvantage because the City was not providing the expected level of service.

Mr. Sudler moved to recommend acceptance of staff's recommendation and approval of the additional staffing for Customer Service as presented. The motion was seconded by Mr. Hutchison.

Dr. Stewart moved to amend the motion to three (3) full-time positions instead of the requested five (5). The motion was seconded by Mr. Hosfelt.

Mr. Sudler asked Mr. Hudson if three (3) full-time positions would work and how he felt about the amendment. Responding, Mr. Hudson indicated that staff would be behind and that they were hurting across the board. Customer Service agents were constantly moving those employees who could be moved into other areas of the operation because of sickness, emergency, or vacations. Mr. Hudson advised that staff had figured out that the request was at the optimal level needed so that the department is adequately covered if employees are on vacation or sick. He stated that the department may be a little thinner; however, they could still transparently cover all bases. Mr. Hudson stated that cutting two (2) people in an effort to save money could not work and urged members to come by and take a look if they did not believe him.

Mr. Hutchison advised that a lot of the people coming in for service are upset, whether for being cut or for something else, and having to wait in line makes the situation worse. He stated that this department has a very important job of serving the community day in and day out, and it was important that they have adequate staff to be able to do the work.

Mr. Hosfelt stated that this situation reminded him of an occasion before he was on Council when 10 police officers were added, and the impact of the addition was not known. He noted that there was an upcoming budget and it was unknown what the budget would bring in the coming year. Mr. Hosfelt expressed concern that adding five (5) positions mid-year sounded good now; however, he was unsure what it would sound like in July.

Mr. Hare noted that Mr. Hudson had invited members to come by, and Mr. Hare stated that he had been by and seen people standing in line while two (2) people in the side offices were sitting, laughing, and talking. Responding, Mr. Hudson indicated that he did not know what Mr. Hare had seen. Mr. Hare stated that when there is a line, there should not be anyone in the offices and employees should be out there doing something, whether they are a director, supervisor, or something else. He indicated that he did not disagree with hiring three (3) employees to get back to full staff, and if two (2) more were needed, two (2) more could be brought in. Mr. Hare stated that Mr. Hudson had advised that it takes six (6) months to hire an employee. Responding, Mr. Hudson advised that he had said that it takes six (6) months once employees are onboard to be trained to a proficient level.

Mr. Hare indicated that he did not think that anything would be lost by adding just three (3) employees, noting that if two (2) more were needed in three (3) to five (5) months, members could return to this matter, since only so many employees could be trained at one time. Responding, Mr. Hudson asked what Council was basing this on, stating that staff deals with this every day. He indicated that staff's request was not so that things would be easy for staff and so they could sit back, but they were making this request for a reason.

Responding, Mr. Hosfelt indicated that he did not think the request was for the purpose of making things easy for staff; however, he was concerned that the department had not been fully staffed for a period of time that Mr. Hosfelt was still not clear on, yet they want to be fully staffed and add

five (5) positions. He stated that he did not understand why the department could not become fully staffed incrementally, see where it stood, and then come back and ask for two (2) or three (3) more employees if needed. Mr. Hosfelt advised that this would make more sense to him, stating that he was looking through the information and understood it; however, he stated that he did not think it was fair to come to Council asking to fill six (6) vacancies and state that five (5) more employees were needed.

Mr. Hudson advised that everyone was quick to say that they did not remember the Customer Service Department having this many issues years ago. He explained that over a number of years the department had been through attrition and had lost people, and they had not been able to get new people in. Mr. Hudson recalled having a conversation with Mr. Koenig when Mr. Hudson first came, and the idea at that time was that staff could not be added because Council had mandated not adding to the head count. Mr. Hudson stated that he did not know what else he could do and had to work with what he had; however, after doing this for a year, a number of people were coming to see him on a daily basis, the Mayor, or Mr. Koenig. Mr. Hudson stated that this problem would not go away by kicking the can down the road and putting a couple people here or there. He noted that he was not trying to put a strain on the budget; however, many members had been there and seen the types of issues that staff was going through.

Responding to Mr. Hudson, Ms. Marney stated that there were four (4) employees who had been discussed in terms of vacations. Mr. Hudson advised that four (4) employees had been neglecting to take vacations because they felt this would put an undue burden on their co-workers, and some of these individuals were in danger of losing time that they had accrued if it is not taken before the end of the year. He indicated that there was no way they would be able to do this, stating that he was asking for these employees to be able to take vacation without having to worry about being an undue burden on their co-workers.

Mayor Christiansen stated that he respected the opinions of all members of Council; however, he goes to Customer Service two (2) or three (3) times per week and it was absolute chaos when he was there the morning before. He indicated that he believed that, in addition to being fiscally responsible to its citizens, the City owes citizens a modicum of customer service, and he asked Council to consider this. Mayor Christiansen advised that he had worked with Mr. Hudson and Customer Service staff from time to time and saw some of the angst that they go through. He stated that members should rely on Mr. Hutchison's observations, as well as those of the remaining Customer Service staff, and provide the customer service that members of Council and staff had pledged to provide to the citizens. Mayor Christiansen noted that when he was there the day before, there were 13 people in line waiting for the three (3) Customer Service Representatives that were there, as well as office staff, to have their bills resolved, or to have bills reprinted as the City required in new procedures that were adopted in January. He advised that he was the tenth person in line waiting to pay his bill. Mayor Christiansen indicated that he was unsure if Customer Service should be sacrificed, since this results in people contacting the City about the lack of customer service. Mayor Christiansen advised that he was unsure if this matter should be explored more; however, people need to be put in the trenches, and he is not someone that does that willy-nilly.

Mr. Slavin stated that members were trying to make decisions and there was a hunger for more information in order to do so. In the interest of compromise and keeping the wheels in motion, he asked the makers of the motion to amend the original motion to withdraw their motions, and that the Committee consider entertaining a motion to pass this matter on without recommendation at this time, with instructions to bring it back to Council two (2) weeks hence with the staffing plan for all 11 positions, when the posting dates and hiring dates would be, what the impact of those dates would be, and financial information from Mrs. Mitchell, including whether all 11 would be hired and start on the same day and, if not, if some would start in this fiscal year and others after July 1, 2017. In this way Council could address some of the concerns about what the costs are.

Mr. Hare asked how long it would take to get back to the original staffing level of 17 full-time and four (4) part-time positions. Responding, Mr. Hudson advised that paperwork holds up hiring, noting that after the interview and everything else, selectees who have college degrees must get their transcripts and then go through a background check, which takes time. He noted that entering the holidays might affect those who are responsible for the background checks, stating that his own hiring in January was held up by the things such as having to get his undergraduate and graduate degree information from the University of Pittsburgh during the holiday time.

Mr. Hare agreed that this matter could be deferred as Mr. Slavin had requested, noting that staff was authorized to hire 17 full-time and four (4) part-time positions and this would not happen in two (2) or three (3) months.

Mr. Slavin stated that he had offered the opportunity for Mr. Hudson and others to put the request together position by position, including when it was anticipated to advertise, interview, and hire for the positions and members could then consider the fiscal impact of that. He advised that there were two (2) concerns: 1) the staffing level and timing, and 2) the impact on the budget. Mr. Slavin stated that he thought everyone was in agreement that they wanted to solve the problem of customer service, expressing his appreciation for what everyone there had been going through. He informed members that he had been to Customer Service, but staff did not know this because he had pulled his baseball hat over his head since he had not paid his electric bill. Mr. Slavin advised that staff was not only doing a good job, but when they were under duress he did not see one person working for the City act like they were under pressure, and they did nothing but act in a professional manner. He asked Mr. Hudson to pass that along to everyone there and thank them.

Mr. Sudler withdrew the motion to recommend approval of staff's recommendation for additional staffing for Customer Service, as presented. Mr. Hutchison withdrew his second.

Dr. Stewart withdrew the motion to amend the motion to three (3) full-time positions instead of the requested five (5). Mr. Hosfelt withdrew his second.

Mr. Slavin moved that the Council Committee of the Whole pass this matter on without recommendation to full Council for consideration at the next Council meeting, that staff be instructed to provide a staffing plan with details of the timing of all 11 proposed hirings, as well as the fiscal impact on both FY 17 and FY 18. The motion was seconded by Mr. Hosfelt and unanimously carried.

Study of City's Current Recruitment/Hiring Processes (Request of Councilman Lewis) (Deferred by the Committee during the meeting of October 25, 2016)

Mr. Lewis moved to defer this matter until the conclusion of the Human Resources fact-finding investigation, which was just approved at last night's Council meeting. The motion was seconded by Mr. Sudler and unanimously carried.

Proposed Ordinance #2016-21 Amending Chapter 2 - Administration, Article IV - Officers and Employees, Division 5 - City Clerk, Section 2-281 - Appointment; Chapter 22 - Buildings and Building Regulations, Article II - Building Inspector, Section 22-31 - Office Created; Appointment; and Chapter 46 - Fire Prevention and Protection, Article III - Fire Codes, Section 46-124 - Fire Marshal (Deferred by the Committee during the meeting of October 25, 2016)

Mr. Hutchison informed members that under the current ordinance, the Fire Marshal, the Building Inspector, and the City Clerk come up for reappointment at the Annual Council meeting, and these individuals serve at the pleasure of Council. He recalled that Mr. Lewis had made a very good point at his very first meeting that he did not feel comfortable in voting to support these individuals because he did not know them and had not had an opportunity to work with them. Mr. Hutchison stated that if the ordinance were changed, these individuals would not have to come up for reappointment, and he reiterated that, once they are appointed, they serve at the pleasure of Council.

Mr. Sudler asked if members would have to evaluate their performance if they were not up for reappointment and, if not, if Council would be able to terminate their employment without a performance appraisal. Responding, Mr. Hutchison stated that the Proposed Ordinance would do nothing about evaluation and Council would still have a responsibility to evaluate its staff on a regular basis.

Mr. Sudler questioned what the advantage would be of changing what is currently in place. In response, Mr. Hutchison stated that these individuals, in most cases, had been appointed a long time ago, and the advantage would be that new individuals who were just elected to City Council and do not know staff would not have to vote on them. Mr. Hutchison noted that these individuals would have already been confirmed based upon their education, experience, and job knowledge and they would still serve at the pleasure of the Council.

Mr. Lewis stated, with all due respect to Councilman Hutchison, that he thought members were treading in murky water with this proposal. He noted that, when first sworn in to Council, he had made the comment that he did not have time after just coming onto Council to evaluate or review the personnel files, and thought it would be inappropriate to vote on someone that he knew nothing about. He indicated that he still stood by this. Mr. Lewis stated concern that by adopting the ordinance, members would be creating a Supreme Court where these people would be put in for life terms.

Mr. Hutchison stated that it was important to keep in mind that staff appointees serve at the pleasure of Council and they would carry on after having been appointed by Council before. He reiterated that every year newly elected officials were being asked to look at someone that they really do not know.

Mr. Lewis asked if it was not members' duty as elected officials to reappoint these individuals, noting that this practice had been in existence for years. He stated he was sure that this practice had been in practice when Mayor Christiansen was serving as City Council President and that it had been implemented for a reason.

Mr. Hutchison asked members to keep in mind that these employees serve at Council's pleasure.

Mr. Lewis stated that he understood; however, he had dialect with the Human Resources (HR) Director and was told that this was not true and that Council and the employees may serve at Council's pleasure, but Council cannot just dismiss these employees like that and has to take progressive discipline. Mr. Hare stated that Council did not have to.

Mr. Hutchison expressed his hope that Council would use progressive discipline. He stated that it would not be fair to even consider telling someone who walked in today that they were done, and it would absolutely be the responsibility of Council to sit down, discuss this, and evaluate them.

Mr. Lewis indicated that if Council would like to dismiss a Council appointee mid-year, this would become very controversial and possibly bring lawsuits, and Council would be stuck trying to find somebody, as opposed to keeping the current practice and deciding not to reappoint them at Council's annual meeting if they were dissatisfied with performance. Mr. Hutchison questioned how many times this had been done over the last 50 years. Responding, Mr. Hare indicated that he knew of two (2) times. Mr. Hutchison asked members to consider appointing these individuals and not having to reappoint them every year at the Annual Meeting.

Following up on what Mr. Lewis had said, Mr. Hare stated that two (2) years ago there were five (5) new Council members. He asked what those five (5) people would do if they did not want to reappoint someone who had been there forever. Responding, Mr. Hutchison advised that if Council had a problem with one (1) of these staff members, they would not want to wait until the Annual Meeting to say goodbye.

Mr. Hosfelt stated that if an employee was not reappointed, as Fire Marshal for example, they would still be employed by the City, and Council would not be able to terminate a person without cause because they have five (5) votes. He indicated that he thought that this would probably apply to only two (2) positions within the City.

Mr. Hare indicated that he thought the City Solicitor and Deputy City Solicitor should be appointed every year because members might want to find out if someone else could offer a better deal rather than Council saying that they would not worry about it and go with whatever the City is charged. Mr. Hare estimated that it takes approximately 10 minutes every year to reappoint everyone and stated that he thought this would be changing something that really does not need to be changed.

Mr. Sudler advised that he is always open to new ideas but was not comfortable with how this would impact Council's power in regard to removing or appointing. He indicated that he would abstain from voting if this matter was voted on that night, stating that he was not comfortable and that more information and clarity was needed to make an educated decision on how this would affect City

Council members and their right and power to appoint or remove someone. Mr. Sudler stated that, with all that had gone on recently in general, he was not comfortable giving someone supreme power where they would be appointed forever.

Mr. Slavin thanked Mr. Hutchison for bringing this issue up. Noting that this conversation was probably unsettling to appointees, he advised that he wanted to make sure that they understood that this was not directed to anyone in particular, stating that this was not the import of the dialogue that members were having. Mr. Slavin stated that, in his opinion, there was a huge difference between removing an appointee and simply not reappointing someone. He advised that at-will employees serve at Council's pleasure and that the advice that Mr. Lewis was given was simply not the case. Mr. Slavin stated that there is a legal opinion that states that they serve at Council's pleasure, and case law supports that as well; however, there is a court of public opinion, and removing someone in the middle of an appointment requires Council to explain that in ways that are understood and accepted by a large portion of the City. As a clear example, he indicated that the ordinance governing the City Manager states that if the City Manager is removed, Council has to provide reasons why. Mr. Slavin stated that it is clear that there is a reappointment process, but there is also a process which is similar, yet not similar, for removal. He advised that he would be very careful about this, stating that he feels it would be a very slippery slope and he has the feeling that it is not broken.

Mr. Lewis stated that he had just been offering a synopsis with respect to why he did not think this measure should be approved. Mr. Slavin stated that Mr. Lewis had referenced receiving advice saying that Council had to go through progressive discipline and, legally, this was not the case. Mr. Lewis stated that he had dialect with the HR Director and that is what he was told.

Mr. Sudler moved to defer this matter for additional research and clarity for future reference.

As a point of order, Mr. Slavin stated that deferring usually carries a date to be deferred until and that Mr. Sudler could postpone it indefinitely. Mr. Sudler withdrew his motion.

Mr. Lewis stated that, with respect to having dialect with the HR Director, he was also told that progressive discipline was in the City's Employee Handbook.

Mr. Slavin moved to postpone the issue indefinitely, seconded by Mr. Hosfelt and unanimously carried.

Proposed Ordinance #2016-26 Amending Chapter 2 - Administration, Article III - Standing Council Committees

Members were advised that during their Regular Meeting of December 14, 2015, City Council adopted Resolution No. 2015-16, which changed the Committee meeting format to a Committee of the Whole format on a trial basis. On May 23, 2016, Resolution No. 2016-05 amending Resolution No. 2015-16 by setting the Committee of the Whole meetings for the second and fourth Tuesdays of the month through May 31, 2017, was adopted. It also directed that, if Council chooses to adopt this meeting format, an Ordinance amendment regarding the Standing Committees would be presented for adoption prior to the Annual Meeting in May.

Mrs. Traci McDowell, City Clerk, advised members that the Proposed Ordinance would set up the Council Committee of the Whole with each of the Council standing committees serving as subcommittees. The Council President would chair the Council Committee of the Whole and select the chairs of the subcommittees. She advised that the Council President and the chairs of the committees would each select one (1) civilian member to serve, as is currently done.

Mr. Lewis asked, if this route was chosen, if only one (1) civilian would be appointed, since the whole Council would be present. Responding, Mr. Hare stated that the Council President and the committee chair would each appoint one (1) civilian member.

Mr. Lewis questioned if civilians were necessary if the full Council would be present. Responding, Mayor Christiansen stated that when the original committee format was established many years ago, it was felt that civilians should be brought on as part of the committees in order to have a broad view of City issues and the input of the public. He stated that he thought it imperative that this format continue because, while the Mayor and members are elected officials, it is important to have citizens participate on any issues brought before Council. Mayor Christiansen cautioned Council not to abandon the time-honored tradition of having citizens participate from ground zero in the committee format. Mr. Lewis stated that he had the utmost respect for Mayor Christiansen and would definitely keep this under advisement.

Mr. Sudler moved to recommend adoption of Proposed Ordinance #2016-26, seconded by Mr. Hosfelt and carried, with Mr. Lewis abstaining.

Proposed Ordinance #2016-27 Amending Chapter 18 - Animals, Section 18-4 - Running at-large, Section 18-5 - Dog licenses required, and Section 18-10 - Same-Seizure and impoundment, and Appendix F - Fees and Fines

Lieutenant Christopher Hermance, Special Forces Unit Commander, Dover Police Department, advised members that in January, the Department's Animal Control Officer initiated warrants on a suspect. In the text of the charge, the City ordinance referred to Title III and Title VII of the Delaware Code; however, at the first of the year the State changed all the animal-related charges to Title XVI under Health and Human Services, which the Office of Animal Welfare falls under. Lieutenant Hermance stated that the City's ordinances were referring to charges that do not exist. He reviewed changes made in the Proposed Ordinance, noting that, Sec. 18-4. - Running at large. (a) Unlawful would be changed to state that "It shall be unlawful for any person to permit any dog to run at-large" rather than any animal. Lieutenant Hermance noted that the Department can only enforce the ordinance in relation to dogs, since this was all that they are capable of handling at this time.

Staff recommended adoption of the Proposed Ordinance.

Mr. Hosfelt moved to recommend adoption of Proposed Ordinance #2016-27, seconded by Mr. Hutchison.

Mr. Hare asked if the City would eventually get to cats. Responding, Lieutenant Hermance informed members that the Department was only able to take dogs to the Brandywine County Society for the

Prevention of Cruelty to Animals (SPCA), and there are no contractors for cats at this time. He noted that staff was working with the Office of Animal Welfare to look at agencies that might come in with grant-related activities to collect the numerous cats in town.

The motion to recommend adoption of Proposed Ordinance #2016-27 was unanimously carried.

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 during the meeting of October 25, 2016)
Mr. Lewis moved to postpone this matter indefinitely, seconded by Mr. Cole and unanimously carried.

Mr. Lewis moved for adjournment of the Legislative, Finance, and Administration Committee meeting, seconded by Mr. Cole and unanimously carried.

Meeting adjourned at 7:45 p.m.

By unanimous consent, the Council Committee of the Whole meeting adjourned at 7:45 p.m.

Timothy A. Slavin
Council President

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