COUNCIL COMMITTEE OF THE WHOLE
AGENDA

JANUARY 10, 2017 - 6:00 P.M.

CITY HALL COUNCIL CHAMBERS
15 LOOCKERMAN PLAZA
DOVER, DELAWARE

PUBLIC COMMENTS ARE WELCOMED ON ANY ITEM AND WILL BE PERMITTED AT APPROPRIATE TIMES. WHEN POSSIBLE, PLEASE NOTIFY THE CITY CLERK (736-7008 OR E-MAIL AT CITYCLERK@DOVER.DE.US) SHOULD YOU WISH TO BE RECOGNIZED.

PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE

AGENDA ADDITIONS/DELETIONS

1. **PROPOSED ORDINANCE #2017-01 AMENDING CHAPTER 70 - OFFENSES AND MISCELLANEOUS PROVISIONS AND APPENDIX F - FEES AND FINES (DISORDERLY PREMISES)** (SPONSORS: SLAVIN AND SUDLER)

2. **ADJOURNMENT OF PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE MEETING**

UTILITY COMMITTEE

AGENDA ADDITIONS/DELETIONS

1. **DEDICATION OF RIGHTS-OF-WAY AND PUBLIC INFRASTRUCTURE - EMERALD POINTE**
   (STAFF RECOMMENDS ACCEPTANCE OF DEDICATION OF RIGHTS-OF-WAY AND PUBLIC INFRASTRUCTURE OF THE EMERALD POINTE SUBDIVISION. DEDICATION IS TO INCLUDE ALL OF THE REFERENCED PUBLIC IMPROVEMENTS.)

2. **ADJOURNMENT OF UTILITY COMMITTEE MEETING**

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

AGENDA ADDITIONS/DELETIONS

1. **PROPERTY TAX CREDIT REQUEST - ROUTE 8 (NEW DEVELOPMENT)**
   (STAFF RECOMMENDS AUTHORIZING THE CITY MANAGER TO EXECUTE A TAX CREDIT AGREEMENT FOR THE PURPOSE OF RESERVING AREA FOR A FUTURE SERVICE ROAD ACROSS THE PROPERTIES LOCATED AT 1116-1128 FORREST AVENUE)

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE (CONTINUED)

2. **PROJECT CARRY-FORWARD BUDGET BALANCES/PROPOSED ORDINANCE #2017-04 - BUDGET AMENDMENTS**

   (STAFF RECOMMENDS APPROVAL OF THE PROPOSED BUDGET AMENDMENTS FOR FISCAL YEAR 2017 AND ADOPTION OF PROPOSED ORDINANCE #2017-04)

3. **CONSIDERATION OF COST OF LIVING ALLOWANCE (COLA) FOR GENERAL PENSION PLAN RETIREES**

   (STAFF RECOMMENDS AUTHORIZATION TO EXPEND APPROXIMATELY $1,000 TO ANALYZE THE FINANCIAL IMPACT FOR THREE (3) DIFFERENT COLA AMOUNTS: 1%, 1.5% AND 2.0%. THE ANALYSIS WILL BE COMPLETED BY NYHART. THESE EXPENSES WILL BE CHARGED AGAINST THE PENSION FUND ASSETS. CITY COUNCIL WOULD HAVE TO AUTHORIZE ANY COLA BEFORE ONE COULD BE IMPLEMENTED.)

4. **PROPOSED TIME CHANGE FOR OPEN FORUM**

5. **PROPOSED ORDINANCES**
   - **A. #2017-02 AMENDING CHAPTER 2 - ADMINISTRATION, ARTICLE V - FINANCE, SECTION 2-422 - DISPOSAL OF EXCESS PROPERTY** (SPONSORS: NEIL, KOENIG, AND MCDOWELL)
   - **B. #2017-03 AMENDING CHAPTER 2 - ADMINISTRATION, ARTICLE IV - OFFICERS AND EMPLOYEES, DIVISION 7 - GENERAL EMPLOYEE PENSION PLAN AND DIVISION 8 - DEFERRED COMPENSATION PLAN; AND ARTICLE VI - OTHER POST-EMPLOYMENT BENEFITS FUND AND CREATING CHAPTER 80 - PERSONNEL** (SPONSORS: COLE, HOSFELT, AND HUTCHISON)

6. **ADJOURNMENT OF LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE MEETING**

ADJOURNMENT OF THE COUNCIL COMMITTEE OF THE WHOLE MEETING

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THE AGENDA ITEMS AS LISTED MAY NOT BE CONSIDERED IN SEQUENCE. PURSUANT TO 29 DEL. C. §10004(E)(2), THIS AGENDA IS SUBJECT TO CHANGE TO INCLUDE THE ADDITION OR THE DELETION OF ITEMS, INCLUDING EXECUTIVE SESSIONS, WHICH ARISE AT THE TIME OF THE MEETING.

CITY OF DOVER PROPOSED ORDINANCE #2017-01

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

That Chapter 70 - Offenses and Miscellaneous Provisions of the Dover Code be amended by inserting a new Section 70-8. - Disorderly Premises, as follows:

Sec. 70-8. - Disorderly premises.

(a) *Disturbing activity*. It shall be unlawful for any owner, owner's agent, manager, caretaker or person occupying a premises to allow, suffer or permit in any residence or upon any premises occupied by himself or herself any conduct which causes public inconvenience, annoyance, alarm to a reasonable person, or disrupts the quiet and good order of adjoining and surrounding properties including, but not limited to, engaging in fighting or in violent, tumultuous, or threatening behavior, making unreasonable noise or an offensively coarse utterance, gesture or display or addressing abusive language to any person present, obstructing vehicular traffic or pedestrian traffic, or creating a hazardous or physically offensive condition which serves no legitimate purpose. Any person who fails to obey the order of a Police Officer to dispel and disperse or otherwise discontinue the disturbing activity may be cited for an additional violation of this Section.

(b) *Tenant-occupied premises.* In the event that the owner, owner's agent, manager or caretaker of a house, dwelling, or premises where the violation of Subsection (a) hereof has occurred does not occupy or reside at the property, such individual shall be presumed to have allowed, suffered or permitted such conduct if after service of notice that such conduct has occurred, a further violation of Subsection (a) occurs within one hundred eighty (180) days of the service of said notice. The owner, owner's agent, manager or caretaker of a house, dwelling, or premises shall then be in violation of this section.

(c) *Service of notice.* Notice is properly served upon person if a copy of such notice is personally; or to the person's registered office; or by leaving such notice at the person's usual place of abode with a person of suitable age and discretion who resides therein; or by certified mail addressed to the person's last known address; or the mailing address of the owner of the subject premises as recorded on the Kent County Assessment Records or the City of Dover Rental Permit or Business License records. After service of notice, such owner, owner's agent, or manager or caretaker shall make a good faith effort to develop a plan of action with the Dover Police Department to prevent further violation of Subsection (a).

(d) *Fines.* Any person convicted of a violation of this Section shall be fined as provided for in Appendix F - Fees and Fines. In any prosecution for an offense under this Section, it shall be an affirmative defense, which must be proved by the preponderance of the evidence, that the occupant has been evicted and is no longer on the premises, or if there is pending at the time of trial an eviction action against the occupant of the premises which action is being pursued in good faith. Otherwise the fines imposed under this Subsection shall not be suspended.

(e) *Enforcement.* This Section shall be enforced by the Police Department.

(f) *Provisional order.* Upon the issuance of three violations of Subsection (a) to a business within a twelve-month period, the Police Department will notify the Department of Planning and Inspections.

Draft

The Department of Planning and Inspections will issue a provisional order on the business license in accordance with the provisions of Chapter 26 - Businesses, Article II. - Licenses, Section 26-59. - Provisional Order Generally of the Dover Code.

BE IT FURTHER ORDAINED:

That Appendix F - Fees and Fines of the Dover Code be amended by inserting the bold, blue text, as follows:

Chapter 70. Offenses and Miscellaneous Provisions	Fees and Fines
Sec. 70-1. Combative fighting	
Subsec. (d)(1) Violations; penalties, fines	Not to exceed $1,000.00. Separate fines may be issued to the promoter of such an event, participants in such an event, and the owner of the premises of such an event
Sec. 70-2. Weapons generally	
(e)(1) Penalties; fines	Not less than $500.00, nor more than $1,000.00
Sec. 70-7. Registered sexual offenders	
Subsec. (f) Penalties	$500.00 for any offense; each day shall constitute a separate offense
Sec. 70-8. Disorderly premises	**Not to exceed $1,000.00 for any offense but not less than $100.00 for the first offense, not less than $300.00 for the second offense, and not less than $500.00 for each subsequent like offense.**

(Ord. No. 2015-15, 10-26-2015)

ADOPTED: *

S:\ORDINANCES\2017\DRAFT\ORDINANCE #2017-01 CHP 70 - OFFENSES AND MISCELLANEOUS PROVISIONS - DISORDERLY PREMISES\Ordinance #2017-01 Ch 70 - Offenses and Miscellaneous Provisions (Disorderly Premises).wpd

SYNOPSIS

The proposed amendments create a new Section 70-8, Disorderly Premises, under Chapter 70 - Offenses and Miscellaneous Provisions.

(SPONSORS: SLAVIN AND SUDLER)

Actions History (Most recent first)

01/10/2017 - Scheduled for Introduction - Council Committee of the Whole/Parks, Recreation, and Community Enhancement Committee

Draft

ACTION FORM

PROCEEDING: Utility Committee	**AGENDA ITEM:**
DEPARTMENT OF ORIGIN: Public Works	**DATE SUBMITTED:** 12-16-16
PREPARED BY: Sharon J. Duca, P.E., Public Works Director / City Engineer	
SUBJECT: Dedication of Rights-of-Way and Public Infrastructure – Emerald Pointe	
REFERENCE: N/A	
RELATED PROJECT: N/A	
APPROVALS: City Manager	
EXHIBITS: Attachment A – List of Public Improvements to be accepted by the City of Dover Attachment B – Map	
EXPENDITURE REQUIRED: $ N/A	**AMOUNT BUDGETED:** $ N/A
FUNDING SOURCE (Dept./Page in CIP & Budget): $ N/A	
TIMETABLE: All infrastructure improvements will become the responsibility of the City of Dover upon action by City Council.	
RECOMMENDED ACTION: Acceptance of dedication of rights-of-way and public infrastructure of the Emerald Pointe Subdivision. Dedication is to include all of the referenced public improvements.	

BACKGROUND AND ANALYSIS

The City of Dover Department of Public Works requests that all public infrastructure improvements related to the Emerald Pointe Subdivision be dedicated to the City of Dover for permanent ownership and maintenance. Attachment A outlines all of the public improvements associated with the subdivision. The total construction value of the public improvements is $1,458,660.13. Attachment B shows the general location and configuration of the subject rights-of-way. After construction was completed, City staff inspected the public improvements and developed a list of repairs to be made to meet the City of Dover Standards and Specifications for Public Works Construction. As of this date, all work required by the Public Works Director has been completed. Staff has been monitoring an irregularity with a small portion of the sanitary sewer infrastructure for approximately four (4) year and the performance of this portion is acceptable to the City Manager; therefore, no repairs to the system are recommended as part of this dedication. Since staff has been monitoring the performance of the infrastructure related to this development for longer than the normal maintenance period (approximately four (4) years versus one (1) year), a one (1) year Maintenance Agreement will not be required. A Release of Liabilities will be submitted as part of the dedication process. Required as-built drawings of the infrastructure as well as videos of the sanitary sewer mains have been provided to staff.

Note: City Council voted to abandon the stub portion of Topaz Circle (south of Aquamarine Court) in 2016. The removal of the curbing and paving in this area will be completed in 2017.

DEDICATION OF RIGHTS-OF-WAY AND PUBLIC INFRASTURCTURE
EMERALD POINTE
ATTACHMENT A

The following is a list of all public improvements which are to be accepted by the City of Dover:

Sewer Utility Infrastructure (Construction Value = $669,519):

8" SDR-35 PVC Sanitary Sewer Main	-	6,411 l.f.
6" PVC Sanitary Sewer Laterals	-	3,210 l.f. (107 laterals)
4' Diameter Sanitary Sewer Manholes	-	27 ea. (259 v.f.)
Smith & Loveless 4B2C Pump Station	-	1 ea.
4" PVC Sanitary Sewer Force Main	-	809 l.f.

Water Utility Infrastructure (Construction Value = $183,008):

8" Ductile Iron (Class 52 Cement Lined) Water Main	-	6,365 l.f.
6" Ductile Iron (Class 52 Cement Lined) Water Main	-	224 l.f.
1" Polyethylene Water Service Lines	-	3,330 l.f. (107 services)
8" Gate Valve	-	2 ea.
6" Hydrant Valve	-	8 ea.
Fire Hydrants	-	8 ea.

Storm Water Infrastructure (Construction Value = $387,216.13):

Catch Basins (Street)	-	43 ea.
Catch Basins (Yard Inlet)	-	12 ea.
4' Diameter Storm Sewer Manholes	-	4 ea.
29"x45" HDPE Pipe	-	151 l.f.
42" HDPE Pipe	-	137 l.f.
36" HDPE Pipe	-	766 l.f.
30" HDPE Pipe	-	635 l.f.
24" HDPE Pipe	-	973 l.f.
21" HDPE Pipe	-	122 l.f.
18" HDPE Pipe	-	465 l.f.
15" HDPE Pipe	-	537 l.f.
29"x45" Type III Reinforced Concrete Pipe	-	30 l.f.
36" Type III Reinforced Concrete Pipe	-	30 l.f.
30" Type III Reinforced Concrete Pipe	-	614 l.f.
24" Type III Reinforced Concrete Pipe	-	391 l.f.
21" Type III Reinforced Concrete Pipe	-	240 l.f.
18" Type III Reinforced Concrete Pipe	-	86 l.f.
15" Type III Reinforced Concrete Pipe	-	2,465 l.f.
Flared End Sections (Concrete)	-	5 ea.

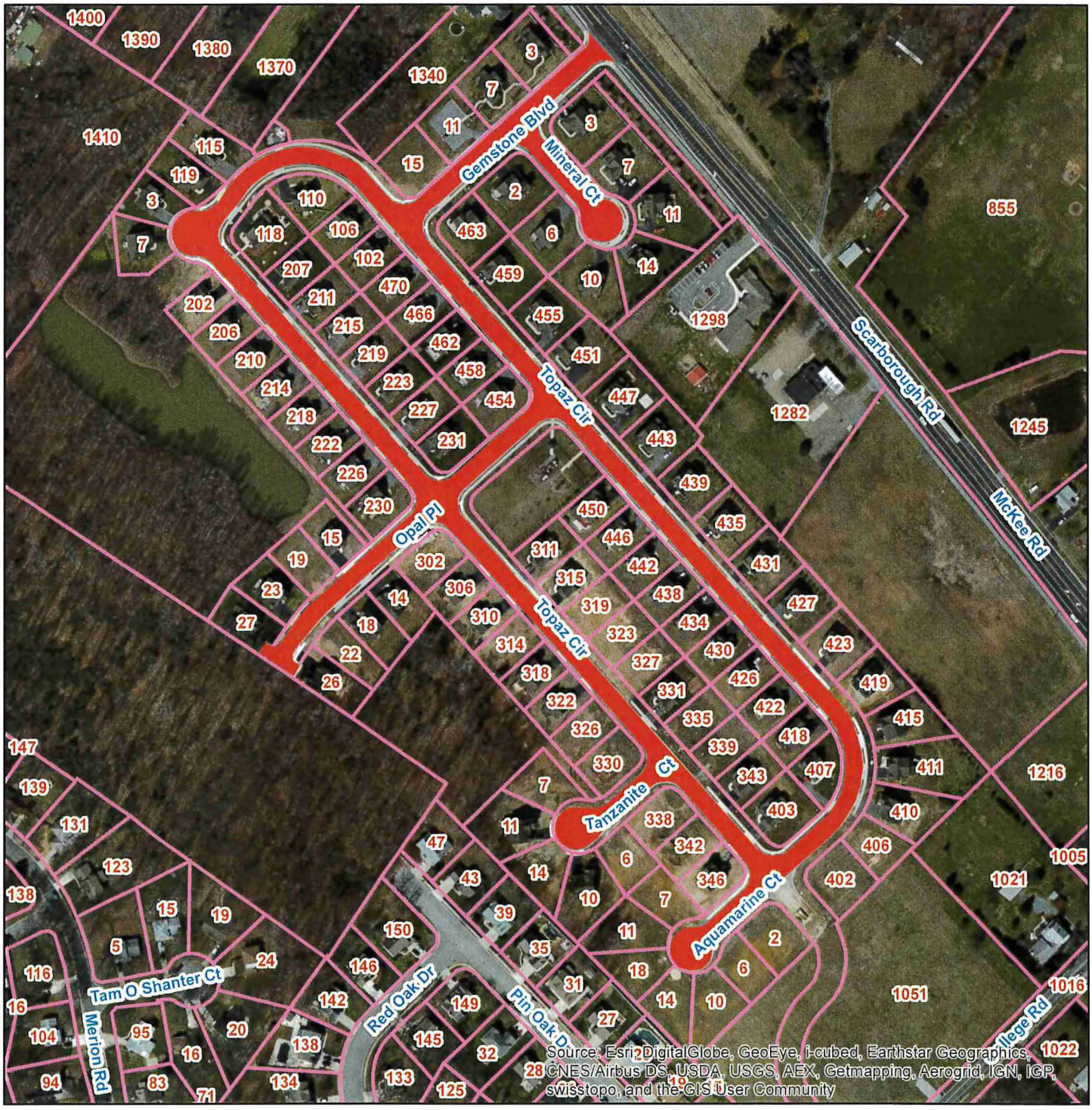
Street Infrastructure (0.9265 miles) (Construction Value = $218,917):

Topaz Circle	Station 0+00	to Station 37+70	3,770 l.f.
Gemstone Boulevard	Station 0+00	to Station 4+70	470 l.f.
Mineral Court	Station 0+00	to Station 2+41	241 l.f.
Tanzanite Court	Station 0+00	to Station 2+13	213 l.f.
Aquamarine Court	Station 0+00	to Station 1+98	198 l.f.

Attachment B

Emerald Pointe

Right of Ways to be Dedicated to the City of Dover



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\caf_emerald_pointe
Department: Public Works GIS
City of Dover, Delaware

Legend

Name

Area to be Dedicated

Dover Parcels

ACTION FORM

PROCEEDING: Legislative, Finance, and Administration Committee
DEPARTMENT OF ORIGIN: City Manager's Office **DATE SUBMITTED**: 12/29/2016
PREPARED BY: Scott D. Koenig, P.E., ICMA-CM, City Manager
SUBJECT: Property Tax Credit Request – Route 8 (New Development)
REFERENCE: N/A
RELATED PROJECT: Route 8 Study
APPROVALS: Scott D. Koenig, City Manager
EXHIBITS: Attachment A – Map of Area
EXPENDITURE REQUIRED: $ N/A **AMOUNT BUDGETED**: $ N/A **FUNDING SOURCE (Dept./Page in CIP & Budget)**: $ N/A
TIMETABLE: Upon City Council authorization.
RECOMMENDED ACTION: Staff recommends authorizing the City Manager to execute a tax credit agreement for the purpose of reserving area for a future service road across the properties located at 1116-1128 Forrest Avenue.

BACKGROUND AND ANALYSIS

Staff has been working with the developer of land on the south side of Route 8 across from the Modern Maturity Center. The developer, Franchise Management Services, Inc. c/o Mr. Nick Nastazos, is proposing to build a new Dunkin Donuts facility as well as other commercial space on the property located at 1116-1128 Forrest Avenue. The Route 8 Study envisioned a service road across the rear of this parcel which would connect with the existing traffic light at the Modern Maturity Center and travel east toward the Gateway West Shopping Center. The developer is willing to work with the City of Dover to reserve this service road possibility through the development of the site; however, the developer has requested consideration of a tax credit for the land to be reserved for the service road.

The concept would work as follows: Assume the land to be developed is approximately five (5) acres in total size. The area needed for the proposed service road equates to 1.5 acres of land. Instead of paying City of Dover property taxes on the entire five (5) acres, the developer would only pay property taxes on 3.5 acres of land. This tax credit is only for the land. The developer would pay full property taxes for all buildings and other improvements on the land. The proposed property tax agreement would be for a twenty (20) year term. If the service road is actually constructed across the property to public road standards, then the right-of-way for the service road as well as the improvements associated with the road would be dedicated to the City of Dover. A formal agreement will be drafted for signature by the developer and the City.

This concept allows the City to preserve the service road concept across the development parcel without disrupting the development process. Staff requests authorization to execute a tax credit agreement using the described concept for this development.

Attachment A

1128 Forrest Avenue



0 105 210 420 Feet

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Date Printed: January 5, 2017
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\jason_lyon_maps\caf_maps
\caf_1128_forrest_ave
Department: Public Works GIS
City of Dover, Delaware

Legend

- Area to be Developed
- Dover Parcels

ACTION FORM

PROCEEDING: Council Committee of the Whole
DEPARTMENT OF ORIGIN: Finance **DATE SUBMITTED: 01/10/2017**
PREPARED BY: Donna Mitchell, Controller/Treasurer
SUBJECT: Project Carry-Forward Budget Balances & Proposed Budget Amendments
REVIEWED BY: City Manager & Controller/Treasurer
APPROVALS: Council Committee of the Whole
EXHIBITS: Exhibit A – Capital Investment Plan Amendments
EXPENDITURE REQUIRED: As per the attached Exhibit & Draft Ordinance **AMOUNT BUDGETED**: N/A
TIMETABLE: Upon Council approval
RECOMMENDED ACTION: Staff recommends approval of the proposed Budget Amendments for Fiscal Year 2017.

The proposed budget amendment includes adjustments to the Beginning Budget Balances for all funds and Capital Project budgets (see Exhibit A). It also includes any adjustments related to Council Actions taken to date on changes in project budgets or operating items that were not included in the original budget.

Financial Policy transfers of favorable carry forward balances are as follows –

- The General Fund includes a transfer to the Capital Asset Reserve of $253,400 attributed to favorable revenues and after a reduction of $485,000 for the purchase/demolition of Water Street properties.
- Personnel favorability in FY16 is included to be transferred to the OPEB Trust in the amounts of $101,800 for Water/Wastewater and $109,300 for Electric. The General Fund had approximately $330,000 of personnel favorability; however, these funds were needed to increase the Reserve for Uncollectible Accounts and the Customer Service & Library (Passport) staff increases as approved by City Council.
- The transfer to the Contingency Reserve in the Water Utility was increased from $110,000 to $131,100 to bring it in line with the financial policy of a minimum balance of $250,000.
- The Electric Rate Stabilization Reserve has been increased by $6 million due to favorable power supply cost. This favorability was allocated as $2 million each to the Rate Stabilization Reserve, the Future Capacity Reserve, and the Depreciation Reserve (all policy compliant). Transfers to the capital reserves are intended to assist with the financing of advanced metering infrastructure/technology, DAFB substation, and potential projects as required by the Integrated Resource Plan.

Additional adjustments are as follows –

- No projected revenue increases are being projected at this time as we are holding off until the analyses and completion of the Quarterly Revenue Report. There are a couple of revenue changes in the Capital Funds for sales of assets and insurance proceeds that help offset cost of vehicles.
- Increases are incorporated for the Customer Service & Library Divisions per Council approvals. Corresponding changes to the Interfund Service Receipts/Charges are also reflected.

- Increases to Division budgets for vacation sell-back, retirement payout, and education assistance with a corresponding decrease to Other Employment Expenses across all applicable funds.
- Power supply was reduced by $65,000 to cover higher than expected insurance premiums on the generation assets at the McKee Plant due to higher asset replacement cost. The power supply management fee was lowered in the most recent contract, so the funds were available to cover the increased premium.
- Project balances are carried over from last fiscal year as reflected in the Capital Investment Plan Amendments Schedule (Exhibit A – page preceding Draft Ordinance) with the additional adjustments to the FY17 Budgets as follows:

    - The General Fund Transfer-In and the corresponding capital expenditure in the City Manager's budget was increased by the $485,000 for the purchase/demolition of the Water Street properties (as also explained above).
    - Additional increases to the General Capital Investments are included for a glass door/wall in the Library to partition off and reduce the noise level in the small theater $15,000.
    - Due to a high level of emergency repairs needed for infrastructures failures in storm water, water, and wastewater utilities we have increased the Emergency Repair capital budgets by $48,000 General Fund CIP, $5,000 Water CIP, and $225,000 Wastewater CIP.
    - The Electric CIP budget is being increased by $170,000 to move overhead distribution lines to underground distribution lines on the North Street Project, along with an increase of $23,000 for unexpected capital improvements (HVAC & Door) at Weyandt Hall.
    - The Water, Wastewater & Electric Utilities CIP have all been increased $50,000 each for economic development applications as approved by Council.
    - Grant Funds have been adjusted to reflect new programs and/or adjustments to current grants.

Exhibit A

City of Dover
Fiscal Year 2016/2017 Budget
First Amendment
Capital Investment Plan Amendments

Project #	Title	Fiscal Year 2016 Original CIP Budget	Revised CIP Budget	Prior Fiscal Year Expenses	Carry Forward Balance	FY 2017 Year Budget	Revised FY 17 CIP Budget
Grounds	3/4 Ton Truck with Dump Body	$ 33,000	$ 34,200	$ -	$ 34,200	$ -	$ 34,200
Grounds	1990 Chevy Chipper Box Dump Truck w/ Lift Gate	61,900	61,400	-	61,400	-	61,400
CM	1998 Ford Explorer	32,800	17,800	-	17,800	-	17,800
Streets	1 Ton Truck with Dump	45,000	46,000	-	46,000	-	46,000
ST1504	Old PW2 Site Improvements	330,000	497,400	390,700	106,700	-	106,700
ST1601	Street and Alley Program	1,000,000	933,100	471,400	461,700	-	461,700
ST1603	Silver Lake Dam Valve Replacement	60,000	84,600	3,700	80,900	13,000	93,900
ST1701	FY17 Street and Alley Program				-	(13,000)	(13,000)
ST1604	Salt Storage Barn	75,000	75,000	12,600	62,400	-	62,400
CT1669	Persimmon Park Place Drainage	-	-	13,700	10,900	-	10,900
	Street Division	$ 1,637,700	$ 1,749,500	$ 892,100	$ 882,000	$ -	$ 882,000
	Total General Capital Project Fund	**$ 1,637,700**	**$ 1,749,500**	**$ 892,100**	**$ 882,000**	**$ -**	**$ 882,000**
	Total Increase in General Cap Proj Fund				**$ 882,000**		
CT1627	FY16 Paving Projects	$ 247,400	$ 247,400	$ 139,800	$ 107,600	$ -	$ 107,600
CT1681	Pedestrain Enhancement - Mallard Pond Pathway	50,000	100,000	-	50,000	50,000	100,000
CT0708	E Water Street Brick	65,000	85,000	1,000	64,000	20,000	84,000
ST0232	Pat Lynn Drive/D.H.S. Storm Drain Pipe	5,500	5,500	-	5,500	-	5,500
TE0601	TCSP Lincoln Park	79,100	79,100	-	79,100	-	79,100
	Total Community Transportation Fund	**$ 447,000**	**$ 517,000**	**$ 140,800**	**$ 306,200**	**$ 70,000**	**$ 376,200**
	Total Increase in Comm Transportation Fund				**$ 306,200**		
	1 Ton Truck with Dump	$ 46,200	$ 46,100	$ -	$ 46,100	$ -	$ 46,100
WD0804	1.0 MG Storage Tank - Denney's Road	2,468,200	2,468,200	-	2,468,200	-	2,468,200
	Water Division	$ 2,514,400	$ 2,514,300	$ -	$ 2,514,300	$ 70,000	$ 2,514,300
	Total Increase in Water Division				$ 2,514,300		
WW1303	Westover Pump Station Upgrade	$ 1,292,400	$ 1,345,900	$ 752,900	$ 593,000	$ -	$ 593,000
WW1503	Hazzlettville Road Interceptor	-	774,100	155,200	618,900	-	618,900
WW1507	Retreat Pump Station Replacement	360,500	447,700	200	447,500	-	447,500
WW1603	Rolling Acres Pump Station Replacement	52,000	52,000	27,900	24,100	372,000	396,100
WW1605	DE Avenue Sanitary Sewer Ext	25,000	25,000	-	25,000	8,000	33,000
II1700	Inflow/Infiltration Removal	-	-	-	-	(8,000)	(8,000)
	Wastewater Division	$ 1,729,900	$ 2,644,700	$ 936,200	$ 1,708,500	$ 372,000	$ 2,080,500
	Total Increase in Wastewater Division				$ 1,708,500		
	Total Water/Wastewater I & E Fund	**$ 4,244,300**	**$ 5,159,000**	**$ 936,200**	**$ 4,222,800**	**$ 442,000**	**$ 4,594,800**
	Total Increase in Water/Wastewater I & E Fund				**$ 4,222,800**		
EG1407	Metering System Upgrades	$ -	$ 80,000	$ -	$ 80,000	$ 10,000	$ 90,000
EG1416	VanSant Capacity Increase	492,200	492,200	221,300	270,900	(10,000)	260,900
EG1612	VanSant Exhaust Plenum Repair	469,000	469,000	422,700	46,300	-	46,300
EG1613	Unit 3 Stack Repairs	485,000	485,000	2,600	340,000	-	340,000
	Electric Generation	$ 1,446,200	$ 1,526,200	$ 646,600	$ 737,200	$ -	$ 737,200
	Total Increase in Electric Generation				$ 737,200		
EE1415	Metering Infrastructure	$ -	$ 150,000	$ -	$ 150,000	$ -	$ 150,000
	Transmission & Distribution	$ -	$ 150,000	$ -	$ 150,000	$ -	$ 150,000
	Total Increase in Transmission & Distribution				$ 150,000		
EE1500	69 KV Rebuild - Horsepond Road	$ 63,000	$ 318,500	$ 67,900	$ 250,600	$ -	$ 250,600
EE1605	69KV Cable Replacement - North Street	50,000	135,000	-	135,000	-	135,000
EE1607	Horsepond URD - Dist Feeder	67,000	112,000	49,500	62,500	-	62,500
EE1617	Oak Grove Trailer Park	78,500	78,500	1,100	77,400	-	77,400
EE1627	Dover East	130,000	130,000	4,500	125,500	-	125,500
	Engineering Division	$ 388,500	$ 774,000	$ 123,000	$ 651,000	$ -	$ 651,000
	Total Increase in Engineering				$ 651,000		
	2016 Dodge Ram 1500	$ 23,000	$ 23,000	$ -	$ 23,000	$ -	$ 23,000
	Metering Division	$ 23,000	$ 23,000	$ -	$ 23,000	$ -	$ 23,000
	Total Increase in Metering				$ 23,000		
	Total Electric I & E Fund	**$ 1,857,700**	**$ 2,473,200**	**$ 769,600**	**$ 1,561,200**	**$ -**	**$ 1,561,200**
	Total Increase in Electric I & E Fund				**$ 1,561,200**		
	Total Carryforward balances from FY 2016				**$ 6,972,200**		

CITY OF DOVER ORDINANCE #2017-04
2016-2017 BUDGET ORDINANCES - FIRST AMENDMENT

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

The amount hereinafter named aggregating Forty Seven Million Seven Hundred Twenty Eight Thousand Nine Hundred dollars ($47,728,900) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2016 and ending June 30, 2017:

GENERAL FUND
CASH RECEIPT SUMMARY FOR 2016-2017

	2016/17 BUDGET	2016/17 REVISED
BEGINNING BALANCE	**$ 4,493,900**	**$ 5,424,800**
RECEIPTS		
FINES AND POLICE REVENUE	763,300	763,300
INVESTMENT INCOME	90,000	90,000
LIBRARY REVENUES	70,300	70,300
KENT COUNTY BOOK REIMBURSEMENT	312,600	312,600
BUSINESS LICENSES	1,467,000	1,467,000
PERMITS AND OTHER FEES	1,662,100	1,662,100
MISCELLANEOUS CHARGES	56,800	56,800
POLICE EXTRA DUTY	525,000	525,000
PROPERTY TAXES	12,895,100	12,895,100
RECREATION REVENUE	150,000	150,000
FRANCHISE FEE	680,000	680,000
SANITATION FEES	2,538,300	2,538,300
RENT REVENUE - GARRISON FARM	94,500	94,500
COURT OF CHANCERY FEES	1,100,000	1,100,000
RECEIPTS SUBTOTAL	**22,405,000**	**22,405,000**
INTERFUND SERVICE RECEIPTS		
INTERFUND SERVICE RECEIPTS W/WW	1,653,800	1,673,400
INTERFUND SERVICE RECEIPTS ELECTRIC	3,564,900	3,625,900
INTERFUND SERVICE RECEIPTS SUBTOTAL	**5,218,700**	**5,299,300**
GRANTS:		
POLICE RELATED/EXTRA DUTY	258,600	258,600
POLICE PENSION GRANT	500,000	500,000
GREEN ENERGY GRANT	98,500	98,500
MISC GRANT REVENUE	25,000	25,000
GRANTS SUBTOTAL	**882,100**	**882,100**
TRANSFERS FROM:		
TRANSFER TAX	1,672,700	1,672,700
MUNICIPAL STREET AID	673,100	673,100
CIVIL TRAFFIC PENALTIES	496,900	496,900
WATER/WASTEWATER	875,000	875,000
ELECTRIC	10,000,000	10,000,000
TRANSFERS FROM SUBTOTAL	**13,717,700**	**13,717,700**
TOTAL REVENUES	**42,223,500**	**42,304,100**
TOTAL BEGINNING BALANCE & REVENUE	**$ 46,717,400**	**$ 47,728,900**

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2016-2017 BUDGET ORDINANCES - FIRST AMENDMENT

GENERAL FUND - EXPENDITURES AND BUDGET BALANCE FOR 2016-2017

DEPARTMENT EXPENSES	2016/17 BUDGET	2016/17 REVISED
CITY CLERK	$ 412,300	$ 415,900
COUNCIL	141,100	141,100
TAX ASSESSOR	244,000	247,200
FIRE	721,700	721,700
GROUNDS MAINTENANCE	1,201,300	1,210,000
LIBRARY	1,635,000	1,666,100
RECREATION	750,900	756,800
LIFE SAFETY	485,200	488,100
CODE ENFORCEMENT	421,100	423,800
PLANNING	546,800	552,400
INSPECTIONS	697,900	700,800
POLICE	16,091,600	16,236,900
POLICE EXTRA DUTY	783,600	804,500
STREETS	1,163,500	1,165,800
SANITATION	2,032,800	2,036,000
CITY MANAGER	792,400	796,100
INFORMATION TECHNOLOGY	716,300	719,700
FINANCE	1,011,100	1,017,200
PUBLIC WORKS - ADMINISTRATION	680,000	682,100
FACILITIES MANAGEMENT	607,100	610,100
PUBLIC WORKS - ENGINEERING	207,000	207,000
PROCUREMENT & INVENTORY	585,100	585,100
FLEET MAINTENANCE	776,300	777,400
CUSTOMER SERVICE	1,143,800	1,263,900
HUMAN RESOURCES	392,500	400,900
MAYOR	74,000	74,000
DEPARTMENT SUBTOTALS	**34,314,400**	**34,700,600**
OTHER EXPENSES		
DEBT SERVICE	685,300	685,300
CONTRIBUTION TO DDP	150,000	150,000
MISCELLANEOUS GRANT RELATED EXP	25,000	25,000
INSURANCE	700,000	700,000
RETIREES HEALTH CARE	2,039,700	2,039,700
OTHER EMPLOYMENT EXPENSES	400,700	135,500
BANK & CREDIT CARD FEES	15,000	15,000
UNCOLLECTIBLES - TRASH AND OTHER	50,000	50,000
STREET LIGHTS	804,000	804,000
OTHER EXPENSE SUBTOTAL	**4,869,700**	**4,604,500**
TRANSFERS		
TRANSFER TO CAPITAL FUND - PROJECTS	1,859,400	2,344,400
TRANSFER TO THE CAPITAL ASSET RESERVE	-	253,400
APPROP. TO THE POLICE PENSION FUND	670,000	670,000
APPROP. POLICE PENSION - STATE GRANT	500,000	500,000
TRANSFER TO INVENTORY WRITE-OFFS	10,000	10,000
TRANSFERS SUBTOTAL	**3,039,400**	**3,777,800**
TOTAL EXPENDITURES	**42,223,500**	**43,082,900**
CURRENT YEAR BALANCE	**4,493,900**	**4,646,000**
TOTALS	**$ 46,717,400**	**$ 47,728,900**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

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2016-2017 BUDGET ORDINANCES - FIRST AMENDMENT

GOVERNMENTAL CAPITAL PROJECTS FUND
REVENUES AND BUDGET FOR 2016-2017

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:
The amount hereinafter named aggregating Four Million Ninety Three Thousand Three Hundred dollars ($4,093,300) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2016 and ending June 30, 2017:

REVENUES

	2016/17 BUDGET	2016/17 REVISED
BEGINNING BALANCE - PROJECTS	**$ 383,900**	**$ 1,472,100**
REVENUES		
INCOME FROM SALE OF ASSETS	-	70,100
GRANT RECEIPTS	105,000	105,000
INTEREST EARNINGS	5,000	5,000
MISCELLANEOUS REVENUE	-	16,700
TRANSFER FROM GENERAL FUND	1,859,400	2,344,400
TRANSFER FROM PARKLAND RESERVE	80,000	80,000
SUBTOTAL PROJECT RECEIPTS	**2,049,400**	**2,621,200**
TOTAL FUNDING SOURCES	**2,049,400**	**2,621,200**
TOTAL BEGINNING BALANCE AND REVENUES	**$ 2,433,300**	**$ 4,093,300**

EXPENSE SUMMARY

EXPENDITURES	2016/17 BUDGET	2016/17 REVISED
FIRE	$ 145,700	$ 145,700
GROUNDS MAINTENANCE	58,200	153,800
LIFE SAFETY	29,500	29,500
LIBRARY	-	15,000
POLICE	299,800	299,800
RECREATION	165,000	165,000
STREETS	1,026,000	1,842,600
CITY MANAGER	-	502,800
SANITATION	261,500	261,500
FACILITIES MANAGEMENT	27,700	27,700
FLEET MAINTENANCE	31,000	31,000
DEPARTMENT SUBTOTAL	**2,044,400**	**3,474,400**
BUDGET BALANCE	388,900	618,900
TOTAL BUDGET BALANCE & EXPENDITURES	**$ 2,433,300**	**$ 4,093,300**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

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2016-2017 BUDGET ORDINANCES - FIRST AMENDMENT

GENERAL FUND CONTINGENCY
CASH RECEIPTS/REVENUES AND BUDGET FOR 2016-2017

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

The amount hereinafter named aggregating Seven Hundred Forty Two Thousand Nine Hundred dollars ($742,900) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2016 and ending June 30, 2017:

CASH RECEIPTS

	2016/17 BUDGET	2016/17 REVISED
BEGINNING BALANCE	**$ 731,000**	**$ 732,900**
INTEREST EARNED	10,000	10,000
TOTALS	**$ 741,000**	**$ 742,900**

EXPENSE SUMMARY

	2016/17 BUDGET	2016/17 REVISED
CARRY FORWARD TO NEXT YEAR	741,000	742,900
TOTALS	**$ 741,000**	**$ 742,900**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

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2016-2017 BUDGET ORDINANCES - FIRST AMENDMENT

GENERAL CAPITAL ASSET RESERVE
CASH RECEIPTS/REVENUES AND BUDGET FOR 2016-2017

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

The amount hereinafter named aggregating One Million Five Hundred Twenty Two Thousand Two Hundred dollars ($1,522,200) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2016 and ending June 30, 2017:

CASH RECEIPTS

	2016/17 BUDGET	2016/17 REVISED
BEGINNING BALANCE	**$ 1,251,300**	**$ 1,253,800**
RECEIPTS		
INTEREST EARNINGS	15,000	15,000
TRANSFER FROM GENERAL FUND	-	253,400
TOTAL RECEIPTS	**15,000**	**268,400**
TOTALS	**$ 1,266,300**	**$ 1,522,200**

EXPENSE SUMMARY

	2016/17 BUDGET	2016/17 REVISED
CARRY FORWARD TO NEXT YEAR	$ 1,266,300	$ 1,522,200
TOTALS	**$ 1,266,300**	**$ 1,522,200**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

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2016-2017 BUDGET ORDINANCES - FIRST AMENDMENT

PARKLAND/RECREATION RESERVE
CASH RECEIPTS/REVENUES AND BUDGET FOR 2016-2017

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

The amount hereinafter named aggregating Three Hundred Twenty Nine Thousand Four Hundred dollars ($329,400) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2016 and ending June 30, 2017:

OPERATING REVENUES

	2016/17 BUDGET	2016/17 REVISED
PRIOR YEAR BALANCE	**$ 324,900**	**$ 326,400**
INTEREST INCOME	3,000	3,000
TOTALS	**$ 327,900**	**$ 329,400**

OPERATING EXPENSES

	2016/17 BUDGET	2016/17 REVISED
TRANSFER TO GENERAL CAPITAL PROJECT FUND	80,000	80,000
CURRENT YEAR BALANCE	247,900	249,400
TOTALS	**$ 327,900**	**$ 329,400**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

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2016-2017 BUDGET ORDINANCES - FIRST AMENDMENT

WATER/WASTEWATER FUND
REVENUES AND BUDGET FOR 2016-2017

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

The amount hereinafter named aggregating Seventeen Million Sixty Seven Thousand Seven Hundred dollars ($17,067,700) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2016 and ending June 30, 2017:

	2016/17 BUDGET	2016/17 REVISED
BEGINNING BALANCE - WATER	$ 566,500	$ 881,300
BEGINNING BALANCE - WASTEWATER	663,200	719,200
TOTAL BEGINNING BALANCES	**1,229,700**	**1,600,500**
BASE REVENUE		
WATER SERVICES	5,800,000	5,800,000
WASTEWATER SERVICES	3,800,000	3,800,000
WASTEWATER TREATMENT SERVICES	3,000,000	3,000,000
GROUNDWATER INFLOW ADJUSTMENT	1,938,000	1,938,000
WATER TANK SPACE LEASING	366,200	366,200
SEWER IMPACT FEES	228,000	228,000
WATER IMPACT FEES	252,000	252,000
INTEREST - WATER	10,000	10,000
INTEREST - WASTEWATER	10,000	10,000
MISCELLANEOUS SERVICE FEE	63,000	63,000
TOTAL REVENUES	**15,467,200**	**15,467,200**
TOTAL BEGINNING BALANCES AND REVENUES	**$ 16,696,900**	**$ 17,067,700**

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2016-2017 BUDGET ORDINANCES - FIRST AMENDMENT

WATER/WASTEWATER FUND - EXPENSES AND BUDGET BALANCE FOR 2016-2017

	2016/17 BUDGET	2016/17 REVISED
DIRECT EXPENSES		
ENGINEERING & INSPECTION	$ 516,500	$ 521,500
WATER DEPARTMENT	655,400	677,200
WASTEWATER DEPARTMENT	962,400	983,400
WATER TREATMENT PLANT	1,727,400	1,735,800
DIRECT EXPENDITURE SUBTOTAL	**3,861,700**	**3,917,900**
OTHER EXPENSES		
DEBT SERVICE - WATER	590,300	590,300
DEBT SERVICE - WASTEWATER	636,900	636,900
RETIREES HEALTH CARE	192,400	192,400
OTHER EMPLOYMENT EXPENSES	21,200	5,000
OPEB UNFUNDED LIABILITY	-	101,800
KENT COUNTY TREATMENT CHARGE	4,130,000	4,130,000
INTERFUND SERVICE FEES	1,653,800	1,673,400
BANK & CREDIT CARD FEES	25,000	25,000
BOND ISSUE COSTS	40,000	40,000
OTHER EXPENSES SUBTOTAL	**7,289,600**	**7,394,800**
TRANSFER TO:		
GENERAL FUND FROM WATER	500,000	500,000
GENERAL FUND FROM WASTEWATER	375,000	375,000
WATER IMP AND EXT	1,000,000	980,000
WASTEWATER IMP AND EXT	1,000,000	980,000
CONTINGENCY RESERVE WATER	110,000	131,100
CONTINGENCY RESERVE WASTEWATER	60,000	60,000
ELECTRIC IMP AND EXT	231,200	231,200
TRANSFER TO SUBTOTAL	**3,276,200**	**3,257,300**
TOTAL EXPENSES	**14,427,500**	**14,570,000**
BUDGET BALANCES		
BUDGET BALANCE WATER	1,103,100	1,331,500
BUDGET BALANCE WASTEWATER	1,166,300	1,166,200
BUDGET BALANCE SUBTOTALS	**2,269,400**	**2,497,700**
TOTAL CURRENT YEAR BALANCES AND EXPENSES	**$ 16,696,900**	**$ 17,067,700**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

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2016-2017 BUDGET ORDINANCES - FIRST AMENDMENT

WATER/WASTEWATER IMPROVEMENT & EXTENSION FUND
CASH RECEIPTS/REVENUES AND BUDGET FOR 2016-2017

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

The amount hereinafter named aggregating Twelve Million Four Hundred Twenty Thousand Three Hundred dollars ($12,420,300) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year begining July 1, 2016 and ending June 30, 2017:

CASH RECEIPTS

	2016/17 BUDGET	2016/17 REVISED
BEGINNING BALANCE - WATER	$ 1,179,900	$ 3,584,500
BEGINNING BALANCE - WASTEWATER	952,600	3,129,800
TOTAL BEGINNING BALANCES	**2,132,500**	**6,714,300**
REVENUES		
STATE LOAN FUND - WATER	2,400,000	2,400,000
STATE LOAN FUND - WASTEWATER	884,000	884,000
TRANS FR OPERATING FUND - WATER	1,000,000	1,000,000
TRANS FR OPERATING FUND - WASTEWATER	1,000,000	1,000,000
TRANSFER FROM WATER IMPACT FEE	190,800	190,800
TRANSFER FROM WASTEWATER IMPACT FEE	211,200	211,200
INTEREST INCOME	20,000	20,000
TOTAL REVENUES	**5,706,000**	**5,706,000**
TOTAL BEGINNING BALANCES & REVENUES	**$ 7,838,500**	**$ 12,420,300**

EXPENSE SUMMARY

EXPENSES	2016/17 BUDGET	2016/17 REVISED
W/WW ENGINEERING	$ 30,400	$ 30,400
WATER	1,338,800	3,908,100
WASTEWATER	2,021,200	4,004,700
WATER TREATMENT PLANT	1,200,000	1,200,000
TOTAL EXPENSES	**4,590,400**	**9,143,200**
BUDGET BALANCE - WATER	2,035,900	2,062,000
BUDGET BALANCE - WASTEWATER	1,021,400	1,215,100
CURRENT YEAR BALANCE SUBTOTALS	**3,057,300**	**3,277,100**
TOTAL BUDGET BALANCES & EXPENSES	**$ 7,647,700**	**$ 12,420,300**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

DRAFT

2016-2017 BUDGET ORDINANCES - FIRST AMENDMENT

WATER/WASTEWATER CAPITAL ASSET RESERVE
CASH RECEIPTS/REVENUES AND BUDGET FOR 2016-2017

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

The amount hereinafter named aggregating One Million Forty Five Thousand Eight hundred dollars ($1,045,800) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2016 and ending June 30, 2017:

CASH RECEIPTS

	2016/17 BUDGET	2016/17 REVISED
BEGINNING BALANCE - WATER	$ 514,600	$ 519,600
BEGINNING BALANCE - WASTEWATER	513,400	518,400
TOTAL BEGINNING BALANCES	**1,028,000**	**1,038,000**
RECEIPTS		
INTEREST EARNINGS - WATER	3,900	3,900
INTEREST EARNINGS - WASTEWATER	3,900	3,900
TOTAL RECEIPTS	7,800	7,800
TOTALS	**$ 1,035,800**	**$ 1,045,800**

EXPENSE SUMMARY

	2016/17 BUDGET	2016/17 REVISED
CURRENT YEAR BALANCE - WATER	$ 518,500	$ 523,500
CURRENT YEAR BALANCE - WASTEWATER	517,300	522,300
CURRENT YEAR BALANCE SUBTOTALS	**1,035,800**	**1,045,800**
TOTALS	**$ 1,035,800**	**$ 1,045,800**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

DRAFT

2016-2017 BUDGET ORDINANCES - FIRST AMENDMENT

WATER/WASTEWATER IMPACT FEE RESERVE
CASH RECEIPTS/REVENUES AND BUDGET FOR 2016-2017

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

The amount hereinafter named aggregating Three Million Five Hundred Twenty Five Thousand One Hundred dollars ($3,525,100) or so much thereof as may be necessary are hereby appropriated fromcurrent revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2016 and ending June 30, 2017:

CASH RECEIPTS

	2016/17 BUDGET	2016/17 REVISED
BEGINNING BALANCE - WATER	$ 430,700	$ 434,200
BEGINNING BALANCE - WASTEWATER	1,590,900	3,075,500
TOTAL BEGINNING BALANCES	**2,021,600**	**3,509,700**
RECEIPTS		
INTEREST EARNINGS - WATER	3,300	3,300
INTEREST EARNINGS - WASTEWATER	12,100	12,100
TOTAL RECEIPTS	**15,400**	**15,400**
TOTALS	**$ 2,037,000**	**$ 3,525,100**

EXPENSE SUMMARY

	2016/17 BUDGET	2016/17 REVISED
TRANSFER TO I & E FUND FROM WATER IMPACT FEES	$ 190,800	$ 190,800
TRANSFER TO I & E FUND FROM WASTEWATER IMPACT FEES	211,200	211,200
CURRENT YEAR BALANCE - WATER	243,200	246,700
CURRENT YEAR BALANCE - WASTEWATER	1,391,800	2,876,400
CURRENT YEAR BALANCE SUBTOTALS	**1,635,000**	**3,123,100**
TOTALS	**$ 2,037,000**	**$ 3,525,100**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

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2016-2017 BUDGET ORDINANCES - FIRST AMENDMENT

WATER/WASTEWATER CONTINGENCY RESERVE
CASH RECEIPTS/REVENUES AND BUDGET FOR 2016-2017

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

The amount hereinafter named aggregating Five Hundred Twenty Six Thousand Two Hundred dollars ($526,200) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2016 and ending June 30, 2017:

CASH RECEIPTS

	2016/17 BUDGET	2016/17 REVISED
BEGINNING BALANCE - WATER	$ 138,000	$ 117,900
BEGINNING BALANCE - WASTEWATER	191,600	214,700
TOTAL BEGINNING BALANCES	**329,600**	**332,600**
RECEIPTS		
INTEREST EARNINGS	2,500	2,500
TRANSFER FROM OPERATING ACCOUNT TO WATER	110,000	131,100
TRANSFER FROM OPERATING ACCOUNT TO WASTEWATER	60,000	60,000
TOTAL RECEIPTS	**172,500**	**193,600**
TOTALS	**$ 502,100**	**$ 526,200**

BUDGET SUMMARY

	2016/17 BUDGET	2016/17 REVISED
CURRENT YEAR BALANCE - WATER	249,000	250,000
CURRENT YEAR BALANCE - WASTEWATER	253,100	276,200
CURRENT YEAR BALANCE SUBTOTALS	**502,100**	**526,200**
TOTAL EXPENSES AND CURRENT YEAR BALANCES	**$ 502,100**	**$ 526,200**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

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2016-2017 BUDGET ORDINANCES - FIRST AMENDMENT

ELECTRIC REVENUE FUND
REVENUES AND BUDGET FOR 2016-2017

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:
The amount hereinafter named aggregating Ninety Nine Million Three Hundred Twenty Five Thousand dollars ($99,325,000) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2016 and ending June 30, 2017:

	2016/17 BUDGET	2016/17 REVISED
BEGINNING BALANCE	**$ 13,302,200**	**$ 19,896,400**
BASE REVENUE		
DIRECT SALES TO CUSTOMER	77,193,200	77,193,200
UTILITY TAX	1,287,900	1,287,900
MISCELLANEOUS REVENUE	548,600	548,600
RENT REVENUE	223,000	223,000
GREEN ENERGY	128,000	128,000
INTEREST EARNINGS	47,900	47,900
TOTAL REVENUES	**79,428,600**	**79,428,600**
TOTAL BEGINNING BALANCE & REVENUES	**92,730,800**	**99,325,000**

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2016-2017 BUDGET ORDINANCES - FIRST AMENDMENT

ELECTRIC REVENUE FUND EXPENSES AND BUDGET BALANCE FOR 2016-2017

EXPENSES	2016/17 BUDGET	2016/17 REVISED
POWER SUPPLY	$ 16,557,600	$ 16,492,600
SOLAR ENERGY	2,313,900	2,313,900
SOLAR RENEWAL ENERGY CREDITS	363,400	363,400
POWER SUPPLY MANAGEMENT	996,000	996,000
REC'S (Renewable Energy Credits)	673,400	673,400
RGGI (Regional Greenhouse Gas Init.)	175,000	175,000
PJM CHARGES - ENERGY	12,357,900	12,357,900
PJM CHARGES - TRANSMISSION & FEES	7,603,800	7,603,800
CAPACITY CHARGES	10,160,600	10,160,600
SUB-TOTAL POWER SUPPLY	**51,201,600**	**51,136,600**
PLANT OPERATIONS	6,215,700	6,280,700
GENERATIONS FUELS	256,900	256,900
PJM SPOT MARKET ENERGY	(804,900)	(804,900)
PJM CREDITS	(360,000)	(360,000)
CAPACITY CREDITS	(7,355,100)	(7,355,100)
GENERATION SUBTOTAL	**(2,047,400)**	**(1,982,400)**
POWER SUPPLY & GENERATION SUBTOTAL	**49,154,200**	**49,154,200**
DIRECT EXPENDITURES		
TRANSMISSION/DISTRIBUTION	3,605,700	3,615,100
ELECTRICAL ENGINEERING	1,247,900	1,283,000
ADMINISTRATION	929,700	933,700
METER READING	378,600	379,500
SYSTEMS OPERATIONS	651,700	661,100
DIRECT EXPENDITURE SUBTOTALS	**6,813,600**	**6,872,400**
OTHER EXPENSES:		
UTILITY TAX	1,287,900	1,287,900
ALLOW FOR UNCOLLECTIBLES	250,000	250,000
RETIREES HEALTH CARE	600,000	600,000
OTHER EMPLOYMENT EXPENSES	58,900	100
OPEB UNFUNDED LIABILITY	-	109,300
GREEN ENERGY PAYMENT TO DEMEC	128,000	128,000
INTERFUND SERVICE FEES	3,564,900	3,625,900
INTEREST ON DEPOSITS	21,000	21,000
BANK & CREDIT CARD FEES	275,000	275,000
DEBT SERVICE	1,618,000	1,618,000
OTHER EXPENSES SUBTOTAL	**7,803,700**	**7,915,200**
TRANSFER TO:		
IMPROVEMENT & EXTENSION	2,500,000	2,500,000
GENERAL FUND	10,000,000	10,000,000
FUTURE CAPACITY RESERVE	750,000	2,750,000
DEPRECIATION RESERVE	750,000	2,750,000
RATE STABILIZATION RESERVE	1,250,000	3,250,000
TRANSFER TO SUBTOTAL	**15,250,000**	**21,250,000**
TOTAL EXPENSES	**79,021,500**	**85,191,800**
BUDGET BALANCE - WORKING CAPITAL	**13,709,300**	**14,133,200**
TOTALS	**$ 92,730,800**	**$ 99,325,000**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

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2016-2017 BUDGET ORDINANCES - FIRST AMENDMENT

ELECTRIC UTILITY IMPROVEMENT AND EXTENSION FUND
CASH RECEIPTS/REVENUES AND BUDGET FOR 2016-2017

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:
The amount hereinafter named aggregating Thirteen Million Eighteen Thousand Six Hundred dollars ($13,018,600) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2016 and ending June 30, 2017:

REVENUES

	2016/17 BUDGET	2016/17 REVISED
BEGINNING BALANCE	**$ 5,540,500**	**$ 9,314,400**
REVENUES		
TRANSFER FROM ELECTRIC	2,500,000	2,500,000
TRANSFER FROM WATER/WASTEWATER	231,200	231,200
INCOME FROM SALE OF ASSETS	-	28,000
GENERAL SERVICE BILLING	900,000	900,000
DEVELOPMENT GRANTS	5,000	5,000
INTEREST EARNINGS	40,000	40,000
TOTAL REVENUES	**3,676,200**	**3,704,200**
TOTALS	**$ 9,216,700**	**$ 13,018,600**

EXPENSE SUMMARY

EXPENSES	2016/17 BUDGET	2016/17 REVISED
ELECTRIC ADMINISTRATION	$ -	$ 23,000
ELECTRIC GENERATION	1,842,800	2,580,000
TRANSMISSION AND DISTRIBUTION	1,975,000	2,175,000
ELECTRICAL ENGINEERING	910,700	1,731,700
METER READING	41,800	64,800
ERP SYSTEM	1,000,000	1,000,000
TOTAL EXPENSES	**5,770,300**	**7,574,500**
BUDGET BALANCE	**3,446,400**	**5,444,100**
TOTAL BUDGET BALANCE & EXPENSES	**$ 9,216,700**	**$ 13,018,600**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

DRAFT

2016-2017 BUDGET ORDINANCES - FIRST AMENDMENT

ELECTRIC UTILITY CONTINGENCY RESERVE
CASH RECEIPTS/REVENUES AND BUDGET FOR 2016-2017

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

The amount hereinafter named aggregating Eight Hundred Fifty Six Thousand Four Hundred dollars ($856,400) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2016 and ending June 30, 2017:

CASH RECEIPTS

	2016/17 BUDGET	2016/17 REVISED
BEGINNING BALANCE	**$ 841,900**	**$ 850,000**
RECEIPTS		
INTEREST EARNINGS	6,400	6,400
TOTAL RECEIPTS	**6,400**	**6,400**
TOTALS	**$ 848,300**	**$ 856,400**

EXPENSE SUMMARY

	2016/17 BUDGET	2016/17 REVISED
CURRENT YEAR BALANCE	848,300	856,400
TOTALS	**$ 848,300**	**$ 856,400**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

DRAFT

2016-2017 BUDGET ORDINANCES - FIRST AMENDMENT

ELECTRIC UTILITY DEPRECIATION RESERVE
SOURCES AND USE OF FUNDS FOR 2016-2017

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

The amount hereinafter named aggregating Twelve Million Nine Hundred Fifty Seven Thousand Three Hundred dollars ($12,957,300) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2016 and ending June 30, 2017:

CASH RECEIPTS

	2016/17 BUDGET	2016/17 REVISED
BEGINNING BALANCE	**$ 10,083,600**	**$ 10,130,700**
INTEREST EARNINGS	76,600	76,600
TRANSFER FROM ELECTRIC OPERATING FUND	750,000	2,750,000
TOTALS	**$ 10,910,200**	**$ 12,957,300**

BUDGET SUMMARY

	2016/17 BUDGET	2016/17 REVISED
CURRENT YEAR BALANCE	10,910,200	12,957,300
TOTALS	**$ 10,910,200**	**$ 12,957,300**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

DRAFT

2016-2017 BUDGET ORDINANCES - FIRST AMENDMENT

ELECTRIC UTILITY FUTURE CAPACITY RESERVE
SOURCES AND USE OF FUNDS FOR 2016-2017

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

The amount hereinafter named aggregating Thirteen Million One Hundred Ten Thousand Three Hundred dollars ($13,110,300) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2016 and ending June 30, 2017:

CASH RECEIPTS

	2016/17 BUDGET	2016/17 REVISED
BEGINNING BALANCE	**$ 10,134,700**	**$ 10,283,300**
INTEREST EARNINGS	77,000	77,000
TRANSFER FROM ELECTRIC OPERATING FUND	750,000	2,750,000
TOTALS	**$ 10,961,700**	**$ 13,110,300**

BUDGET SUMMARY

	2016/17 BUDGET	2016/17 REVISED
CURRENT YEAR BALANCE	10,961,700	13,110,300
TOTALS	**$ 10,961,700**	**$ 13,110,300**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

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2016-2017 BUDGET ORDINANCES - FIRST AMENDMENT

ELECTRIC UTILITY INSURANCE STABLIZATION RESERVE
SOURCES AND USE OF FUNDS FOR 2016-2017

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

The amount hereinafter named aggregating Seven Hundred Sixty Nine Thousand Three Hundred dollars ($769,300) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2016 and ending June 30, 2017:

CASH RECEIPTS

	2016/17 BUDGET	2016/17 REVISED
BEGINNING BALANCE	**$ 756,300**	**$ 763,600**
INTEREST EARNINGS	5,700	5,700
TOTALS	**$ 762,000**	**$ 769,300**

BUDGET SUMMARY

	2016/17 BUDGET	2016/17 REVISED
CURRENT YEAR BALANCE	762,000	769,300
TOTALS	**$ 762,000**	**$ 769,300**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

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2016-2017 BUDGET ORDINANCES - FIRST AMENDMENT

ELECTRIC UTILITY RATE STABLIZATION RESERVE
SOURCES AND USE OF FUNDS FOR 2016-2017

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

The amount hereinafter named aggregating Ten Million Five Hundred Seventy Four Thousand dollars ($10,574,000) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2016 and ending June 30, 2017:

CASH RECEIPTS

	2016/17 BUDGET	2016/17 REVISED
BEGINNING BALANCE	**$ 7,207,100**	**$ 7,269,200**
INTEREST EARNINGS	54,800	54,800
TRANSFER FROM ELECTRIC OPERATING FUND	1,250,000	3,250,000
TOTALS	**$ 8,511,900**	**$ 10,574,000**

BUDGET SUMMARY

	2016/17 BUDGET	2016/17 REVISED
TRANSFER TO ELECTRIC FUND	$ -	$ -
CURRENT YEAR BALANCE	8,511,900	10,574,000
TOTALS	**$ 8,511,900**	**$ 10,574,000**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

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2016-2017 BUDGET ORDINANCES - FIRST AMENDMENT

WORKERS COMPENSATION FUND
CASH RECEIPTS/REVENUES AND BUDGET FOR 2016-2017

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

The amount hereinafter named aggregating Two Million One Hundred Thirty Two Thousand Three Hundred dollars ($2,132,300) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2016 and ending June 30, 2017:

OPERATING REVENUES

	2016/17 BUDGET	2016/17 REVISED
BEGINNING BALANCE	**$ 1,256,300**	**$ 1,251,900**
INTEREST INCOME	25,000	25,000
PREMIUM FROM CITY	855,400	855,400
TOTALS	**$ 2,136,700**	**$ 2,132,300**

OPERATING EXPENSES

	2016/17 BUDGET	2016/17 REVISED
PROGRAM EXPENSES/SUPPLIES - CLAIMS	$ 475,000	$ 475,000
INSURANCE	105,500	105,500
STATE OF DEL - SELF INSURANCE TAX	39,000	39,000
CONTRACTUAL SERVICES	25,000	25,000
TOTAL EXPENSES	**644,500**	**644,500**
CURRENT YEAR BALANCE	1,492,200	1,487,800
TOTALS	**$ 2,136,700**	**$ 2,132,300**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

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2016-2017 BUDGET ORDINANCES - FIRST AMENDMENT

COMMUNITY TRANSPORTATION IMPROVEMENT FUND
CASH RECEIPTS/REVENUES AND BUDGET FOR 2016-2017

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:
The amount hereinafter named aggregating Nine Hundred Twelve Thousand Four Hundred dollars ($912,400) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2016 and ending June 30, 2017:

OPERATING REVENUES

	2016/17 BUDGET	2016/17 REVISED
PRIOR YEAR BALANCE	**$ 92,100**	**$ 90,700**
GRANTS REVENUE	500,000	500,000
TOTALS	**$ 592,100**	**$ 590,700**

OPERATING EXPENSES

	2016/17 BUDGET	2016/17 REVISED
PROGRAM EXP. GRANT RELATED	$ 500,000	$ 505,500
CURRENT YEAR BALANCE	92,100	85,200
TOTALS	**$ 592,100**	**$ 590,700**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

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2016-2017 BUDGET ORDINANCES - FIRST AMENDMENT

LIBRARY GRANT FUND
CASH RECEIPTS/REVENUES AND BUDGET FOR 2016-2017

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

The amount hereinafter named aggregating Three Hundred Thirty Seven Thousand Two Hundred dollars ($337,200) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2016 and ending June 30, 2017:

OPERATING REVENUES

	2016/17 BUDGET	2016/17 REVISED
PRIOR YEAR BALANCE	**$ 17,300**	**$ 37,600**
STATE GRANT	305,500	297,100
FEDERAL GRANT	2,500	2,500
TOTALS	**$ 325,300**	**$ 337,200**

OPERATING EXPENSES

	2016/17 BUDGET	2016/17 REVISED
STATE GRANTS		
FURNITURE/FIXTURES	$ 10,500	$ 12,500
OFFICE SUPPLIES	30,800	30,800
PRINTING AND DUPLICATING	12,500	14,000
PROGRAM EXPENSES/SUPPLIES	27,500	30,000
BOOKS	150,600	150,300
SOFTWARE	-	1,000
HARDWARE	-	4,400
AUDIO VISUAL SUPPLIES	77,200	77,200
POSTAGE	100	200
TRAINING/CONF/FOOD/TRAV	5,300	6,000
OFF EQP/REPAIRS & MAINT	6,300	6,300
OTHER EQUIP - LEASE	2,000	2,000
SUBTOTAL EXPENSES STATE GRANTS	**322,800**	**334,700**
FEDERAL GRANTS		
PROGRAM EXPENSES/SUPPLIES	2,500	2,500
SUBTOTAL EXPENSES FEDERAL GRANTS	**2,500**	**2,500**
GRAND TOTAL EXPENSES	**325,300**	**337,200**
CURRENT YEAR BALANCE	-	-
TOTALS	**$ 325,300**	**$ 337,200**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

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2016-2017 BUDGET ORDINANCES - FIRST AMENDMENT

POLICE GRANTS FUND
CASH RECEIPTS/REVENUES AND BUDGET FOR 2016-2017

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

The amount hereinafter named aggregating Eight Hundred Thirty Two Thousand dollars ($832,000) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2016 and ending June 30, 2017:

OPERATING REVENUES

	2016/17 BUDGET	2016/17 REVISED
PRIOR YEAR BALANCE	**$ 295,300**	**$ 513,000**
STATE AND FEDERAL GRANTS RECEIVED	319,000	319,000
TOTALS	**614,300**	**832,000**

OPERATING EXPENSES

	2016/17 BUDGET	2016/17 REVISED
EXPENDITURES		
PERSONNEL EXPENDITURES		
CADET PROGRAM SALARIES	71,400	71,400
CADET PROGRAM FICA	5,500	5,500
CADET PROGRAM W/COMP	4,200	4,200
MATERIALS AND SUPPLIES		
POLICE EQUIPT & PROG SUPP	284,000	268,800
ADMINISTRATIVE EXPENDITURES		
CELL PHONE CHARGES	16,000	16,000
TRAINING	17,000	46,100
AUDIT FEES	1,000	1,000
CONTRACTUAL SERVICES	5,000	145,000
TOTAL EXPENDITURES	**404,100**	**558,000**
OTHER FINANCING USES		
OPERATING TRANSFERS-OUT	82,000	274,000
TOTAL FINANCING USES	**82,000**	**274,000**
CURRENT YEAR BALANCE	128,200	-
TOTALS	**$ 614,300**	**$ 832,000**

The above budget represents the combination of all State & Federal Grants.

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

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2016-2017 BUDGET ORDINANCES - FIRST AMENDMENT

CDBG GRANT FUND
CASH RECEIPTS/REVENUES AND BUDGET FOR 2016-2017

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

The amount hereinafter named aggregating Two Hundred Eighty One Thousand Eight Hundred dollars ($281,800) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2016 and ending June 30, 2017:

OPERATING REVENUES

	2016/17 BUDGET	2016/17 REVISED
PRIOR YEAR BALANCE	**$ 2,100**	**$ 2,100**
CDBG GRANTS RECEIVED	236,500	279,700
TOTALS	**238,600**	**281,800**

OPERATING EXPENSES

	2016/17 BUDGET	2016/17 REVISED
EXPENDITURES		
PRIOR YEAR CLOSING COST/DOWN PAYMENT PROGRAM	-	900
PRIOR YEAR NCALL RESEARCH INC.	-	1,000
PRIOR YEAR CONNECTION SUPP PROGRAM	-	2,500
PRIOR YEAR MHDC EMERGENCY HOME REPAIR	-	22,300
PRIOR YEAR HABITAT FOR HUMANITY	-	3,000
PRIOR YEAR MHDC HOMEOWNER REHAB.	-	13,400
CURRENT YEAR CLOSING COST/DOWN PAYMENT PROGRAM	50,000	50,000
CURRENT YEAR CONNECTION SUPP PROGRAM	7,200	7,300
CURRENT YEAR DOVER INTERFAITH MINISTRY	22,000	22,000
CURRENT YEAR MHDC EMERGENCY HOME REPAIR	25,000	25,000
CURRENT YEAR HABITAT FOR HUMANITY	30,000	30,000
CURRENT YEAR MHDC HOMEOWNER REHAB.	55,000	55,000
CURRENT YEAR SALARIES	47,300	47,300
TOTAL EXPENDITURES	**236,500**	**279,700**
CURRENT YEAR BALANCE	2,100	2,100
TOTALS	**$ 238,600**	**$ 281,800**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

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2016-2017 BUDGET ORDINANCES - FIRST AMENDMENT

SUBSTANCE ABUSE GRANTS FUND
CASH RECEIPTS/REVENUES AND BUDGET FOR 2016-2017

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

The amount hereinafter named aggregating One Hundred Sixty Thousand Five Hundred dollars ($160,500) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2016 and ending June 30, 2017:

OPERATING REVENUES

	2016/17 BUDGET	2016/17 REVISED
PRIOR YEAR BALANCE	**$ 60,300**	**$ 99,500**
STATE GRANTS RECEIVED	28,000	28,000
RECREATION REVENUE	33,000	33,000
TOTALS	**121,300**	**160,500**

OPERATING EXPENSES

	2016/17 BUDGET	2016/17 REVISED
EXPENDITURES		
TEMPORARY HELP/BENEFITS	60,200	60,200
PROGRAM EXPENSES/SUPPLIES	55,000	55,000
TOTAL EXPENDITURES	**115,200**	**115,200**
CURRENT YEAR BALANCE	6,100	45,300
TOTALS	**$ 121,300**	**$ 160,500**

The above budget represents the combination of all State & Federal Grants.

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

DRAFT

Memorandum

Office of the City Manager
PO Box 475
Dover, DE 19903
Phone: (302) 736-7005
FAX: (302) 736-7002
E-mail: skoenig@dover.de.us

To: **Legislative, Finance, and Administration Committee**

From: **Scott D. Koenig, P.E., ICMA-CM** SDK
City Manager

Date: **December 29, 2016**

Subject: **Consideration of Cost of Living Allowance for General Pension Plan Retirees**

For several years, representatives of the General Pension Plan retirees have inquired about a Cost of Living Allowance (COLA) for the current city pensioners under the City's General Pension Plan. These discussions have not lined up with the City's budget process. The City Manager is requesting authorization to expend approximately $1,000 to analyze the financial impact for three (3) different COLA amounts: 1%, 1.5% and 2.0%. The analysis will be completed by Nyhart. These expenses will be charged against the pension fund assets.

The scenarios are one-time COLAs that would increase the retiree's annual payment by the correlating percentage. Once the financial impacts are determined, the City Manager will make recommendations for budgetary considerations. Ultimately, City Council would have to authorize any COLA before one could be implemented.

sdk/SDK

cc: Donna Mitchell, Controller/Treasurer

CITY OF DOVER PROPOSED ORDINANCE #2017-02

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

That Chapter 2 - Administration, Article V - Finance, Section 2-422 - Disposal of Excess Property of the Dover Code be amended by deleting the text indicated in red strikeout and inserting the bold, blue text, as follows:

Sec. 2-422. - ~~Disposal of excess property~~ Sale and disposition of real property.

(a) ***Authorized.*** Except as otherwise provided and upon approval of the city council, the city manager is hereby authorized to sell or dispose of excess property.

(b) ***Determination of excess status*. The city manager, upon determining that a city owned parcel of land is excess in nature and that the disposal of such land would be beneficial to the City of Dover, will request, through the legislative, finance, and administration committee, that city council consider disposal of such land.**

(c) ***Costs of Conveyance*. Unless otherwise specified by the city council, all fees and costs, legal or otherwise, associated with the sale and conveyance of all excess lands shall be paid by the purchaser.**

(d) ***Standard method of disposition*.**

(1) The legislative, finance, and administration committee, upon receiving a request to dispose of excess real property, shall, prior to making a recommendation to city council, request all pertinent information including, but not limited to, the following:

a. Determination that subject parcel is not required by any other city department.
b. Written explanation of why subject parcel is now surplus.
c. Determination of whether a zoning change would enhance the sale value of subject parcel and recommend said change if warranted.
d. Determination if the parcel's exact location and size is known and, if not, recommend whether said parcel should be surveyed by the City prior to any sale attempts.

(2) City council, after receiving a positive recommendation from the legislative, finance, and administration committee to dispose of a surplus parcel of land, shall, as part of its deliberations:

a. Determine if disposal of the parcel is in the City's best interests.
b. Determine if disposal by sale, gift, or some other means would best serve the City's interests.
c. Determine if the city planner should be requested to initiate rezoning procedures.
d. Publicize the pertinent information concerning the surplus parcel and its availability for purchase to the general public at least once a week for two weeks in a local newspaper.
e. Make public, and a part of the record, all written correspondence received and, after the publicizing requirements of Section 2 (d) are met, hold a public hearing to receive

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any other citizen input.

(3) City council, after voting to proceed with the sale of surplus land, shall determine:

a. If an unbiased appraisal is needed to establish a minimum acceptable price.
b. Whether to sell the parcel by public auction or by sealed bid, and what the minimum acceptable offer will be.
c. The degree and scope of advertising, with a minimum of exposure being advertisement once a week for two weeks in a newspaper of general circulation within the county.
d. Whether the circumstances of and surrounding a particular sale may be such that the best interests of the City would be served by listing the property for sale with a licensed real estate agent.

(4) City staff shall, with city council's direction:

a. Arrange for advertisement of the sale.
b. Draft the sale bill setting out a description of the parcel to be sold, time, date, and place of sale or bid opening, the terms and conditions of sale, and the City's reservation of acceptance or rejection of any or all bids received at the time of sale or bid opening.
c. Order and distribute a sufficient number of sale bills for posting and distribution in the County Courthouse, at the site, and in the general area of the parcel.
d. Obtain the services of a professional auctioneer if said sale is to be a public auction.
e. Conduct the sale and submit the results to city council.
f. Obtain the services of a licensed real estate agent if the sale is to be brokered.

(5) City council, after confirming the sale, shall:

a. Request the city solicitor to prepare a deed for execution and to arrange for final settlement with the purchaser, at which time the City will deliver the deed, the purchaser will pay all balances due, and the city solicitor will record said deed in the Recorder of Deeds Office for Kent County.

(e) ***Exceptions to standard method of disposition*.**

(1) ***Exception A - Sale to an abutting owner*. When, in the opinion of city council, a public sale would be detrimental to the lands of an abutter, and/or that a public sale would place the abutter at undue risk; or that the combination of abutter's land and City's land would be substantially greater in value than that of the sum of the parcels considered individually, city council may direct the city assessor to have prepared one or more unbiased fee appraisals of the parcel. Thereafter, the subject land will be offered for sale to the said abutter at the appraisal price, plus the appraisal fees, plus the legal costs. In the event the offer is not accepted, a public sale may be ordered.**

Examples of detrimental affect might be when the surplus City parcel lies between an abutting property and the street and development of the parcel would obstruct visibility of the abutter's property, or when the surplus parcel is zoned multi-family and abuts a single family parcel.

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(2) *Exception B - Trade of lands*. Trade of lands may be approved when it is shown beyond doubt that such a trade will be equal to or better than the lands to be traded either on a "square foot for square foot" measure and/or on a "dollar for dollar" measure.

(3) *Exception C - Conveyance of odd shaped and/or unbuildable parcels*. City acquisitions for roads, utility usages, etc. may, after such usage is accomplished, leave a small strip of land that is odd shaped and unbuildable. City council may approve the conveyance of this strip of land to an abutting property owner on request of said owner. The price for these lands shall be at the same cost basis as that paid by the City. If conveyance is made in excess of two years after the date of City acquisition, then the consideration shall either be based on a price established by an unbiased fee appraisal made on the basis of the value added to the abutting property by the acquisition of said lands, or on the City's cost basis for the parcel adjusted for inflation, whichever city council shall select. All fees, legal or otherwise, associated with the conveyance are to be paid by the purchaser.

(4) *Exception D - Sale of small or irregular shaped lot to an abutting owner*. If any excess parcel of land is too small or irregular in shape to be of any value to anyone other than an abutting owner, it may be sold to such owner at either its fee appraised fair market value, or at its fair market value as established by the City's assessment records, whichever city council shall select. The costs of the appraisal and all legal costs shall be paid by the owner requesting the conveyance.

(5) *Exception E - Donation of land to non-profit organizations*. If, in the opinion of city council, the donation of a parcel of excess land to a non-profit organization would be in the best interest of the City, council then reserves unto itself the right to make such donation.

(Code 1981, § 2-80; Ord. of 3-12-2001)

ADOPTED: *

S:\AGENDAS-MINUTES-PACKETS-PRESENTATIONS-ATT&EXH\Committee-Packets\2017\CCW\01-10-2017\ORIGINALS\Ordinance #2017-02 - Chp 2-Admin, Art V-Finance, Sec 2-422-Disposal of Excess Property.wpd

SYNOPSIS

The proposed amendment codifies the City's procedure for the sale and disposition of excess city-owned real property.

(SPONSORS: NEIL, KOENIG, AND MCDOWELL)

Actions History

01/10/2017 - Introduction - Council Committee of the Whole/Legislative, Finance, and Administration Committee

Draft

Adopted: 10/14/96
Rev: 2/13/08
Policies Procedure 1
PDF

PROPOSED PROCEDURE

FOR SALE AND DISPOSITION OF REAL PROPERTY

1. PURPOSE

To establish a policy for the City of Dover regulating the sale and disposition of excess lands.

2. LAWS AND POLICIES

City of Dover Code of Ordinances, Chapter 2, Article IV, Section 2-99, authorizes the sale and disposal of excess property.

This policy will standardize the procedure for disposal of excess City owned real property.

3. DETERMINATION

A City Staff member, upon determining that a City owned parcel of land is excess in nature and that the disposal of such land would be beneficial to the City of Dover, will request, through the Legislative and Finance Committee, that the Dover City Council consider disposal of such land.

4. STANDARD METHOD OF DISPOSITION

A. The Legislative and Finance Committee, upon receiving a request to dispose of excess real property, shall, prior to making a recommendation to the Dover City Council, request all pertinent information including, but not limited to, the following:

a-1) determination that subject parcel is not required by any other City department.

a-2) written explanation of why subject parcel is now surplus.

a-3) determination of whether a zoning change would enhance the sale value of subject parcel and recommend said change if warranted.

a-4) determine if parcel's exact location and size is known and, if not, recommend whether said parcel should be surveyed by the City prior to any sale attempts.

B. Dover City Council, after receiving a positive recommendation from the Legislative and Finance Committee to dispose of a surplus parcel of land, shall, as part of its deliberations:

b-1) determine if disposal of the parcel is in the City's best interests.

b-2) determine if disposal by sale, gift, or some other means would best serve the City's interests.

b-3) determine if the City Planner should be requested to initiate rezoning procedures.

b-4) publicize the pertinent information concerning the surplus parcel and its availability for purchase to the general public at least once a week for two weeks in a local newspaper.

b-5) make public, and a part of the record, all written correspondence received and, after the publicizing requirements of Section 4, Paragraph B(4) are met, hold a public hearing to receive any other citizen input.

C. Dover City Council, after voting to proceed with the sale of surplus land, shall determine:

c-1) if an unbiased appraisal is needed to establish a minimum acceptable price.

c-2) whether to sell the parcel by public auction or by sealed bid, and what the minimum acceptable offer will be.

c-3) the degree and scope of advertising, with a minimum of exposure being advertisement once a week for two weeks in a newspaper of general circulation within the county.

c-4) whether the circumstances of and surrounding a particular sale may be such that the best interests of the City would be served by listing the property for sale with a licensed real estate agent.

D. City Staff shall, with Council direction:

d-1) arrange for advertisement of the sale

d-2) draft the sale bill setting out a description of the parcel to be sold, time, date, and place of sale or bid opening, the terms and conditions of sale, and the City's reservation of acceptance or rejection of any or all bids received at the time of sale or bid opening.

d-3) order and distribute a sufficient number of sale bills for posting and distribution in the County Courthouse, at the site, and in the general area of the parcel.

d-4) obtain the services of a professional auctioneer if said sale is to be a public auction.

d-5) conduct the sale and submit the results to Dover City Council.

d-6) obtain the services of a licensed real estate agent if sale is to be brokered.

B. Dover City Council, after confirming the sale, shall:

e-1) request the City Solicitor to prepare a deed for execution and to arrange for final settlement with the purchaser at which time the City will deliver the deed, the purchaser will pay all balances due, and the City Solicitor will record said deed, in the Recorder of Deeds Office for Kent county.

F. If any excess parcel of land is too small or irregular in shape to be of any value to anyone other than an abutting owner, it may be sold to such owner at either its fee appraised fair market value, or at its fair market value as established by the City's assessment records, whichever Council shall select. The costs of the appraisal and all legal costs shall be paid by the owner requesting the conveyance.

G. Costs of Conveyance

Unless otherwise specified by Dover City Council, all fees and costs, legal or otherwise, associated with the sale and conveyance of all excess lands shall be paid by the purchaser.

5. EXCEPTIONS TO STANDARD METHOD OF DISPOSITION

Exception A.

Sale to an abutting owner: When, in the opinion of City Council, a public sale would be detrimental to the lands of an abutter, and/or that a public sale would place the abutter at undue risk; or that the combination of abutter's land and City's land would be substantially greater in value than that of the sum of the parcels considered individually, Dover City Council may direct the City Assessor to have prepared one or more unbiased fee appraisals of the parcel. Thereafter, the subject land will be offered for sale to the said abutter at the appraisal price, plus the appraisal fees, plus the legal costs. In the event the offer is not accepted, a public sale may be ordered.

Examples of detrimental affect might be when the surplus City parcel lies between an abutting property and the street and development of the parcel would obstruct visibility of the abutter's property, of when the surplus parcel is zoned multi-family and abuts a single family parcel.

Exception B.

Trade of lands: A trade of lands may be approved when it is shown beyond doubt that such a trade will be equal to or better than the lands to be traded either on a "square foot for square foot" measure and/or on a "dollar for dollar" measure.

Exception C.

Conveyance of odd shaped and/or unbuildable parcels: City acquisitions for roads, utility usages, etc. may, after such usage is accomplished, leave a small strip of land that is odd shaped and unbuildable. Dover City Council may approve the conveyance of this strip of land to an abutting property owner on request of said owner. The price for these lands shall be at the same cost basis as that paid by the City. If conveyance is made in excess of two years after the date of City acquisition, then the consideration shall either be based on a price established by an unbiased fee appraisal made on the basis of the value added to the abutting property by the acquisition of said lands, or on the City's cost basis for the parcel adjusted for inflation, whichever Dover City Council shall select. All fees, legal or otherwise, associated with the conveyance are to be paid by the purchaser.

Exception D.

Donation of Land to Non-Profit Organizations: If, in the opinion of Dover City Council, the donation of a parcel of excess land to a non-profit organization would be in the best interest of the City of Dover, Council then reserves unto itself the right to make such donation.

CITY OF DOVER PROPOSED ORDINANCE #2017-03

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

That the Dover Code of Ordinances be amended by creating a new Chapter 80 - Personnel.

BE IT FURTHER ORDAINED:

That Chapter 2 - Administration, Article IV - Officers and Employees, Division 7 - General Employee Pension Plan of the Dover Code be moved to Chapter 80 - Personnel, Division 3. – General Employee Pension Plan.

BE IT FURTHER ORDAINED:

That Chapter 2 - Administration, Article IV - Officers and Employees, Division 8 - Deferred Compensation Plan of the Dover Code be moved to Chapter 80 - Personnel, Division 2. - Deferred Compensation Plan (IRC 457 (b)).

BE IT FURTHER ORDAINED:

That Chapter 2 - Administration, Article VI - Other Post-Employment Benefits Fund of the Dover Code be moved to Chapter 80 - Personnel, Division 5. – Other Post-Employment Benefits Fund.

BE IT FURTHER ORDAINED:

That Chapter 80 - Personnel of the Dover Code be amended by inserting the text in bold, blue font and deleting the text indicated in red strikeout, as follows:

Chapter 80 – **PERSONNEL**
~~DIVISION 7. - GENERAL EMPLOYEE PENSION PLAN[5]~~
~~Footnotes:~~
~~**(5)**~~
~~**Charter reference** – Authority of city to establish pension plans, subpart A.~~

~~Subdivision~~ **ARTICLE** I. - ~~In General~~ **IN GENERAL**

Sec. ~~2-321~~ **80-1**. - Definitions.

The following words, terms and phrases, when used in this ~~division~~ **chapter**, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning **or the plan documents contradict**:

Accumulated contributions means the aggregate contributions made by a member under the plan~~, with interest thereon at the rate of five percent per annum, compounded annually from the last day of the plan year in which such contribution was made to the earlier of the date of commencement of retirement income or the date on which~~

~~contributions are payable pursuant to the provisions of the plan~~.

Compensation **means a participant's base pay, plus scheduled overtime, payment for being on-call, except those hours reported for being called out, and any retroactive pay corrections which involve any one of the mentioned payments.**

Continuous service means regularly employed without interruption, except for allowable interruptions aggregating not over five years. Allowable interruptions shall include:

(1) Leaves of absence granted to employees for illness, research, travel, training or study;

(2) Employment in an office to which the employee had been elected by popular vote at a regular city election;

(3) Involuntary severance which shall include a required leave of absence on account of maternity, and the employee returns to active employment at the end of that leave of absence.

(4) To the extent required by federal law, if an employee leaves the employ of the city to enter the military service of the United States and, upon ~~his~~ **their** discharge from service, is reemployed by the city at a time when ~~his~~ **their** reemployment rights are protected by federal law, the employee shall be considered to have been employed by the city during ~~his~~ **their** period of military service and shall be credited with continuous service which ~~he~~ **they** would have been credited with as an employee of the city but for ~~his~~ **their** military service. The period for which disability pension benefits shall have been paid shall be considered as an allowable interruption which is permitted in addition to the allowable interruptions aggregating not over five years in determining subsequent eligibility for retirement benefits under the terms of this ~~division~~ **chapter**.

Deferred Compensation Plan (IRC 457 (b)) **means the deferred contribution plan.**

~~*Defined benefit pension plan* and *plan* mean the city's general employee pension plan.~~

Eligible employee means any person ~~regularly~~ employed in rendering service to the city on a full-time, ~~permanent~~ **regular** basis, who is ~~not~~ participating in ~~any other~~ **a** retirement plan to which the city contributes for them, and whose compensation is paid directly by the city. An employee will be considered a full-time employee if ~~he~~ **they** regularly work~~s~~ 40 ~~or more~~ hours each week.

General employee pension plan board **means the general employee pension Trust board.**

~~*Defined benefit*~~***General employee*** *pension plan* and *plan* mean the city's general employee **defined benefit** pension plan.

Group annuity contract means the group annuity contract entered into between an insurance company and the **general employee** pension **plan** board~~ of trustees~~.

***Money Purchase Plan* (IRC 401(a)) means the defined contribution plan.**

***OPEB board* means the board of trustees of the other post-employment benefits trust as established in Section 80-701. – OPEB Board; established; duties.**

***OPEB fund* means the other post-employment benefits Trust established in Section 80-700. – OPEB Fund; established.**

Participant means any eligible employee of the city who has met all of the requirements for participation in ~~the pension plan as defined in this section and who has satisfied all of the conditions and requirements set forth in this division~~ **a City retirement benefit plan**.

~~*Pension board* means the pension board of trustees.~~

~~*Pension plan* and *plan* mean the city's general employee pension plan.~~

Plan year means the period of one year, commencing on any July 1 and ending immediately prior to the following July 1.

Retired participant means a participant of the plan who has terminated service and is eligible to receive retirement income under this ~~division~~ **chapter**.

(Code 1968, § 2-87; Ord. of 1-12-1970; Code 1981, § 2-176; Ord. of 7-11-1983; Ord. of 7-26-1993, § 1; Ord. of 4-25-1994; Ord. of 5-22-2000; Ord. No. 2010-13, 6-28-2010)

ARTICLE II. – RESERVED

ARTICLE III. – RESERVED

ARTICLE IV. – PENSION PLANS AND RETIREMENT BENEFITS (EXCEPT POLICE) [5]

Footnotes:

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Charter reference— Authority of city to establish pension plans, subpart A.

DIVISION 1. – GENERALLY

Sec. 80-400. – Applicable to all pension plans.

~~Sec. 2-340. –~~**(a)** Correction of payment errors.

Should any change or error in the records result in any member or beneficiary receiving from the plan more or less than he would have been entitled to receive had the records been correct, the ~~pension board of trustees~~**human resources director, with the concurrence of the controller/treasurer,** ~~shall~~ have the power to correct the error, and as far as practicable and just, to adjust the payments in a manner that the equivalent of the benefit to which the member or beneficiary was correctly entitled shall be paid.

(Code 1968, § 2-113; Ord. of 1-12-1970; Code 1981, § 2-195)

~~Sec. 2-343.~~**(b)** ~~–~~Limitation on benefits.

To the extent necessary, the participant's benefit under this plan and all plans of the city shall be limited in accordance with section 415 of the Internal Revenue Code (26 USC 415) and the regulations thereunder, and such code section and regulations shall hereby be incorporated herein.

(Code 1981, § 2-198; Ord. of 7-26-1993, § 7)

~~Sec. 2-344.~~**(c)** ~~–~~Distributions.

All distributions from this plan shall be made in accordance with section 401(a)(9) of the Internal Revenue Code (26 USC 401(a)(9)) and the regulations thereunder, and such code section and regulations shall hereby be incorporated herein.

(Code 1981, § 2-199; Ord. of 7-26-1993, § 8)

~~Sec. 2-345. –~~**(d)** Maximum compensation.

The maximum earnings utilized for purposes of determining benefits shall be limited in accordance with section 401(a)(17) of the Internal Revenue Code (26 USC 401(a)(17)) and the regulations thereunder, and such code section and regulations shall hereby be incorporated herein.

(Code 1981, § 2-200; Ord. of 7-26-1993, § 9)

DIVISION ~~8~~**2**. - DEFERRED COMPENSATION PLAN **(IRC 457 (b))**

Sec. ~~2-392~~**80-450**. - Established; purpose.

There is hereby established the city employee deferred compensation plan **(IRC 457 (b))**. The purpose of the plan is to establish the basic terms and conditions under which employees shall participate in this plan. Further details, terms and conditions under which retirement, termination, and survivor benefits shall be provided to eligible employees are defined in the deferred compensation plan.

(Code 1981, § 2-212; Ord. of 4-25-1994; Ord. of 5-22-2000; Ord. of 6-12-2000; Ord. of 7-10-2000; Ord. of 9-11-2000)

Sec. ~~2-393~~**80-451**. - Eligibility of participants.

Each eligible employee not drawing any retirement benefits from the city as of May 1, 1994, who makes a~~n irrevocable~~ decision to join the deferred compensation plan, shall, upon compliance with the provisions of this division, become a deferred compensation plan participant on May 1, 1994. Thereafter, each eligible employee who selects the deferred compensation plan upon employment shall become a participant in accordance with the plan. ~~All new employees, except police officers, hired after September 28, 2009 are required to join the defined contribution pension plan as defined in subsection 2-324~~ **Refer to 457 Plan Document for plan provisions, including age 50 catch-up and special catch-up contributions**.

(Code 1981, § 2-213; Ord. of 4-25-1994; Ord. of 5-22-2000; Ord. of 7-10-2000; Ord. No. 2016-10 , 6-13-2016)

Sec. ~~2-394~~**80-452**. - Contributions.

(a) *Employee contributions.* ~~For each year while a participant of the deferred compensation plan, a participant shall contribute, by payroll deductions, a percentage of his/her compensation as defined in the deferred compensation plan, which shall be a participant's base pay, plus scheduled overtime, payment for being on-call, except those hours reported for being called out, and any retroactive pay corrections which involve any one of the mentioned payments, up to the legal limits as defined in the deferred compensation plan~~ **Employees participating in a city pension plan are eligible to participate in the deferred compensation plan (IRC 457 (b)), in addition to the general employee pension plan, upon submission of the signed elective deferral documentation. Contributions shall be made by voluntary payroll deduction**.

~~(b) *Employer contributions.* The city shall contribute an amount equal to each individual's employee contributions, to a maximum percentage of an employee's compensation as defined in the deferred compensation plan, which shall be a participant's base pay, plus scheduled overtime, payment for being on-call, except those hours reported for being called out, and any retroactive pay corrections which involve any one of the mentioned payments for each participant.~~

(c) *Treatment.* Treatment of contributions shall be handled in accordance with federal and state laws and the applicable provisions of ~~section 2-341 pertaining to the general employee pension plan~~ **IRC 457(a)(1)(A)**.

Sec. 80-453. – *Interpretation*.

As originally enacted, the deferred compensation plan was a part of the general employee pension plan. The two plans have now been legislatively separated. In the event that it is determined that the separation of the two plans has caused any ambiguity, then reference is made to the applicable provisions of the general employee pension plan in defining, implementing, interpreting, and administering the deferred compensation plan. (Moved from Sec. 2-391)

(Code 1981, § 2-214; Ord. of 4-25-1994; Ord. of 5-22-2000; Ord. of 6-12-2000; Ord. of 7-10-2000; Ord. of 9-11-2000; Ord. No. 2016-10 , 6-13-2016)

Secs. ~~2-395—2-420~~**80-453-80-499**. - Reserved.

DIVISION 3. – GENERAL EMPLOYEE PENSION PLAN

Sec. ~~2-322~~**8-500**. ~~-~~**– General employee pension plan** ~~E~~**e**stablished; purpose.

(a) *Generally.* There is hereby established the city **general** employee pension plan. The purpose of the plan is to establish the terms and conditions under which retirement and disability benefits ~~and other benefits~~ shall be provided to eligible employees of the city. The benefits under the plan shall be in addition to amounts received as social security benefits or from any other pension plan.

(b) *For employee exclusively.* This plan is created for the exclusive benefit of the employees of the city and shall be interpreted in a manner consistent with it being an employee's trust, as defined in section 401(a) of the Internal Revenue Code (26 USC 401(a)). Therefore, under no circumstances shall any funds contributed to this plan or any assets of the plan or trust ever revert to or be used or enjoyed by the city, nor shall any such funds or assets ever be used other than for the benefits of the employees of the city and their beneficiaries, prior to the satisfaction of all liabilities under this plan to the employees.

(Code 1968, § 2-88; Ord. of 1-12-1970; Code 1981, § 2-177; Ord. of 7-26-1993, § 2)

Sec. ~~2-323~~80-501. - Eligibility of participant.

Each eligible employee not drawing any retirement benefits from the mayor and city council as of January 1, 1967, shall, upon compliance with the provisions of this division, become a **general employee** pension plan participant under this division, commencing on July 1, 1967, or at any subsequent time immediately upon his employment. Effective September 28, 2009 the ~~defined benefit~~ **general employee pension** plan is closed to new participants.

(Code 1968, § 2-97; Ord. of 1-12-1970; Code 1981, § 2-178; Ord. of 6-8-1987; Ord. No. 2010-13, 6-28-2010)

Sec. ~~2-324~~80-502. - Participation mandatory; exceptions.

The pension plan shall not be construed to give any employee the right to be retained in the employ of the city. All new employees hired after July 1, 1991, shall be required, as a condition of employment, to join the ~~defined benefit~~ **general employee pension** plan or the ~~defined contribution~~ **deferred compensation** plan. All new employees hired after September 29, 2009~~,~~ are required to join the ~~defined contribution pension plan~~ **Money Purchase Plan (IRC 401(a)), as defined in Division 4.** All participants of the ~~defined benefit~~ **general employee** pension plan as of September 28, 2009~~,~~ will remain members of either plan thereafter unless they shall leave the employment of the city, retire, pass away, or elect to terminate their participation in the ~~defined benefit~~ **general employee pension** plan and become a member of the ~~defined contribution pension plan~~ **Money Purchase Plan (IRC 401(a)),** as defined in ~~subsection 2-341(f)~~ **Division 4**.

(Code 1968, § 2-97; Ord. of 1-12-1970; Code 1981, § 2-179; Ord. of 5-28-1991; Ord. of 5-22-2000; Ord. No. 2010-13, 6-28-2010)

Sec. ~~2-325~~ 80-503. - Defraudment.

It shall be unlawful for any person to knowingly make any false statement or falsify, or permit to be falsified, any record of the pension plan in an attempt to defraud the plan.

(Code 1968, § 2-98; Ord. of 1-12-1970; Code 1981, § 2-180)

Sec. ~~2-326~~ 80-504. - Normal retirement.

The normal retirement date for each participant shall be the first day of the month following the attainment of the age of 65 years, provided that he has completed ten years of continuous service.

(Code 1968, § 2-99; Ord. of 1-12-1970; Code 1981, § 2-181; Ord. of 6-24-1996)

Sec. ~~2-327~~ 80-505. - Early retirement.

(a) *Reduced benefits.* A participant who has completed ten years of continuous service and who has attained the age of 55 years may retire at any time within the ten years preceding his normal retirement date; provided, however, that his retirement benefits shall be computed at a reduced rate of one-half percent for each month computed from the date of early retirement to age 65 years.

(b) *Unreduced benefits.*

(1) *Hired May 1, 1994, or later.* For eligible employees hired on or after May 1, 1994, a participant who has attained the age of 55 years, and whose attained age plus years of continuous service is equal to or greater than 80, may retire at any time prior to his normal retirement date with no reduction in retirement benefits.

(2) *Hired before May 1, 1994.* For eligible employees hired before May 1, 1994, a participant who has completed 25 years of continuous service, or has attained the age of 50 years and completed 20 years of continuous service may retire at

any time prior to his normal retirement date with no reduction in retirement benefits.

(Code 1968, § 2-100; Ord. of 1-12-1970; Code 1981, § 2-182; Ord. of 10-12-1982, § 1; Ord. of 4-25-1994)

Sec. ~~2-328~~ 80-506. - Later retirement.

If a participant works beyond his normal retirement date, the payment of the participant's retirement benefits shall be deferred until his actual retirement.

(Code 1968, § 2-101; Ord. of 1-12-1970; Code 1981, § 2-183; Ord. of 7-26-1993, § 3; Ord. No. 2010-13, 6-28-2010)

Sec. ~~2-329~~ 80-507. - Forced retirement with pension.

The **general employee** pension **plan** board ~~of trustees~~, upon recommendation of the city council or the city manager, may require retirement in any case where deemed necessary due to the lack of work or inability of the employee to perform with a satisfactory degree of efficiency, provided that the employee qualifies for either normal retirement pursuant to section ~~2-326~~ **80-504**, or early retirement pursuant to section ~~2-327~~ **80-505**. The employee shall then be entitled to receive, commencing on the first day of the month coinciding with or next following his date of retirement, pension benefits equal to the benefits computed in accordance with the provisions of section ~~2-330~~ **80-508** on the basis of the employee's service completed prior to actual retirement.

(Code 1968, § 2-102; Ord. of 1-12-1970; Code 1981, § 2-184)

Sec. ~~2-330~~ 80-508. - Amount of retirement benefits.

Retirement January 1, 1995, or later. The amount of retirement benefits payable to a participant who retires on or after January 1, 1995~~,~~ shall be computed on the basis of one-fiftieth of his average actual monthly earnings multiplied by the total number of years of continuous service. Average actual monthly earnings shall be a participant's base pay plus scheduled overtime, payment for being on call, except those hours reported for being called out, and any retroactive pay corrections which involve any one of the mentioned payments during any period of 36 consecutive months in his final ten years of continuous service~~,~~ which results in the highest average monthly earnings.

If an employee's approved absence is the result of a workers compensation injury, the base wages that the employee would have earned had he not been on workers compensation leave will be included when determining the highest 36 consecutive months within his final ten years of continuous service.

The value of lost base salary as a result of mandatory furlough shall be added to an employee's final average compensation and considered in the calculation of the amount of retirement benefits, if the time period in which the mandatory furlough was required is within the highest 36 consecutive months or earnings within the final ten years of continuous service.

(Code 1968, § 2-103; Ord. of 1-12-1970; Code 1981, § 2-185; Ord. of 10-12-1982, § 2; Ord. of 7-26-1993, § 4; Ord. of 4-25-1994; Ord. of 5-22-2000; Ord. of 7-10-2000; Ord. No. 2010-13, 6-28-2010)

Sec. ~~2-331~~ 80-509. - Form of benefits.

(a) *Normal form.* A monthly benefit shall be payable on the first day of the second month preceding the date on which application for such benefit is filed. Payment will be retroactive to the retirement date. Payments of benefits shall be payable monthly thereafter during his lifetime, and terminating with the last payment on the first day of the month of the death of the participant.

(b) *Death of participant, etc.* Upon the death of a participant who has retired, or who is eligible to be retired under any of the provisions of this division, payment shall be made to ~~his~~ **their** eligible survivors in the amount of 50 percent of the monthly payments to which the participant was or would have been entitled. Upon the death of a participant who has completed a minimum of 20 years of service but is not yet eligible to retire because of age, payment shall be made to ~~his~~ **their** eligible survivors in the amount of 50 percent of the monthly payment that would have resulted by using ~~his~~ **the participant's** service time; however, the benefit is to be computed at a reduced rate of one-half percent for each month the participant was under the correct age for normal retirement. In no instance shall actual monthly payments be less than $200.00, to be effective July 1, 2000. Upon the death of both the participant and eligible survivor, if the benefit payments received in aggregate are less than the member's contributions, the balance of the member's contributions, plus 5 percent interest, will be paid to the surviving beneficiary designated or his estate if no designation has been made and submitted to the **general employee** pension **plan** board. The amount of benefit payments received and the amount of the member's contributions shall be determined from the record of the pension board ~~of trustees~~.

(c) *Eligible survivor.* An eligible survivor shall be one of the following in the order of preference listed:

(1) *Spouse.* The participant's spouse who was married to the participant for at least one year. Surviving spouse shall be required to provide supporting documents of marriage.

(2) *Children, unmarried.*

a. The surviving children, biological or legally adopted, of the participant, who have not attained their 18th birthday.

b. If said child is attending school on a full-time basis and provides proof of attendance each year of eligibility, with the payment due for the month in which he ceases to attend school on a full-time basis or with the payment due for the month in which his 22nd birthday shall occur, whichever shall occur first.

(d) *Commencement of payment.* Benefits payable to eligible survivors shall commence on the first day of the month following the date of the participant's death.

(e) *Benefits payable.* Benefits payable to eligible survivors shall cease:

(1) *Spouse.* With respect to an eligible survivor who is a spouse~~-~~, with the payment due for the month in which their remarriage or death shall occur, whichever occurs first.

(2) *Children.* With respect to an eligible survivor who is a child(ren), with the payment due for the month in which his 18th birthday or death shall occur, whichever shall occur first. Payments shall be made in accordance with subsections (2)a. and b.

(f) *Eligibility for benefits.* The eligibility of any person or persons to receive payment of benefits as an eligible survivor shall be determined conclusively by the **general employee** pension **plan** board based on application of such person or persons and any other information which the pension board deems to be appropriate.

(Code 1968, § 2-104; Ord. of 1-12-1970; Code 1981, § 2-186; Ord. of 6-8-1987; Ord. of 7-26-1993, § 5; Ord. of 4-25-1994; Ord. of 12-11-1995; Ord. of 4-14-1997; Ord. of 5-22-2000; Ord. of 7-10-2000; Ord. of 3-12-2001; Ord. of 5-12-2003; Ord. No. 2010-13, 6-28-2010; Ord. No. 2011-28, 12-12-2011; Ord. No. 2013-10, 7-22-2013)

Sec. ~~2-332~~ 80-510. - Early retirement due to permanent disability.

Any employee who, after completing at least ten years of continuous service, shall be injured or whose health shall become permanently impaired to such an extent as to render him totally and permanently disabled, shall be retired upon application and approval of the **general employee** pension **plan** board ~~of trustees~~. The pension amount will be based upon section ~~2-330~~ **80-508**. There shall be no reduction in benefit.

(Code 1968, § 2-105; Ord. of 1-12-1970; Code 1981, § 2-187; Ord. No. 2010-13, 6-28-2010)

Sec. ~~2-333~~ 80-511. - Total and permanent disability.

(a) *Definition.* As used in this division, a participant shall be deemed to be "totally and permanently disabled" when the **general employee** pension **plan** board ~~of trustees~~, on the basis of a medical examination by a physician or physicians selected by the pension board ~~of trustees~~, finds the employee:

(1) *Work generally.* To be totally and permanently prevented from engaging in any occupation or employment for remuneration or profit as a result of bodily or mental injury or disease, whether occupational or nonoccupational in cause; or

(2) *Employment.* To be totally and permanently prevented from continuing in ~~his~~ **their** capacity as an employee as a result of bodily or mental injury or disease, whether occupational or nonoccupational in cause.

(b) *Exclusions.* Total and permanent disability, within the terms of this division, shall exclude disability resulting from or consisting of chronic alcoholism, addiction to narcotics, engaging in a felonious criminal act for which ~~he is~~ **they are** found guilty, or a willful effort on ~~his~~ **their** part to bring about the injury or illness to ~~himself~~ **themselves** or any other person or service in the armed forces of any foreign country.

(Code 1968, § 2-107; Ord. of 1-12-1970; Code 1981, § 2-188; Ord. of 5-22-2000)

Sec. ~~2-334~~ 80-512. - Commencement of disability benefits.

(a) *Removed from payroll.* A participant who files for a disability pension shall not work and be kept on the active payroll and receive credited service from the inception of the disability to the end of the first full calendar month following the date of application.

(b) *Change in compensation; leave.* During the application period above, the participant's compensation shall not be increased.

(c) *Commencement of benefits.* The eligibility for payment of disability benefits under this *division shall commence, if approved, on the first day of the month following the application period set forth in subsection (a).

(Code 1968, § 2-107; Ord. of 1-12-1970; Code 1981, § 2-189; Ord. of 8-10-1987; Ord. No. 2010-13, 6-28-2010)

Sec. ~~2-335~~ 80-513. - Termination of employment.

(a) *Forfeiture of participation.* Any participant whose employment is terminated prior to the date he becomes eligible for retirement benefits shall forfeit his status as a participant in the pension plan and all accumulated credit for continuous service.

(b) *Ten years' service.* Any participant with a minimum of ten years of continuous service and whose employment is terminated prior to the date he becomes eligible for retirement benefits under section ~~2-326~~ **80-504 - Normal retirement**, ~~2-327~~ **80-505 - Early retirement**, ~~2-328~~ **80-506 - Later retirement** or ~~2-332~~ **80-510 - Early retirement due to permanent disability**, upon attaining the age of 65 years, shall be eligible for ~~retirement~~ **pension** benefits under the provisions of section ~~2-330~~ **80-508 - Amount of retirement benefits**, upon application to the pension board of trustees. The form of the benefit will be based on the formula which was in effect at the time of termination.

(c) *Layoffs.* Upon recall, any participant whose employment is terminated due to a layoff and is recalled within five years of layoff, may apply to the pension board to have their previous service credits restored immediately. If they have withdrawn their contributions, they must repay them as calculated by the city's actuary. A returning employee must make an election to return previously refunded amounts, plus calculated interest, within 30 days of approval of the **general employee** pension **plan** board. Contributions will be reimbursed based on the gross amount received. Participants who are laid off and not recalled within five years shall forfeit their status as a participant in the pension plan and all accumulated credit for continuous service.

(d) *Request for refund.* When an employee leaves the employment of the city and is entitled to withdraw his contributions **with interest thereon at the rate of five percent per annum, compounded annually from the last day of the plan year in which such contribution was made to the earlier of the date of commencement of retirement income or the date on which contributions are payable pursuant to the provisions of the plan**, then he shall submit a written

notarized request for a refund of these contributions before payment shall be made. Refunds will be issued 90 days from the date when the notarized request is received. Contributions will automatically be refunded five years from date of separation.

(Code 1968, § 2-108; Ord. of 1-12-1970; Code 1981, § 2-190; Ord. of 10-12-1982, § 3; Ord. of 11-28-1988; Ord. of 7-26-1993, § 6; Ord. of 4-25-1994; Ord. of 4-14-1997; Ord. of 7-10-2000; Ord. of 5-12-2003; Ord. of 10-8-2007(3); Ord. No. 2010-13, 6-28-2010)

Sec. ~~2-336~~ 80-514. - Cessation of disability pension benefits.

(a) A participant shall cease to qualify for disability pension benefits:

(1) *Recovered.* At the time that ~~a~~ **the general employee** pension **plan** board ~~of trustees~~ determines, on the basis of a medical examination by a physician or physicians selected by the pension **plan** board, that a participant is no longer totally and permanently disabled or has sufficiently recovered, but refuses to resume ~~his~~ **their** regular occupation as an employee or to be reemployed by the city in some other position for which ~~he is~~ **they are** suited or which is appropriate to ~~his~~ **their** training and experience;

(2) *Refuses examination.* When the participant refuses to undergo a medical examination requested by the **general employee** pension **plan** board ~~of trustees~~; or

(3) *Age 65 years.* On the first day of the month ~~coinciding with or next~~ following the participant's 65th birthday.

(b) Upon the occurrence of the earliest of the above events, disability pension benefits shall cease, except that, if the event of subsection (a)(3) of this section occurs, payment of the normal retirement benefits shall commence on that date, in the same amount as the disability pension benefits.

(Code 1968, § 2-109; Ord. of 1-12-1970; Code 1981, § 2-191)

Sec. ~~2-337~~ 80-515. - Effect of state workers' compensation on disability benefits.

Any disability pension benefits received by a participant under the terms of this ***division** as the result of an injury or illness compensable under the workers' compensation laws of the state shall be reduced by the amount of the workers' compensation payments actually received by the participant.

(Code 1968, § 2-110; Ord. of 1-12-1970; Code 1981, § 2-192)

Sec. ~~2-338~~ 80-516. - Benefits to cease upon reemployment; exceptions.

The Internal Revenue Code has provided guidance that to be considered retired for purposes of prohibitions against "in-service distributions", one must have an at least six (6) month break before returning to employment with the

same employer and that such a return cannot be pre-planned at the time of retirement. If the individual is under the normal retirement age of 65, the individual will be subject to an annual earnings limit of $30,000.

Any employee of the city who is receiving, or who shall receive, benefits under this *****division, and who is thereafter reemployed by the city or appointed to any position by the mayor or council bearing remuneration, shall cease to draw benefits during the period of reemployment. Upon termination of the reemployment, the benefits shall be restored. The provisions of this section shall not apply to any employee who receives remuneration as a result of being elected or appointed to an elective or appointed office in the city, nor to any employee reemployed by the city in a ~~temporary~~ **casual/seasonal** capacity, not to exceed 180 calendar days. Employees would be eligible to return to ~~temporary~~ **casual/seasonal** status immediately following retirement.

Casual/seasonal employees may be employed by the City on a temporary basis in order to provide assistance for the following situations:

(a) *Casual assistance*. Employee is needed on a sporadic or on-call basis where hours cannot be predetermined and vary greatly from week to week. Such employees may be used as needed.

(b) *Seasonal assistance*. Employee is needed for peak operating seasons.

(c) *Project assistance*. Employee performs duties related to a specific project that has defined objectives and an established time period of completion that does not exceed 180 calendar days.

(d) *Primary incumbent replacement*. Employee is needed to fulfill the job responsibilities of the primary incumbent who is unable to perform such responsibilities for an extended period of time. Such employees may be used for a maximum of 180 calendar days or the length of time the incumbent is unable to perform the job responsibility, whichever is less.

***(e) Contracting*. Any individual participating in the plan who contracts with the City or represents any private enterprise that has a contract with an employer participating in the plan must have a 6-month separation from their effective date of retirement if the individual is under 65. The City shall maintain, in a form prescribed by the Human Resources Director, a certification of the worker's status. The certification will be used for a determination of the individual meeting the definition of eligible employees under this section.**

(Code 1968, § 2-111; Ord. of 1-12-1970; Code 1981, § 2-193; Ord. of 8-27-1990; Ord. of 4-25-1994; Ord. of 6-11-2007; Ord. No. 2010-13, 6-28-2010)

Sec. ~~2-339~~ 80-517. - Benefit assignment, transfer, etc.

No participant or beneficiary under the plan shall assign, transfer, hypothecate, encumber, commute or anticipate any interest he may have in payments, funds or contracts under this plan. No interest shall in any way be subject to any legal process, levy of execution, attachment or garnishment proceedings for the payment of any claim against the participant or any beneficiary under the plan, nor shall any such interest be subject to the jurisdiction of any bankruptcy court or insolvency proceedings.

(Code 1968, § 2-112; Ord. of 1-12-1970; Code 1981, § 2-194)

~~Sec. 2-340. - Correction of payment errors.~~

~~Should any change or error in the records result in any member or beneficiary receiving from the plan more or less than he would have been entitled to receive had the records been correct, the pension board of trustees shall have the power to correct the error, and as far as practicable and just, to adjust the payments in a manner that the equivalent of the benefit to which the member or beneficiary was correctly entitled shall be paid.~~

~~(Code 1968, § 2-113; Ord. of 1-12-1970; Code 1981, § 2-195)~~

Sec. ~~2-341~~80-518. - Contributions.

(a) *Payroll deductions*

(1) *Amount.* For each year, while a participant of the plan, a participant shall contribute, by payroll deductions, an amount equal to 3½ percent of his average actual monthly earnings as described in section ~~2-330~~ **80-508 - Amount of retirement benefits** (effective May 1, 1994).

(2) *Employer contributions.* The city, pursuant to the provisions of section 414(h)(2) of the United States Internal Revenue Code (26 USC 414(h)(2)), shall pick up and pay the contributions which would otherwise be payable by the employee under this section. The contributions so picked up shall be treated as employer contributions for purposes of determining the amounts of federal income taxes to be withheld from the employee's compensation.

(3) *Employee contributions picked up by city.* Employee contributions picked up by the city shall be paid from the same source of funds used for the payment of compensation to an employee. A deduction shall be made from each employee's compensation equal to the amount of the employee's compensation picked up by the employer. This deduction, however, shall not reduce the employee's compensation for purposes of computing benefits under the retirement system pursuant to this *division.

(4) *Employee contributions credited.*

a. Employee contributions shall be credited to a separate account within the employee's individual account so that the amount contributed prior to the effective date for the pickup of employee's contributions may be distinguished from the amounts contributed on or after the effective date.

b. The contributions, although designated as employee contributions, are being paid by the employer in lieu of the contributions by the employee. The employee will not be given the option of choosing to receive the contributed amounts directly instead of having them paid by the employer to the retirement system.

(b) *City contributions.* The city shall make such contributions as necessary to meet the requirements of the plan. Effective May 1, 1994, the city shall pick up the employee contributions by a reduction in current earnings. Such picked up contributions shall be treated as employer contributions in determining tax treatment under the Internal Revenue Code; however, the contributions so picked up shall be included in earnings for purposes of the plan. Participant contributions which are picked up shall be treated, for all purposes of this plan, in the same manner as participant contributions made prior to May 1, 1994.

(c) *Other contributions.* The **general employee** pension **plan** board ~~of trustees~~ shall receive all appropriations, contributions and interest allowances as may be received from time to time by the city from the state or any other source, and designated specifically for employee pensions.

(d) *Withdrawal from plan.* A member who withdraws from the **general employee** pension plan for any reason, other than retirement, death or disability, may request ~~his~~ **their** accumulated contributions, plus 5 percent interest, be paid to ~~him~~ **them** after such date of withdrawal; provided, however, ~~his~~ **their** contributions shall not be refunded to ~~him~~ **them** earlier than 90 days after receipt of ~~his~~ **their** notarized application for the same.

(e) *Death of ineligible member.* Upon the death of a member not eligible to retire under any provision of this ***division, ~~his~~ **their** employee contributions shall be payable in a single sum to ~~his~~ **their** designated beneficiary or ~~his~~ **their** estate if no designation has been made.

~~(f) *Defined contribution.* Each eligible employee not drawing any retirement benefits from the city as of February 1 of each year who makes an irrevocable decision to join the defined contribution plan shall become a defined contribution plan participant on February 1 of that same year and shall forfeit participation in the city employee's pension plan. A member who withdraws from the pension plan in this manner shall have his accumulated contributions paid to him after such date of withdrawal and he shall forfeit any other payments from the pension plan.~~

(Code 1981, § 2-196; Ord. of 10-12-1982, § 4; Ord. of 12-13-1982; Ord. of 7-11-1983; Ord. of 4-25-1994(2); Ord. of 12-11-1995; Ord. of 7-10-2000; Ord. of 5-12-2003; Ord. No. 2010-13, 6-28-2010)

Sec. ~~2-342~~ 80-519. - City paramedics transferred to county.

Notwithstanding any other provision of this division, all persons employed by the city as paramedics, who are transferred to the county emergency medical services department and who make a written election to remain in the city general employee pension plan, shall continue to be considered eligible employees within the meaning of the pension plan as long as they are employed by the county emergency medical services department. All ~~pension~~ benefits for any such paramedic shall be calculated as if the paramedic had remained a city employee during his employment with the county emergency medical services department.

(Code 1981, § 2-197; Ord. of 8-26-1991)

~~Sec. 2-343. - Limitation on benefits.~~

~~To the extent necessary, the participant's benefit under this plan and all plans of the city shall be limited in accordance with section 415 of the Internal Revenue Code (26 USC 415) and the regulations thereunder, and such code section and regulations shall hereby be incorporated herein.~~

~~(Code 1981, § 2-198; Ord. of 7-26-1993, § 7)~~

~~Sec. 2-344. - Distributions.~~

~~All distributions from this plan shall be made in accordance with section 401(a)(9) of the Internal Revenue Code (26 USC 401(a)(9)) and the regulations thereunder, and such code section and regulations shall hereby be incorporated herein.~~

~~(Code 1981, § 2-199; Ord. of 7-26-1993, § 8)~~

~~Sec. 2-345. - Maximum compensation.~~

~~The maximum earnings utilized for purposes of determining benefits shall be limited in accordance with section 401(a)(17) of the Internal Revenue Code (26 USC 401(a)(17)) and the regulations thereunder, and such code section and regulations shall hereby be incorporated herein.~~

~~(Code 1981, § 2-200; Ord. of 7-26-1993, § 9)~~

~~Secs. 2-346—2-360. - Reserved.~~

~~Subdivision II.~~**Sec. 80-520 ~~–~~ General employee pension plan ~~B~~board ~~of Trustees~~; established; duties.**

~~Sec. 2-361. - Established; duties.~~

There is hereby established a **general employee** pension **plan** board**,** ~~of trustees~~ the duties of which shall be to manage the ~~city~~**general** employee~~s~~ pension plan.

(Code 1968, §§ 2-72, 2-89; Ord. of 1-12-1970; Code 1981, § 2-201; Ord. of 5-22-2000)

Sec. ~~2-362~~80-521. - Composition.

The **general employee** pension **plan** board ~~of trustees~~ shall consist of the following persons:

(1) *Manager.* The city manager.

(2) *City officials.* Two elected city officials who shall be appointed by the council president, subject to confirmation of a voting majority of the city council at its annual meeting.

(3) *Participants.* Three participants or retired participants of the plan who shall be elected by the participants and retired participants of the plan.

(4) *Controller/treasurer.* The city controller/treasurer.

(5) *Election.*

(a) Such election shall be for three-year staggered terms, beginning July 1 and ending June 30 three years later. A regular election for filling these positions will be held the third week of June each year.

(b) In the first week of April of each year, the city clerk shall notify those eligible to vote of the exact time and place of the election. Any general employee pension plan member that is eligible to vote and appears on the listing of qualified voters who will be unable to appear at the polling place on the date and time of the election may cast his or her vote by absentee ballot in the general employee~~(s~~ pension plan election for the following reasons: 1) armed forces, 2) public service, 3) occupation, 4) sickness, 5) disability, 6) religion, 7) vacation, or 8) residency outside of the Dover area which makes it infeasible to vote in person.

(Code 1968, §§ 2-89, 2-90; Ord. of 1-12-1970; Code 1981, § 2-202; Ord. of 5-10-1982; Ord. of 8-23-1982; Ord. of 11-26-1990, § 5; Ord. of 4-25-1994; Ord. of 5-22-2000; Ord. of 10-8-2007(1); Ord. No. 2009-23, 10-26-2009)

Sec. ~~2-363~~ 80-522. - Term of office of members.

The term of office of each member of the **general employee** pension **plan** board ~~of trustees~~, except the city controller/treasurer, city manager, and elected city officials, shall commence on the first day of the month following ~~his~~ **their** election and continue for a period of three years or until ~~his~~ **their** successor shall be elected and qualified.

(Code 1968, § 2-91; Ord. of 1-12-1970; Code 1981, § 2-203; Ord. of 8-23-1982; Ord. of 4-25-1994; Ord. of 5-22-2000; Ord. No. 2009-23, 10-26-2009)

Sec. ~~2-364~~ 80-523. - Officers and ex officio members.

The **general employee** pension **plan** board ~~of trustees~~ shall elect a chairperson~~, a vice-chairperson who shall serve when the chairperson is absent, a secretary and a treasurer or fiscal agent designated by the pension board~~. The city controller/treasurer shall be the pension fund treasurer and ~~his~~ **their** bond shall cover all monies deposited with ~~him~~ **them**.

(Code 1968, § 2-1992; Ord. of 1-12-1970; Code 1981, § 2-204; Ord. of 4-25-1994; Ord. of 5-22-2000; Ord. No. 2009-23, 10-26-2009)

Sec. ~~2-365~~ 80-524. - Vacancies.

If a vacancy occurs in the offices of the **general employee** pension **plan** board ~~of trustees~~, the vacancy shall be filled for the unexpired term within 60 days and in the same manner as the office was originally filled. Should a member of the pension **plan** board ~~of trustees~~ cease to be in the employ of the city, other than by retiring in accordance with this *division, ~~his~~ **their** office as a member of the board shall be declared vacant.

(Code 1968, § 2-95; Ord. of 1-12-1970; Code 1981, § 2-205; Ord. of 5-22-2000; Ord. of 10-8-2007(2))

Sec. ~~2-366~~ 80-525. - Compensation of members.

Members of the **general employee** pension **plan** board ~~of trustees~~ shall serve without compensation.

(Code 1968, § 2-89; Ord. of 1-12-1970; Code 1981, § 2-206; Ord. of 5-22-2000)

Sec. ~~2-367~~ 80-526. - Meetings.

The **general employee** pension **plan** board ~~of trustees~~ shall make all rules as to the time and place of meetings; and a majority of its membership shall be required to transact pension board business.

(Code 1968, § 2-94; Ord. of 1-12-1970; Code 1981, § 2-207; Ord. of 5-22-2000)

Sec. ~~2-368~~ 80-527. - Powers.

The **general employee** pension **plan** board~~ of trustees~~, in administering the pension plan, shall have the following powers in carrying out the purposes thereof:

(1) *Payment of funds.* To pay funds to those entitled to receive them. The ~~pension board chairperson~~ **controller/treasurer** shall sign all vouchers for the disbursements of the funds and ~~his written order shall fully protect the pension board treasurer or fiscal agent designated by the pension board in the payment of those funds~~**shall report to the general employee pension board all financial transactions on an annual basis**;

(2) *Purchase annuity contracts.* To purchase and pay the costs of group annuity contracts from any insurance company for the benefit of participants;

(3) *Employment of agents, employees, etc.* To employ agents, employees or experts to assist the pension board ~~of trustees~~ in carrying out the provisions of this *division, including an agent to advise and make recommendations concerning the investment of funds, and to pay reasonable compensation for those services, and the compensation may be paid from income or corpus of

the pension fund or by direct appropriation by the city council as the pension board ~~of trustees~~ and the city council may determine;

(4) *Investments.* To invest and reinvest money in the pension fund, without any limitation, in United States or state municipal bonds or group annuity contracts. Money in the pension fund may also be invested and reinvested in other types of bonds, stocks, and securities to the extent the pension board ~~of trustees~~ may deem best and as is not prohibited by any law now or hereafter in force limiting the investments of the trustees. The pension board ~~of trustees~~ may from time to time change the investments of the fund and, to this end, may make sales of any investment privately, without advertisement and without the necessity of any court order, upon the terms that the pension board deems proper. The funds and investments may also be from time to time turned over to and placed in the custody of any fiscal agent designated by the pension board;

(5) *Contracts.* To generally contract in matters relevant to effectuating and achieving the purposes of this plan;

(6) *Pension benefits.* To receive and pay out pension benefits in accordance with the provisions of this *division, or designate a fiscal agent to receive and pay out the pension benefits;

(7) *Rules and regulations.* To make rules and regulations as may be necessary to effectuate this *subdivision.

(Code 1968, § 2-93; Ord. of 1-12-1970; Code 1981, § 2-208; Ord. of 5-22-2000; Ord. of 5-12-2003; Ord. No. 2010-13, 6-28-2010)

Sec. ~~2-369~~ 80-528. - City solicitor to render legal services.

The city solicitor shall render whatever legal service the **general employee** pension **plan** board ~~of trustees~~ shall require.

(Code 1968, § 2-115; Ord. of 1-12-1970; Code 1981, § 2-209; Ord. of 5-22-2000)

Sec. ~~2-370~~ 80-529. - Appeals.

Any employee dissatisfied with the action of the **general employee** pension **plan** board ~~of trustees~~ shall have the right to appeal to the city council within 30 days from the date of formal notification of that action.

(Code 1968, § 2-116; Ord. of 1-12-1970; Code 1981, § 2-210; Ord. of 5-22-2000)

~~Secs. 2-371—2-390. - Reserved.~~ **Sec. 80-530-80-599. – Reserved.**

~~DIVISION 8. - DEFERRED COMPENSATION PLAN~~

~~Sec. 2-391. - Definitions; interpretation.~~

(a) *Terms defined.* As indicated in this division, unless the context otherwise clearly indicates or the deferred compensation plans contradict, the following terms shall mean as indicated below:

Eligible employee means any person regularly employed in rendering service to the city on a full-time basis who is not participating in any retirement plan to which the city contributes for them and whose compensation is paid directly by the city. An employee will be considered a full-time employee if he/she regularly works 40 hours each week.

Participant means any eligible employee of the city who has met all of the requirements for participation in the deferred compensation plan and has, upon employment, made an irrevocable election to participate in the deferred compensation plan as defined in this subsection (a) and who has satisfied all the conditions and requirements set forth in this division and in the provisions of the plans.

(b) *Interpretation.* As originally enacted, the deferred compensation plan was a part of the general employee pension plan. The two plans have now been legislatively separated. In the event that it is determined that the separation of the two plans has caused any ambiguity, then reference is made to the applicable provisions of the general employee pension plan in defining, implementing, interpreting, and administering the deferred compensation plan. **(Moved to Sec. 80-453.)**

(Code 1981, § 2-211; Ord. of 4-25-1994; Ord. of 5-22-2000; Ord. of 6-12-2000; Ord. of 7-10-2000; Ord. of 9-11-2000; Ord. No. 2016-10 , 6-13-2016)

Sec. 2-392. - Established; purpose.

There is hereby established the city employee deferred compensation plan. The purpose of the plan is to establish the basic terms and conditions under which employees shall participate in this plan. Further details, terms and conditions under which retirement, termination, and survivor benefits shall be provided to eligible employees are defined in the deferred compensation plan.

(Code 1981, § 2-212; Ord. of 4-25-1994; Ord. of 5-22-2000; Ord. of 6-12-2000; Ord. of 7-10-2000; Ord. of 9-11-2000)

Sec. 2-393. - Eligibility of participants.

Each eligible employee not drawing any retirement benefits from the city as of May 1, 1994, who makes an irrevocable decision to join the deferred compensation plan, shall, upon compliance with the provisions of this division, become a deferred compensation plan participant on May 1, 1994. Thereafter, each eligible employee who selects the deferred compensation plan upon employment shall become a participant in accordance with the plan. All new employees, except police officers, hired after September 28, 2009 are required to join the defined contribution pension plan as defined in subsection 2-324.

(Code 1981, § 2-213; Ord. of 4-25-1994; Ord. of 5-22-2000; Ord. of 7-10-2000; Ord. No. 2016-10 , 6-13-2016)

Sec. 2-394. - Contributions.

~~(a) *Employee contributions.* For each year while a participant of the deferred compensation plan, a participant shall contribute, by payroll deductions, a percentage of his/her compensation as defined in the deferred compensation plan, which shall be a participant's base pay, plus scheduled overtime, payment for being on call, except those hours reported for being called out, and any retroactive pay corrections which involve any one of the mentioned payments, up to the legal limits as defined in the deferred compensation plan.~~

~~(b) *Employer contributions.* The city shall contribute an amount equal to each individual's employee contributions, to a maximum percentage of an employee's compensation as defined in the deferred compensation plan, which shall be a participant's base pay, plus scheduled overtime, payment for being on call, except those hours reported for being called out, and any retroactive pay corrections which involve any one of the mentioned payments for each participant.~~

~~(c) *Treatment.* Treatment of contributions shall be handled in accordance with federal and state laws and the applicable provisions of section 2-341 pertaining to the general employee pension plan.~~

~~(Code 1981, § 2-214; Ord. of 4-25-1994; Ord. of 5-22-2000; Ord. of 6-12-2000; Ord. of 7-10-2000; Ord. of 9-11-2000; Ord. No. 2016-10, 6-13-2016)~~

~~Secs. 2-395—2-420. - Reserved.~~

DIVISION 4. – MONEY PURCHASE PLAN (IRC 401(A))

Sec. 80-600. - Established; purpose.

There is hereby established a Money Purchase Plan (IRC 401 (a)). The purpose of the plan is to provide pension (retirement) benefits and to establish the basic terms and conditions under which employees shall participate in this plan. Terms and conditions under which retirement, disability, termination, and survivor benefits shall be provided to eligible employees are defined in the Money Purchase Plan documents. The benefits under the plan shall be in addition to amounts received as social security benefits or from any other employers pension plan.

Sec. 80-601. - For employee exclusively.

This plan is created for the exclusive benefit of the employees of the city and shall be interpreted in a manner consistent with it being an employee's trust, as defined in section 401(a) of the Internal Revenue Code (26 USC 401(a)). Therefore, under no circumstances shall any funds contributed to this plan or any assets of the plan or trust ever revert to or be used or enjoyed by the city, nor shall any such funds or assets ever be used other than for the benefits of the employees of the city and their beneficiaries, prior to the satisfaction of all liabilities under this plan to the employees.

Sec. 80-602. - Eligibility of participants.

Each eligible employee not drawing any retirement benefits from the city as of May 1, 1994, who makes an irrevocable decision to join the Money Purchase Plan, shall, upon compliance with the provisions of this division, become a Money Purchase Plan participant and shall forfeit participation in the general employee pension plan. A member who withdraws from the general employee pension plan in this manner shall have his/her accumulated contributions paid to him/her after such date of withdrawal and he/she shall forfeit any other payments from the general employee pension plan. Thereafter, each eligible employee who selects the Money Purchase Plan upon employment shall become a participant in accordance with the plan.

Sec. 80-603. - Participation mandatory; exceptions.

Each eligible employee not drawing any retirement benefits from the city as of February 1 of each year who makes an irrevocable decision to join the Money Purchase Plan shall become a plan participant on February 1 of that same year and shall forfeit participation in the general employee pension plan. A member who withdraws from the pension plan in this manner shall have his accumulated contributions paid to him after such date of withdrawal and he shall forfeit any other payments from the general employee pension plan.

The Money Purchase Plan shall not be construed to give any employee the right to be retained in the employ of the city. All employees hired after September 28, 2009, except those police officers who are participating in the State of Delaware pension plan, shall be required, as a condition of employment, to join the Money Purchase Plan.

Sec. 80-604. - Defraudment.

It shall be unlawful for any person to knowingly make any false statement or falsify, or permit to be falsified, any record of the pension plan in an attempt to defraud the plan.

Sec. 80-605. - Contributions.

(a) Employee contributions. For each year while a participant of the Money Purchase Plan, a participant shall contribute, by payroll deductions, a percentage of their compensation, in accordance with the applicable collective bargaining agreements or Money Purchase Plan documents.

For each year while also a participant of the deferred compensation plan, a participant may elect to contribute, by payroll deductions, a percentage of their compensation, which shall be a participant's base pay, plus scheduled overtime, payment for being on-call, except those hours reported for being called out, and any retroactive pay corrections which involve any one of the mentioned payments, up to the legal limits as defined in the collective bargaining agreement or personnel policy.

Employee contributions picked up by the city shall be paid from the same source of funds used for the payment of compensation to an employee. A deduction shall be made from each employee's compensation equal to the amount of the employee's compensation picked up by the employer. This deduction, however, shall not reduce the employee's compensation for purposes of computing benefits under the retirement system pursuant to this division.

(b) Employer contributions. The city shall contribute an amount equal to each individual's employee contributions, in accordance with the appropriate collective bargaining agreements or Money Purchase Plan documents.

The city, pursuant to the provisions of section 414(h)(2) of the United States Internal Revenue Code (26 USC 414(h)(2)), shall pick up and pay the contributions which would otherwise be payable by the employee under this section. The contributions so picked up shall be treated as employer contributions for purposes of determining the amounts of federal income taxes to be withheld from the employee's compensation.

(c) Treatment. Treatment of contributions shall be handled in accordance with federal and state laws.

Sec. 80-605-80-699. - Reserved.

~~ARTICLE VI~~**DIVISION 5. - OTHER POST-EMPLOYMENT BENEFITS ~~FUND~~ (OPEB)**

~~Sec. 2-501. - Definitions.~~

~~*Board* means the board of trustees of the other post employment benefits trust as established by this article.~~

~~*OPEB fund* means the other post-employment benefits fund established by section 2-502.~~ **(Moved to definitions in Article I – In General, Sec. 80-1 – Definitions)**

(Ord. No. 2009-10, 5-11-2009)

Sec. ~~2-502~~80-700. - ~~Establishment of~~ OPEB fund~~.~~; established.

(a) There shall be established an OPEB fund, a trust fund, separate and distinct from the **General Employee Pension** fund~~s~~ **and the Police Pension fund,** ~~established under chapter 2, article IV, division 7, and chapter 62, article III of the City of Dover Code of Ordinances,~~ the contributions to which are subject to city appropriations and rules regarding employer and/or employee contributions as may be promulgated, changed or amended from time to time, and to which earnings on investments, refunds and reimbursements shall be deposited upon receipt, and from which the city's premiums shall be paid, and any fees and expenses authorized by the board shall be paid. No money shall be disbursed from this fund except for the purpose of payment of the city's premiums for postretirement health insurance for ~~employees~~ retired **employees** ~~under chapters 2 and 62~~**, Medicare B**

premiums for eligible employees, and actuarial and investment consulting fees.

(b) The amounts remaining in the OPEB fund, if any, after all premiums, fees, and expenses have been paid for any year shall be retained in such trust for future payments until all city liabilities for post-retirement health insurance premium benefits have been satisfied.

(c) The OPEB fund shall be an irrevocable trust exempt from federal income tax under § 115 of the Internal Revenue Code [26 U.S.C. § 115], remote from city creditors, and subject to the financial reporting, disclosure and actuarial requirements of ~~g~~**G**overnment ~~a~~**A**ccounting ~~s~~**S**tandards ~~b~~**B**oard ~~s~~**S**tatements 43 and 45 or any subsequent ~~g~~**G**overnment ~~a~~**A**ccounting ~~s~~**S**tandards ~~b~~**B**oard updates or statements that may be applicable.

(Ord. No. 2009-10, 5-11-2009)

Sec. ~~2-503~~ 80-701. - ~~Management of the OPEB fund~~ OPEB Board; established; duties.

(a) The board shall be comprised of the controller/treasurer, human resources director, city manager, and two elected city officials. This board shall adopt a trust agreement for the OPEB fund ~~(~~and may amend the trust agreement from time to time~~)~~, shall take all actions necessary and appropriate to establish and maintain the OPEB fund, and shall have control and management of the OPEB fund and may utilize its powers pursuant to this chapter in the administration of the OPEB fund.

(b) The board shall take the actions necessary and appropriate to establish and maintain the OPEB fund as a trust that is exempt from taxation under Internal Revenue Code § 115 [26 U.S.C. § 115]. The trust shall be maintained and administered by the board solely for the benefit of participants, retirees, and beneficiaries by providing payments for retiree health insurance for medical care in compliance with Internal Revenue Code § 105 [26 U.S.C. § 105] and with this chapter as presented and verified by representatives and/or retiree health insurance service providers of the city.

(c) The board shall have no ability or responsibility for setting benefit levels, handling claims, or arbitrating, mediating or otherwise adjudicating claims appeals. Those responsibilities continue to be handled in accordance with the personnel policies of the city.

(d) The city shall indemnify a board member in the additional duties contained in this chapter pertaining to the administration and management of the OPEB fund or to sit on a committee of the board who was or is a party or is threatened to be made a party to any threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative or investigative by reason of the fact that the board member is or was a board member against expenses**,** ~~(~~including attorneys' fees if the city solicitor determines that the city solicitor may not provide representation~~)~~, judgments, fines and amounts paid in settlement actually and reasonably incurred by that board member in connection with such action, suit or proceeding, if the board member acted in good faith and in a manner the board member reasonably

believed to be in the best interest of the city and with respect to any criminal action or proceeding had no reasonable cause to believe that board member's own conduct was unlawful. Expenses incurred in defending a civil, administrative or investigative action, suit or proceeding shall be paid by the city in advance of final disposition of such action, suit or proceeding if:

(1) Initially authorized by a majority vote of the board exclusive of the member or members to be indemnified unless more than a majority of the board shall also be parties to the same action, suit or proceeding, in which instance, such authorization shall be by the ~~C~~**c**ity ~~C~~**c**ouncil of the City of Dover; and

(2) Such board member agrees to repay such amount if it is ultimately determined by the board or the city council, as the case may be, pursuant to paragraph (1) that such member is not entitled to indemnification under this section.

(Ord. No. 2009-10, 5-11-2009)

Sec. ~~2-504~~ 80-702. - Actuarial valuations.

(a) The actuary shall prepare a~~n~~ **biennial** actuarial valuation of the assets and liabilities of the OPEB fund ~~as of June 30 each year~~ **as prescribed by the Governmental Accounting Standards Board**. On the basis of reasonable actuarial assumptions and tables approved by the board, the actuary shall determine:

(1) The city's annual ~~required~~ **determined** contribution for payment of the city's premiums for post-~~-~~retirement health insurance for employees under the personnel policies of the city;

(2) Any unfunded actuarial accrued liability.

(b) The city anticipates making contributions to the OPEB fund in such a manner that it will ultimately contribute its full annual ~~required~~ **determined** contribution within a period of years. In the interim, use of the OPEB fund assets to pay retiree health-care-related premiums will be subject to the appropriations process of the city and the contribution and distribution processes necessary to carry out the efficient processing of retiree premium payments by the city. It is further anticipated that for auditing and reporting convenience, each current year's retiree healthcare expenses will be contributed and distributed from the OPEB fund without respect to whether the full annual required contribution has been deposited.

(Ord. No. 2009-10, 5-11-2009)

Sec. 80-703. – Post-retirement benefits.

(a) *Retiree health care*.

Health care shall be provided in accordance with the appropriate collective bargaining agreement or City of Dover Personnel Policy.

The City shall provide group hospital, surgical, and health insurance coverage for eligible retired employees and their families in accordance with the appropriate

collective bargaining agreement or City of Dover Personnel Policy. The cost of dependent care coverage in retirement is the retiree's responsibility. This applies to all retirees, unless otherwise specified in employee labor agreements.

(1) *Eligibility*. Employees retiring under the following conditions may be eligible for retiree health care:

a. *Normal retirement*. The normal retirement date for each participant shall be the first day of the month following the attainment of the age of 65 years, provided that he has completed ten years of continuous service.

b. *Early retirement*.

(1) *Age 55 with 10 years of service.* A participant who has completed ten years of continuous service and who has attained the age of 55 years may retire at any time within the ten years preceding his normal retirement date.

(2) *Hired May 1, 1994, or later*. For eligible employees hired on or after May 1, 1994, a participant who has attained the age of 55 years, and whose attained age plus years of continuous service is equal to or greater than 80.

(3) *Hired before May 1, 1994*. For eligible employees hired before May 1, 1994, a participant who has completed 25 years of continuous service, or has attained the age of 50 years and completed 20 years of continuous service.

(4) *Permanent disability.* Any employee who, after completing at least ten years of continuous service, shall be injured or whose health shall become permanently impaired to such an extent as to render him/her totally and permanently disabled, shall be eligible upon application to the Human Resources Director and approval by the City Manager.

(5) *Later Retirement.* If a participant works beyond his normal retirement date, the participant's post-employment benefits shall be deferred until his actual retirement.

~~**Sec. 2-505.**~~**(b) ~~-~~ Medicare part B premium reimbursements.**

Effective July 27, 2009, Medicare Part B premium reimbursement was discontinued for non-bargaining employees hired after that date. Employees hired on or before July 27, 2009 who were not previously entitled to Medicare Part B premium reimbursement **and** who were promoted or transferred to a non-bargaining position after May 28, 2013 (date of adoption), shall not be entitled to the reimbursement.

The city will ~~continue the practice of providing~~ **provide the standard** Medicare Part B premium reimbursement for non-bargaining employees hired on or before July 27, 2009 and those eligible due to promotion or transfer to a non-bargaining position on or before May 28, 2013 (date of adoption), with the understanding that it is not considered a vested right and can be changed or eliminated by council at any time by ordinance or resolution enacted to that effect and, further, as required by Section 3 of the Charter, that the fund for payment of the costs of such premium reimbursement shall be continued, as in the past.

(Ord. No. 2010-05, 4-12-2010; Ord. No. 2013-07, 5-28-2013)

ADOPTED: *

S:\Ordinances\2017\Ordinance #2017-03 – New Chapter 80 - Personnel

SYNOPSIS

The Proposed Ordinance consolidates all pension related ordinances into a new Chapter 80 - Personnel

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(SPONSORS: COLE, HOSFELT, AND HUTCHISON)

Actions History

01/10/2016 - Scheduled for Introduction at Legislative, Finance, and Administration Committee