REGULAR COUNCIL MEETING

The Regular Council Meeting was held on March 13, 2017 at 7:30 p.m. with Council President Slavin presiding. Council members present were Mr. Anderson, Mr. Sudler, Mr. Neil, Mr. Lewis, Mr. Cole, Mr. Hosfelt, Mr. Hare, and Mr. Hutchison.

Council staff members present were Deputy Police Chief Mailey, Mrs. Mitchell, Mr. Koenig, Mrs. Townshend, Fire Chief Carey, City Solicitor Rodriguez, and Mrs. McDowell. Mayor Christiansen was absent.

OPEN FORUM

The Open Forum was held at 7:00 p.m., prior to commencement of the Official Council Meeting. Council President Slavin declared the Open Forum in session and reminded those present that Council was not in official session and could not take formal action.

Ms. Katrina Stubbs, speaking about the homeless situation, advised that the process to get into a shelter or low income housing is very long, and she did not know what could be done to speed up the process. She stated that she works two part-time jobs, and she is still homeless. Ms. Stubbs advised that, because she is not recovering from drugs or alcohol and does not have children, she does not qualify because she is considered able-bodied. She stated that she has been interviewing and looking for full-time employment but she is still homeless and without full-time employment. Council President Slavin advised that the Blue Ribbon Commission on Homelessness was looking at these situations and he requested Councilman Lewis to speak with Ms. Stubbs.

Reverend Robert D. Appling advised that his son, Pastor Aaron Appling, was doing missionary work in the Philippines, feeding 300 children a day. He advised that, during the previous meeting, a homeless veteran was sitting in front of him and, when his name was called, he was too traumatized to speak. Reverend Appling noted that people like that really need help.

Reverend Appling stated that his wife works about 40 or 50 hours a week transporting homeless people to various places and noted that many of these people are falling between the cracks because they cannot follow through with getting assistance. He advised that they have no transportation, and some are mentally incapable of keeping appointments at a scheduled time at a certain place. Reverend Appling suggested that homeless people need help getting to the help that they need. He also noted that his wife assisted a veteran that was going to be put in jail because he was back on his child support, and she was successful in keeping him out of jail temporarily

Mr. Steven Hall stated that he was honored and grateful for the committee that the Mayor put together. He advised that he had a good job, a nice home, two (2) cars, and was a tax-paying citizen and somewhat of a pillar of the community. Mr. Hall stated that it was very frustrating to see people that are in addictions of various kinds who are getting housing, and that if you are not an addict of any kind, you have nothing. He advised that he had received a letter denying his disability, so he still had no income and was still waiting for people to call him for a job and asked for prayers.

Mr. Eric Abernathy stated that he was there as an advocate for the homeless and they were asking for some help. He advised that he was a veteran and was formerly homeless but now stays with

family. Mr. Abernathy noted that there are many people out there in very worse condition than he is and they need help.

Mr. Steven French stated that the homeless need a home and they need it now because it is getting way too cold.

Mr. David Wilkins stated that he grew up in a Christian home, was married twice, divorced twice, lost his driving license, and ended up becoming homeless. He advised that he lived in a building owned by Reverend Appling, and he and Aaron Appling offered him work; however, he was having trouble getting work because everyone knew he was homeless. Mr. Wilkins stated that he is back into productive society and has lived clean for five (5) years. He thanked Victory Church and the patrons of Victory Church for helping those in need.

The invocation was given by Bishop Thomas L. Holsey, followed by the Pledge of Allegiance.

AGENDA ADDITIONS/DELETIONS

Mr. Anderson requested the addition of a new item #6 - Cancellation of March 14, 2017 Council Committee of the Whole Meeting.

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

Mr. Lewis requested that item #4A(1) - Council Committee of the Whole Report - February 28, 2017, Safety Advisory and Transportation Committee, Presentation by C. David Jamison - Speed Control Measures - Independence Boulevard, be removed from the Consent Agenda.

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

ADOPTION OF MINUTES - COUNCIL RETREAT OF JANUARY 6, 2017

The Minutes of the Council Retreat of January 6, 2017 were unanimously approved by motion of Mr. Neil, seconded by Mr. Lewis and bore the written approval of Mayor Christiansen.

ADOPTION OF MINUTES - SPECIAL COUNCIL MEETING OF FEBRUARY 27, 2017

The Minutes of the Special Council Meeting of February 27, 2017 were unanimously approved by motion of Mr. Neil, seconded by Mr. Lewis and bore the written approval of Mayor Christiansen.

ADOPTION OF MINUTES - REGULAR COUNCIL MEETING OF FEBRUARY 27, 2017

The Minutes of the Regular Council Meeting of February 27, 2017 were unanimously approved by motion of Mr. Neil, seconded by Mr. Lewis and bore the written approval of Mayor Christiansen.

ECONOMIC DEVELOPMENT COMMITTEE REPORT - FEBRUARY 8, 2017

The Economic Development Committee met on February 8, 2017 at 2:01 p.m. with Mayor Christiansen presiding. Members present were Councilman Cole; Mr. Koenig, City Manager; Mrs. Ann Marie Townshend, Director of Planning and Community Development; Mr. Gregory Moore, President, Downtown Dover Partnership (DDP) Board of Directors; and Mr. K.C. Sheth. Councilman Hare and Mr. Hammond were absent.

Mayor Christiansen welcomed Mr. Sheth as a new member of the Committee.

Economic Development Committee Transition Discussion

During their meeting of September 13, 2016, the Committee considered the Economic Development Committee Transition Discussion and deferred this matter due to time constraints.

Review Purpose of Committee and Adopt a Goal/Vision

Mayor Christiansen stated that the purpose of the Committee reflected the need, as a body politic, to address the economic development needs of the City, provide for that economic development, and create meaningful, well-paying jobs for citizens, as well as to look into workforce development and incubation of small and large businesses alike. He stated that one (1) of the main focuses of the organization should be marketing the Downtown Development District (DDD), the Bay Road area, and the Garrison Oak Technology Park.

Mrs. Townshend informed members that staff would begin updating the City's Comprehensive Plan later this year and noted that a chapter of this plan deals with, and lays out strategies for economic development. She stated that she would look to have this Committee involved in updating this chapter of the plan and the outreach related to the development of that chapter, not in the immediate future, but when staff gets to this point. Mayor Christiansen indicated that he thought that would be appropriate.

Mr. Koenig stated that economic development relates to new business and new facilities, but also to getting rid of vacancies and existing buildings if possible, and he noted the benefit of fostering redevelopment of existing parcels. He also mentioned temporary or permanent incentives to development, as well as trying to identify particular industries that the City would like to see added to its business mix that might be a benefit, not just to Dover but also to Kent County.

Mayor Christiansen stated that the goal and vision of the Committee should be to continue to be a driver for new business. He noted that retention of current business sometimes gets lost in the mix and stated that he would like to add this to the goal, vision, and purpose of the Committee.

Mrs. Townshend indicated that it should be made clear that retention of business extends beyond just business and noted that there are a number of public and non-profit sector employers that are significant to the City. She stated that the City would not want to lose entities such as the State of Delaware offices and any of the large employers. Mayor Christiansen suggested using the term "employers" rather than "businesses," noting that this would include major, minor, future, and existing employers and would be a good generic term.

Identify Challenges to the Goal/Vision and Develop Strategies

Mrs. Townshend advised that one (1) of the challenges to the vision would be communication. She indicated that when she attends Restoring Central Dover meetings, she is regularly asked about the City's new economic development structure. Mrs. Townshend stated that the business community also probably wants to have a sense of where to go since there is no longer a City Economic Development Office.

Mayor Christiansen stated that the Chamber of Commerce had called and asked to attend Economic Development Committee meetings so that there is not duplication of efforts.

Mrs. Townshend informed members that the economic development page on the City's website goes back to the time when the City had staffing for economic development. She suggested looking at what members wanted under economic development for the website, so that someone who knows nothing about Dover and clicks on economic development would get information regarding where to start, rather than calling an office that is no longer there.

Mayor Christiansen asked Mr. Koenig if anybody on staff could feed current information into that portion of the City's website. Responding, Mr. Koenig stated that Mr. Kirby Hudson, Assistant City Manager, would be working on this.

Mr. Cole noted that one (1) of the challenges would be existing building vacancies.

Mayor Christiansen asked if there was a current inventory of vacant buildings downtown and throughout the City. In response, Mrs. Townshend indicated that there is a vacant building registration that monitors the fact that buildings are vacant but does not give details on condition. She noted that staff inspects buildings to make sure they are secure and that most of the vacant buildings at this point would probably need an architect in order to be re-occupied. Mrs. Townshend advised that a building that has been vacant for five (5) years or a decade typically has some deterioration, and there is a challenge because a lot of these buildings are not turnkey space.

Mr. Koenig noted that the vacant building registry would not be a full inventory, because there may be vacant commercial properties that are listed with a commercial

realtor. Mrs. Townshend stated that these properties would still be on the list. Mr. Koenig commented that the realtors' inventory changes quickly.

Mrs. Townshend advised that if part of a building is vacant, it would not be registered. She explained, for instance, that a lot of commercial vacancies downtown had occupied apartments above them; however, they are not part of the vacant building registration, which only includes buildings that are fully vacant. Responding to Mayor Christiansen regarding whether there was a way to remedy this, Mr. Koenig advised that there was no easy way to do so. Mrs. Townshend commented that this could only be remedied through the code; however, the code had been changed to create this exception. She explained that staff had received a lot of negative feedback from the real estate community because realtors did not believe it was necessary to register properties that had vacant commercial space but also people living in them. Mrs. Townshend indicated that the code had been changed to accommodate this; however, it could be changed back through the action of Council.

Mr. Donald Rowe stated that he is one-half of the team that owns TR Nail Spa at 1188 Forrest Avenue. He asked if the properties on the vacant building list were split between office spaces and warehouses and if warehouses were also available on the list to be reviewed. Responding, Mr. Koenig advised that it is difficult for the City to manage the information on the list, noting that there is a requirement to register vacant buildings, but this is not a register that someone would consult to find space. He suggested contacting a commercial realtor who could take someone through spaces, show the pros and cons of each space, and be able to talk about cost. Mr. Koenig explained that the City may know when a space was vacated but not the history of the space, its quality from a rental standpoint, and if this is a space where someone would like their business to go. Mr. Koenig indicated that commercial realtors can be depended on for lists of available spaces and to know what the market is doing. He informed members that the City has a very generic registry that is not a depository of the best information to help someone to make a decision whether a space suits them.

Ms. TR Rowe, TR Nail Spa, asked if the City could go to the Multiple Listing Service (MLS) and ask for this information. Responding, Mr. Koenig explained that an individual could do this. He noted that if the City did this, the City would have to be in the process of updating this information all the time, which is not a business line that the City had been in.

Mrs. Townshend explained that the vacant building ordinance was created as part of the City's code enforcement program and is managed under this program. She noted that genesis of the ordinance was in monitoring the buildings, keeping an inventory, and collecting fees to try to discourage people from keeping buildings needlessly vacant. Mrs. Townshend advised that the registry is just a list of addresses and does not distinguish between a house, a commercial building, or a warehouse. She stated that there are registered vacant buildings of all of those varieties, but this cannot be determined by looking at the list. She indicated that she was unsure if the City's

Naviline system could be set up to do this if this was something that Council desired, noting that this would be a very large task.

Ms. Rowe asked if a building could be listed on two (2) different registries and if buildings downtown that have a vacant business and also apartments are listed as business or residential. In response, Mrs. Townshend indicated that vacant buildings are listed only as vacant and the City's level of inventory does not include information regarding whether the property is business or residential.

Mr. Rowe asked if realtors who own properties are required to register properties through the City. He questioned if someone driving who saw a sign posted could have come to the City as a starting point to find information about a building, not necessarily its condition or what was needed to bring it up to code. Responding, Mrs. Townshend advised that most of the vacant buildings are not owned by realtors but by individuals, LLCs, or banks. She indicated that the City has information about who the responsible party is that owns the property and may or may not have information regarding who has listed it.

Ms. Rowe stated her understanding that someone coming to the City who was looking for buildings would have to go to a realtor who would hopefully know all the vacant buildings or businesses, and this person could not click on a City page that would show the locations of vacant businesses. In response, Mr. Koenig stated that he, personally, would suggest that they go to a realtor, because they would then be connected with a broker or agent who would work tirelessly to put them in a space. He explained that realtors would work 24/7 and call their contacts and everybody who could put them in a space. Mr. Koenig advised that the City only knows what is registered as vacant. He advised that if something came up the day before, it may not be required to be on the City's vacant building registry yet. He pointed out that calling the City versus a realtor could cause someone to miss an opportunity because the City would not know about this vacancy yet.

Ms. Rowe asked what City areas are eligible for incentives. She noted that Route 8 was a country area with cornfields when she was growing up, but now it is considered the City of Dover. She advised that she had not received incentives and asked where the incentive area starts and ends. In response, Mrs. Townshend explained that there are a number of sets of incentives, including some that apply in the downtown area. Ms. Rowe was provided a brochure regarding the Downtown Development District (DDD) Program that included a map of the downtown area. Mrs. Townshend stated that there is a set of incentives for vacant commercial and industrial buildings that provide some relief of the building permit fee, tax relief on the value of improvements, and a discount for applicable impact fees for commercial and industrial buildings that are over 5,000 square feet.

In response to Ms. Rowe, Mrs. Townshend explained that DDD incentives are separate from the incentives for vacant commercial and industrial buildings. She

stated that any building in the DDD district can qualify for incentives; however, the incentive with the 5,000 square foot limitation could apply outside of the DDD.

Mr. Koenig advised that it is best to set up a meeting with staff to go over all the incentives, because they vary depending on location within in the City. He stated that information regarding incentives is on the City's website and staff had reviewed incentive information with realtors, although realtors change and they may not always have current information. Mr. Koenig suggested setting up an appointment to go over the individual incentive packages, especially if there is an idea of an actual property where there is interest, noting that this is very much a one-on-one conversation.

Mr. Koenig stated that, during the Council Retreat held on January 6, 2017, members discussed a business ombudsman position, which would potentially be a new position created in a future budget. He explained that people could make an appointment to see the ombudsman, explain what they want to do, and find out what incentives the City has to offer. Mr. Koenig advised that a businessperson could bring in their representatives, such as a real estate agent, engineer, or others representing their interests, and meet with a number of different staff people. He advised that the City does not have an ombudsman right now; however, there were many members of staff who could at least get Mr. and Ms. Rowe through the first couple of steps. Mr. Koenig indicated that one (1) of the current problems at the staff level was that people come in with an idea but do not bring in all the information, which in many cases they do not have. He stated that they may not have their agent or engineer with them, and everyone tries to make notes that may not make sense when they go back to review them. Mr. Koenig explained that the City was in a transition, reiterating that there had been discussion at the Council retreat about potentially having a person who could help people navigate some of the regulatory hurdles of opening a business, reach out to more people, and get more small businesses interested in the City of Dover.

Ms. Rowe indicated that approximately five (5) staff members had come to her business. She stated that they did not have complete information, noting that some of them thought that she was eligible for the incentives. Ms. Rowe advised that she had a representative from every facet that she would need to make her business come to fruition. Mrs. Townshend stated that there had been staff there from the regulatory end but not the incentive end. She noted that the business was just outside the DDD.

Mayor Christiansen suggested considering the expansion of the incentive district in the future. Responding, Mrs. Townshend advised that, under the State program, the City was limited to 225 acres for the DDD program and was maxed out.

In response to Mayor Christiansen regarding other City incentives, Mr. Koenig advised that these incentives were at the pleasure of Council. Mayor Christiansen stated that Mr. and Ms. Rowe could appeal to Council through the Economic Development Committee, and Ms. Rowe asked for the process for this.

Mrs. Townshend advised that this would require a legislative change and that this was something that could come out of the Committee.

Mayor Christiansen asked Ms. Rowe to write a letter to the Economic Development Committee making her request.

Mrs. Townshend stated that TR Rowe Nail Spa was under 5,000 square feet, and Ms. Rowe confirmed this. Mrs. Townshend advised that if the business was larger than 5,000 square feet, it would have been eligible for one (1) set of incentives, so it may be a matter of reviewing the current 5,000 square foot threshold.

Organizational Items

During their meeting of September 13, 2016, the Committee considered the Economic Development Committee Transition Discussion and deferred this matter, due to time constraints.

Identify Meeting Roles

Mayor Christiansen advised that he would be a non-voting, ex officio member of the Committee, as specified by Council. He noted that Councilman Hare would represent the Legislative, Finance, and Administration Committee, Councilman Cole would represent the Utility Committee, Mr. Koenig would serve on the Committee as City Manager, Mrs. Townshend would represent the Planning Office, and Mr. Hammond and Mr. Sheth were citizen members. He explained that the Committee was established by Council's action in 2016 and the structure was amended by adding additional members. Mayor Christiansen stated that the Economic Development Committee is a Council committee, and appointments are made by the Council President and approved by Council. He stated that the membership of the Committee had been established by the members of Council.

Mr. Bobby Wilson asked if another African American would be appointed to the Committee. In response, Mayor Christiansen explained that he could not answer this and suggested that Mr. Wilson ask the Council President, because he made the appointments to the Committee.

Discuss and Adopt Ground Rules for Future Meetings

Mr. Koenig questioned how the agenda would be set for future meetings and noted that all the other agendas for Council committees are set at the Council President Agenda meeting. Responding, Mayor Christiansen stated, since he was charged with the responsibility of chairing the Committee, that members should present agenda items to him, and the agenda would be established through him. Mayor Christiansen advised that the public should contact Committee members or the Mayor if they would like to bring items forward for the agenda.

Mayor Christiansen stated the desire to meet every two (2) weeks and noted that there were requirements under the State of Delaware Freedom of Information Act (FOIA) to post meeting agendas seven (7) days prior to each meeting. Mrs. Jody Stein, City

Clerk, noted that the agenda title deadline is typically approximately 12 days before each meeting.

Mr. Christiansen suggested having information to the Mayor's Office on days of the Council President's agenda meeting.

Mayor Christiansen stated the desire to hold meetings every two (2) weeks and suggested 2:00 p.m. on Wednesdays.

Mr. Koenig moved to meet at 2:00 p.m. on the Wednesdays that the Council President's agenda meeting are held, seconded by Mr. Cole and unanimously carried.

Mayor Christiansen stated that Dr. Michael Casson, Delaware State University Center for Economic Development and Trade (UCEDIT) Program, would like to make a presentation on behalf of Delaware State University at the Committee's second meeting in March. In addition, he noted that he had invited Mayor Mike Purzycki from Wilmington to speak to members and this would be added to the agenda as soon as Mayor Purzycki provided a firm date.

Mr. Frederick Tolbert asked if meeting minutes would be made available. Responding, Mrs. Townshend explained that minutes would be posted to the City's website.

Mrs. Townshend noted that the Committee would have meetings on March 1, 2017; March 15, 2017; and March 29, 2017.

By consent agenda, Mr. Neil moved for acceptance of the Economic Development Committee Report, seconded by Mr. Lewis and carried by a unanimous roll call vote.

ECONOMIC DEVELOPMENT COMMITTEE REPORT - MARCH 1, 2017

The Economic Development Committee met on March 1, 2017 at 2:03 p.m. with Mayor Christiansen presiding. Members present were Mr. Hudson, Assistant City Manager; Mrs. Ann Marie Townshend, Director of Planning and Community Development; Mr. Hammond; Mr. Gregory Moore, President, Downtown Dover Partnership (DDP) Board of Directors; and Mr. Sheth. Mr. Cole, Mr. Hare, and Mr. Koenig were absent.

Mrs. Townshend moved to defer Item #1A - Adoption of Mission Statement until the next meeting and to approve the agenda as amended. The motion was seconded by Mr. Hudson and unanimously carried.

NEW BUSINESS

Request for Incentives - Nail Spa by TR

Mrs. Ann Marie Townshend, Director of Planning and Community Development, referred to the letter dated February 17, 2017 received from Ms. TR Rowe, Nail Spa

by TR, requesting incentives. She explained that the letter requested that a variety of incentives that are available within the Downtown Development District (DDD) be applied to Nail Spa by TR, and Mrs. Townshend noted that this would mean applying the incentives to an area larger than the DDD.

Referring to the list of incentives requested in the letter, Mrs. Townshend explained that incentives #1 - Architectural Support and #2 - Facade Improvement Grants were Downtown Dover Partnership (DDP) incentives that the City of Dover does not have authority over and could not act on. She advised that incentive #3 - Sustainable Energy Utility and #7- Kent County Incentives were administered by Kent County, noting that #7 applied only to projects in the State's designated DDD.

Mrs. Townshend advised that the remaining incentives, which were in the City's purview to consider, included #4 - Business License Fee Waiver, #5 - Permit Fee Waiver, #6 - Property Tax Abatement, and #8 - Square Footage. Members were provided Appendix E - Commercial and Industrial Building Redevelopment Incentives of the Dover Code. Mrs. Townshend explained that it is this section of the code, rather than the DDD incentives, that requires a 5,000 square foot minimum.

Mrs. Townshend stated that the business license fee waiver incentive was created when the City submitted its DDD application. She noted that the application requested that the City develop incentives that would be specific to the district and would not be Citywide; therefore, she stated that she did not believe the City was in a position to alter this incentive.

Mrs. Townshend stated that she thought an option that might be available to Council, if they wanted to move forward, would be to consider the commercial and industrial building redevelopment incentives in Appendix E. She noted that these incentives are slightly different and not quite as generous as the DDD incentives, nonetheless they have some cash value. Mrs. Townshend explained that Appendix E addresses vacant commercial and industrial buildings or tenant spaces and tries to encourage their utilization. She noted that a minimum 5,000 square foot floor area had been set for projects to qualify for these specific incentives, and if this requirement was eliminated, a project such as the Nail Spa by TR would be eligible for the incentives under that program. Referring to Appendix E, Article III - Incentives, she pointed out that the program allows for a partial waiver of permit fees, and that 50% of the fees for building, plumbing, mechanical, and fire protection permits would be waived, as well as 50% of the City impact fees. Mrs. Townshend advised that there would be a property tax waiver not to exceed 10 years on the value of the improvements.

Mrs. Townshend stated that if members wanted to entertain projects such as this in the future, simply striking the 5,000 square foot minimum would work. She noted that if they wanted the change to apply retroactively to the requested project, an ordinance amendment would be needed to strike the 5,000 square foot minimum and include a retroactive date so that the amendment could be applied to any other property that would qualify. Mrs. Townshend cautioned members that if the

amendment is retroactive, the City would be refunding money that it has already collected due to the need to be fair. She stated that the 5,000 square foot minimum could not be stricken for just one (1) business and not for others.

Mr. Moore asked if the response to the request for incentives #1 and #2 would be that applications for these incentives must be filed separately to the DDP. Responding, Mrs. Townshend explained that Nail Spa by TR was outside the downtown area; therefore it would not qualify.

She advised that the answer from the City would be that incentives #1, #2, #3, and #7 are not within the City's purview to do anything about, but the City could specifically look at Appendix E of the code to address the fee waiver request.

Ms. TR Rowe, TR Rowe Nail Spa, 1188 Forrest Avenue, explained that her business is located in an area on Forrest Avenue that was expanding, noting that Autozone, Starbucks, a bank, and some more facilities will be coming out that way. She stated that, although this was not a historic district like the downtown area, people would be employed, which would help the City of Dover, and this was why she was asking for these considerations.

Mayor Christiansen suggested forwarding this matter to Council for assignment to the Legislative, Finance, and Administration Committee for review of Mrs. Townshend's recommendations and the recommendations of the Committee, and perhaps consider the request for reciprocity on the current project to hopefully encourage expansion once everything else out there starts to expand.

The Committee recommended forwarding this matter to Council and to present a proposed amendment to the ordinance to the Legislative, Finance, and Administration Committee, along with a retroactive date and the number of other permits and properties the amendment would apply to, so that there would be a sense of what the amendment would do to the revenue that had already been collected.

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

Presentation - Icehouse Entrepreneur Development Program (Clayton Hammond)

Mr. Clayton Hammond, President, Delmarva Black Chamber of Commerce, advised that minority entrepreneur businesses are growing three (3) times faster than general businesses and that the Delmarva Black Chamber of Commerce felt a need to begin to accelerate or replicate that growth in Dover. He noted that a significant number of the businesses making investments in downtown Dover are African American businesses. Mr. Hammond explained that small businesses are important to the economy of Dover because of the desire not to have the economy specifically linked to large corporations such as Kraft-Heinz, whose decisions are not made locally but outside of Dover.

Mr. Hammond indicated that the Delmarva Black Chamber Icehouse Program is unique in that it is not a traditional entrepreneur development program, most of which focus on developing business plans. He stated that the Icehouse program helps to provide an understanding of how to adopt the entrepreneurial mindset to low-income people, the youth, people who are engaged in activities that are not positive, and people involved in workforce development. Mr. Hammond stated that there are certain qualities and characteristics that denote successful entrepreneurs and, while a lot of programs help develop business plans, they do not necessarily relate to what it takes to have the mindset of being an entrepreneur. He advised that the Icehouse program was developed by the Ewing Marion Kauffman Foundation, in Kansas City, which is the premiere entrepreneurial foundation in the country. Mr. Hammond stated that the program immerses individuals in the real world of entrepreneurship with various projects that relate to their development skills. He noted that participants are partnered with successful entrepreneurs in their field, because there is nothing better than learning how to be successful from successful people.

Mr. Hammond advised that everybody may not be an entrepreneur and the timing of being an entrepreneur is critical; however, everyone can benefit from an entrepreneurial mindset, whether they are a business owner or an employee. He indicated that this program offers a framework for participants to lift themselves up out of poverty and have an empowered mindset, apart from an employer controlling their destiny. Mr. Hammond stated that the initial concept was to have 10-12 participants; however, there had been challenges in coming up with that number, noting that they had four (4) confirmed participants. He advised that participants are required to attend for seven (7) weeks, and those who cannot attend may not participate. Mr. Hammond indicated that many people had said that the $200 cost was too much for them, even though it was broken down into weekly payments.

Mr. Hammond explained that there were several issues they hoped to address over the next few weeks, including coming up with a pool of applicants. He expressed their commitment to a target date of April to start the program. Mr. Hammond advised that they wanted to enlist more churches and organizations in the City to be trusted messengers in getting the word out and utilize print and broadcast media more to enlighten readers and viewers about the program. He noted that they had received feedback that many people thought the program was only for black people because the Delmarva Black Chamber of Commerce's name was put on the flyer, even though it was clearly stated that it was for everyone in the City. Mr. Hammond stated that, in the future, their name would take taken off when marketing.

Mayor Christiansen asked if the Delmarva Black Chamber of Commerce would be interested in co-joiners to the program. Responding, Mr. Hammond stated that they would be happy to add the Downtown Dover Partnership (DDP) and Restoring Central Dover logos to make this broad based. Mr. Hammond advised that they would also partner with the Dover Housing Authority and the Delaware State Housing Authority to reach their population, which is a target population that includes people on assistance and those who are trying to lift themselves up. He

advised that they would provide scholarships for select low income people in the target area and throughout Dover. Mr. Hammond stated they hoped that these plans would help them reach their target goal of 10 participants, noting that it did not make sense to invest time and money for only four (4) participants. He explained that they were committed to the program and thought it would be helpful in creating home-based businesses, internet businesses, and micro-enterprise in the City that would produce jobs, revenue, personal income, and licensing fees.

Mayor Christiansen noted that Dr. Michael Casson, from the Delaware State University Center for Economic Development and Trade (UCEDIT) Program, would be making a presentation on business incubation to the Committee, and asked if the Icehouse project could dovetail with Dr. Casson's efforts. In response, Mr. Hammond that it could, noting that workforce development people were part of their target market. He noted that for many years the State had said that unemployment money could be used for entrepreneur training, and this was a target market that was needed. Mr. Hammond indicated that he had already spoken to Dr. Casson about this.

Mayor Christiansen questioned if Mr. Hammond was working with any other partners in the community. Responding, Mr. Hammond stated that they were reaching out to the Cen-Del Foundation and were trying to move past the view that this program was just for black people. Mr. Hammond asked for additional suggestions, noting that they would be happy to partner with anyone because they feel this is a great program that had met with a lot of success in other cities and that they just had to get the word out.

Responding to Mayor Christiansen regarding the program's funding, Mr. Hammond stated that funding was through the DDP and Restoring Central Dover.

Mr. David Hugg, 125 West South Street, Smyrna, Delaware, asked if Mr. Hammond was touching base with the Kauffman-funded One Million Cups program at Delaware Technical and Community College. He noted that this program has a similar focus, meets every Wednesday morning, and is for predominantly new entrepreneurs. Mr. Hugg explained that a group from across the business and government spectrum talks with program participants about their businesses or business plans and noted that this is a very good program. In response, Mr. Hammond stated that he had held conversations with people about this program, noting that the One Million Cups is for existing businesses, which would be next in the process and part of the evolution. He indicated the need for Icehouse to partner with One Million Cups since people need to develop a business plan. Mr. Hammond stated that their target market would be to help people understand the concept of being an entrepreneur, noting that not everyone is or should be an entrepreneur.

In response to Ms. TR Rowe regarding when the program would be held, Mr. Hammond explained that Saturday seemed to be the only day that people could participate, and it was found that evenings did not work. Mr. Hammond indicated

that the program would be held on seven (7) consecutive Saturdays at Whatcoat Church from 10:00 a.m. to 2:00 p.m. and lunch would be provided.

Mayor Christiansen asked if the program would also be beneficial to established businesses, noting that some businesses could use assistance. Responding, Mr. Hammond advised that it would be useful for some entrepreneurs who do not understand the nuances of business. However, he suggested that those who have businesses that are up and running would benefit more from going to the Small Business Development Center or One Million Cups. Mr. Hammond explained that Icehouse was geared toward those who are interested in pursuing entrepreneurship but do not know how to do it.

Mrs. Kim Hawkins, Human Resources Director, asked who the instructors are. Responding, Mr. Hammond advised that the instructors are local experts in the field and that the program's core themes are opportunity, resources, wealth creation, and choice. He stated that Mr. Mike Cassidy from the Delaware Economic Development Office had been invited to discuss opportunities. Mr. Hammond indicated that the program's facilitators had gone through the Icehouse training program, noting that he and someone else in his division were the only people certified in the State of Delaware.

Mrs. Townshend indicated that flyers for the program were available in the lobby of City Hall.

In response to Ms. Rowe regarding posting information on Facebook, Mr. Hammond indicated that several people had put information on Facebook and Linked In; however, there was a need to connect with people to help them understand the program and how it would benefit them. He noted that they had met with people who did not want to participate to find out the disconnect and how to advance. Mr. Hammond stated that the program had been posted to the Facebook page for the Delmarva Black Chamber of Commerce and, and the Resident Empowerment Director for the Dover Housing Authority had also posted it on her Facebook page. Mayor Christiansen suggested approaching the Central Delaware Chamber of Commerce about putting it on their website, and Mr. Hammond stated that he would be speaking to them about this.

Mayor Christiansen noted that Dr. Casson would be making a presentation to the Committee during the meeting in March and Mayor Mike Purzycki from the City of Wilmington would be presenting an overview of Wilmington's economic development success in April. Mr. Hammond asked if Mayor Purzycki would be discussing what he had done for the riverfront or his vision for the City as whole. In response, Mayor Christiansen stated that Mayor Purzycki's crowning glory was the riverfront; however, it was his understanding that Mayor Purzycki had a vision for continued economic development beyond the river involving Southbridge and other neighborhoods in of Wilmington.

Mr. Kirby Hudson, Assistant City Manager, advised that Market Street in Wilmington was starting to take flight. He noted that Wilmington had received money through a program that the City of Dover did not get and business owners were recipients of those dollars. Mr. Hudson indicated that he lives in Wilmington and, when traveling through the area on a Friday night, parking cannot be found. Mr. Hudson explained that a couple of years ago this area had been a ghost town, and they were doing a good job in this area.

Mayor Christiansen indicated that he and Mr. Hammond would be visiting businesses in the downtown area and throughout the City to check on their health.

By consent agenda, Mr. Neil moved for acceptance of the Economic Development Committee Report, seconded by Mr. Lewis and carried by a unanimous roll call vote.

COUNCIL COMMITTEE OF THE WHOLE REPORT - FEBRUARY 28, 2017

The Council Committee of the Whole Meeting was held on February 28, 2017 at 6:00 p.m., with Mr. Hare presiding in the absence of Council President Slavin. Members of Council present were Mr. Anderson (arrived at 6:13 p.m.), Mr. Neil, Mr. Lewis (departed at 7:31 p.m. and returned at 7:48 p.m.), Mr. Cole (arrived at 6:04 p.m.), Mr. Hosfelt, and Mr. Hutchison. Mr. Sudler was absent. Mayor Christiansen (arrived at 6:18 p.m.) was also present. Civilian members present for their Committee meetings were Mr. Keller and Mr. Shelton (*Safety Advisory and Transportation*). Ms. Arndt and Mr. Blakeman (*Utility*) were absent.

SAFETY ADVISORY AND TRANSPORTATION COMMITTEE

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

Presentation by C. David Jamison - Speed Control Measures - Independence Boulevard

During the Regular City Council Meeting of May 9, 2016, Council considered Speed Control Measures - Independence Boulevard and approved the recommendation of the Delaware Department of Transportation (DelDOT) and the working group for the roundabout, as recommended by the Safety Advisory and Transportation Committee.

Mr. Hosfelt reminded members that discussions regarding traffic control measures for Independence Boulevard had begun during the Safety Advisory and Transportation Committee meeting of July 27, 2015. He noted that, over the course of time, there had been several meetings regarding this matter, and State Representative Sean Lynn and the Mayor's Office had been involved in trying to help the people in this neighborhood and along the streets due to safety, speeding, and other concerns. He noted that, after speaking with residents, it was felt strongly that Mr. C. David Jamison and Retired Colonel Tom Dix, who lives on Independence Boulevard, should be heard from to get their opinions. Mr. Hosfelt explained that because action on this project was previously approved by Council, no action could

be taken during this meeting and the matter would have to go back to Council. Mr. Hosfelt advised that Mr. Jamison and Colonel Dix would each be given 15 minutes to speak, and then members would hear from any residents who wished to speak regarding this matter.

Mr. C. David Jamison, 423 Columbia Avenue, advised members that his son Kirk lives on Lamplighter Lane, and Mr. Jamison often visits him and goes to Capriotti's, Ace Hardware, etc. He stated that when he found out a year ago that traffic calming measures were proposed, he communicated and met with Mr. Mike Somers, City Transportation Planner and Traffic Calming Project Manager, DelDOT; however, they agreed to disagree on this issue. Mr. Jamison explained that he had seen Representative Sean Lynn's campaign flyers in September that promised proposed traffic calming measures. He advised that on three (3) separate occasions he had asked Mr. Lynn to meet to talk about the project; however, Mr. Lynn was committed to the working group's plan, so there was no need to meet, and they agreed to disagree. Mr. Jamison explained that he then researched the minutes of the City Council meeting of May 9, 2016 and decided that he would have to prepare a report evaluating the proposed traffic calming measures. He stated his belief that members had received a final copy of his report on January 27, 2017. *(City Clerk's Office Note: A report entitled "Independence Boulevard Traffic Calming Measures Report" was received via email from Mr. Jamison on January 23, 2017; the Mayor and members of City Council were copied on his email, and it was forwarded to the civilian members of the Safety Advisory and Transportation Committee on January 24, 2017.)*

Mr. Jamison reviewed a presentation entitled "Independence Boulevard Traffic Calming Measures Report." Following his presentation, he noted that he had presented his message using common sense and hoped that members heard it using common sense. Mr. Jamison expressed his hope that, at the end of the day, he could say that everyone agreed to agree.

Mr. Anderson asked if any money had already been spent on the project and, if so, how much. He also noted that upon reviewing the petitions of those opposed, none of those who signed were on Independence Boulevard. Mr. Anderson stated that he had noticed signatures from Green Blade Drive and other areas, but none were in the impact area. He indicated that an impact area survey is the responsibility of DelDOT, not the City, and asked if DelDOT had done the survey. Responding, Mr. Jamison stated that the survey was the result of flyers by people who were opposed to the project and was not an official survey; however, he would more than welcome an official one.

Mr. Anderson stated that the official survey was supposed to have been mailed out by DelDOT and asked if Mr. Jamison knew the results from it. In response, Mr. Jamison stated that he was surprised that no one had brought this up at the meeting last May and questioned why the project was approved without the votes. He expressed his belief that Colonel Dix would verify that flyers were given out on

Independence Boulevard, and explained that he did not know why they did not respond to it, but he assured members that they were delivered there. Mr. Jamison reiterated that this was not an official survey, which he would more than welcome, and was sure that anyone against the project would also welcome it. He stated that he was sure that the result would be the same.

Mr. Hosfelt indicated that DelDOT had recently offered to do an official survey and there had been some conversation between himself and Mr. Lynn to get on the same page to make that happen.

Mr. Anderson stated that there had been a Bicentennial Civic Association meeting where this was a hot topic, even though that area was broader than the probable impact area. He asked what the result of that meeting was. Responding, Mr. Jamison indicated that he was not there. Mr. Hosfelt informed members that, at the latest meeting, residents had basically four (4) different opinions, as follows: 1) leave it as is, with the traffic roundabout at Independence Boulevard and Colony Drive, which was the only thing that had been approved at this point in time; 2) do a traffic realignment, which was originally thought to be part of the motion but was not included the way the motion was worded; 3) do nothing at all; or 4) go with a digital speed sign. He indicated that the meeting was well attended and the majority wanted to disregard the traffic roundabout at Colony Drive and instead go with the traffic realignment along Independence Boulevard in the area of the park. He noted that this was the opinion of the majority of the residents, but it had been close.

Mr. Hare noted that there had been some speeding issues on Wyoming Avenue, which has approximately 30 residents, and is approximately the same length as Independence Boulevard, which has approximately 13 residents. He stated that those in the Woodbrook area had been looking at stop signs but proposed a roundabout for that area in lieu of stop signs, which Mr. Hare indicated was not a bad idea. Mr. Hare asked, if the roundabout does not go forward on Independence Boulevard, that the money not be given to street repairs since it might be used to put a roundabout on Wyoming Avenue. Responding, Mr. Jamison stated that he was unsure what State representative district the Wyoming Avenue area would fall under. Mr. Hare noted that Senator Brian Bushweller and Representative Sean Lynn both represent this area.

Mr. Hutchison commented that a radar speed sign had been placed on North State Street between Walker Road and Division Street. He stated that he traveled that road every day during the early morning, day, and evening and noted the behavior of people driving there had changed. Mr. Jamison noted that people do react to these signs.

Mr. Keller stated that he agreed with Mr. Hutchison's remarks, noting that the radar speed sign would be an excellent compromise.

Mr. Lewis asked how much work DelDOT had already started or how much had been spent on this project. Responding, Mr. Jamison stated that he had been trying to get

a set of plans. He indicated that he did not know if the project was on hold and to date he had only received conceptual plans.

Mr. Lewis expressed his understanding that work had started on the project since it had been approved. Mr. Hosfelt explained that a representative from DelDOT would be speaking later in the meeting.

Mr. Jamison commended Mr. Will Garfinkel, noting that Mr. Garfinkel was running as a candidate for City Council in the First District and gave time and effort to this project. He also stated his desire to salute all of the members of Council, explaining that it was not a high-paying job but members were giving their time and efforts to the City of Dover, and he appreciated and respected them.

Mr. Jamison commented that Mr. Hutchison had decided not to run for re-election in the First District and noted that he had attended Dover High School with Mr. Hutchison. He stated that Mr. Hutchison was a man who stood up for what he believed in and would not back down. Mr. Jamison informed members that he, himself, had gotten an engineering degree and went to work for DelDOT as a highway engineer and then into private practice, noting that his focus had always been the safety and welfare of the traveling public. He advised that Mr. Hutchison became Chief of Police, Mayor, and Councilman, and his whole life had been dedicated to the safety and welfare of the citizens of Dover. Mr. Jamison asked that those present join him in showing appreciation to Mr. Hutchison and acknowledging all that he had done. Mr. Anderson noted that Mr. Hutchison had also served in the Delaware Army National Guard.

Retired Colonel Thomas Dix, 664 Independence Boulevard, reviewed correspondence and attachments dated February 27, 2017, addressed to the Office of the Mayor and Council. He referred to the comment in his letter that the DelDOT Traffic Calming Design Manual indicates that radar speed signs "Can cause speeds to be reduced within a community," and explained that "can" is a funny word that means able or possible; however, a radar speed sign had been on Bicentennial Boulevard since June and did not work. Colonel Dix stated that Mr. Doug Stamm, who lives right by the sign, had stated that it was ineffective.

Colonel Dix expressed skepticism that substituting two (2) yellow lines and one (1) blinking radar light for proven traffic calming measures would solve all of the problems, stating that he felt that he had been trampled. He pointed out that there are 13 people who have an Independence Boulevard address, and over 250 people in Bicentennial Village. Colonel Dix advised that people who live on the end of a cul-de-sac and are coming off of a dead-end street were telling him what 5,000 cars are like going in front of his house. He indicated that when he moved there in 1999, he did not have 5,000 cars in front of his house, but he has them now. Colonel Dix questioned if this is how people should be treated, stating that it is not right to punish a minority group. Colonel Dix added that a single radar speed sign only works in one

(1) direction and asked if there would be another one (1) for traffic going the other way.

Colonel Dix noted that Mr. Jamison had mentioned that yellow center line stripes can reduce speeds by between two (2) mph and seven (7) mph, and emphasized that "can" indicates that this is possible but not highly probable. He noted that this had been proven since lines were painted and he expected speeds to reduce; however, they increased from 29.1 mph to 29.4 mph. Colonel Dix indicated that, in talking about the number of accidents on Independence Boulevard, Mr. Jamison had shown a site and mentioned an accident in 2013 when a driver hit the entrance sign. Colonel Dix advised that he knew that someone hit the marquee in 2014 and it was finally fixed in 2015, and he did not know where Mr. Jamison got his data from. Colonel Dix indicated that Captain David Spicer, Dover Police Department, had previously stated that there were 10 accidents in 2015 and that the year before there were only three (3). Colonel Dix expressed his opinion that this street was going to hell in a hand basket, and he thanked Captain Spicer for bringing this to everyone's attention.

Colonel Dix stated that Mr. Jamison had commented about a speed problem and referenced an average speed of 29 mph, as if this was okay. Colonel Dix indicated that this was not okay when the recent study showed that 9.2% were above the ticketing speed of 35 mph. He advised that averages do not tell anything and noted that, by simple math, an average speed of 29.1 mph can be the average between 34.1 and 21.1 mph. Colonel Dix advised that those who are traveling 25.1 mph are the ones who want to obey the speed limit, and those who are traveling just below 35 mph do not want a ticket. He estimated that 2% - 3% of the drivers go as fast as they can, noting that in the latest survey in February, three (3) cars were clocked at over 70 mph. Colonel Dix asked if he was living on a raceway and was supposed to put up with this. He stated that 250 people were telling 13 people that they do not have a problem and they begged to differ. Colonel Dix reiterated that he was a minority and did not want to be treated as a minority.

Colonel Dix informed members that he had given over two (2) years of his life working on this project. He stated that when he started working on this project he recommended speed cushions and blocking the road at Redner's. He indicated that he had listened to the best that Delaware could give as far as traffic calming. Colonel Dix noted that DelDOT has a whole section that does traffic calming that indicated that a roundabout and realigned intersection were needed. He stated that he was not pumping anything and had just gone along with the people who were supposed to know what they are talking about, and noted that Mr. Garfinkel and Mr. Stamm had gone along with them too. Colonel Dix indicated that he was now being tortured by 250 people who do not live on Independence Boulevard.

Mr. Neil commented that in theater the two (2) protagonists are the most important people and stated his belief that what Mr. Jamison and Colonel Dix had done was brilliant and the type of thing that members need to hear from citizens. He indicated

that he would award them a tie; however, that would be the easy way out, and a decision would have to be made. Mr. Neil thanked them for their enlightening presentations and the time and effort they put into this matter, noting that they would make members' job tougher rather than easier.

Mr. Anderson, noting that Colonel Dix had stated that almost 10% of the traffic was above 35 mph, asked if the median speed was known. In response, Colonel Dix provided a report for Mr. Anderson to review.

Mr. Lewis asked why the people who were now opposed to the project were not present to voice their opposition when it was approved by Council. Responding, Mr. Hosfelt explained that, from what he had heard, there was some confusion about whether or not those people were invited to meetings or they had not felt that they were notified properly. Mr. Lewis indicated that the meetings are publicized.

Mr. Hutchison thanked Colonel Dix for the work he had done, noting that at the end of the day everyone was here for one (1) reason, public safety. He stated that he had 25 years in law enforcement, knows about public safety, rides up and down State Street every day, and radar systems and speed signs work. Mr. Hutchison advised that putting radar systems on either side and monitoring and reviewing this area would cost approximately $5,000, which would be a lot cheaper. He advised that if the radar systems did not work, there is a traffic study that says that the roundabout would be another alternative, and noted that the big project should not be done first. Mr. Hutchison informed members that he could not guarantee that the radar speed signs would work; however, he guaranteed that the traffic on State Street changed because of those signs. He stated that he was asking Colonel Dix and everyone else in the community to consider that if the radar signs are put up and they work, everyone would win. Mr. Hutchison explained that he was not saying anything against the study and roundabout because this could be plan B if the signs do not work.

Colonel Dix commented that a study had been done, noting that a flashing radar light was put up on June 2nd on Bicentennial Boulevard. He reviewed an email regarding the flashing radar sign from Mr. Stamm.

Mr. Hutchison asked if signs were put both ways on Bicentennial Boulevard, and Colonel Dix advised that they were not. Mr. Hutchison noted that North State Street had signs in both directions.

Mr. Lewis advised that he was not an expert on radar signs but had seen people speed right by them and not be a deterred at all. He indicated that they are not 100% effective.

Mr. Keller explained that he had also been up and down State Street daily and had seen a definite decrease, noting that there would always be scofflaws no matter what the street or traffic control measures are. He questioned what the City had to lose

with the $5,000 outlay described by Mr. Hutchison and noted that if it did not work, plan B could be used. Mr. Keller advised that he agreed 100% with this approach.

Mr. Mike Somers, City Transportation Planner and Traffic Calming Project Manager, DelDOT, referred to Mr. Anderson's questions regarding why a DelDOT survey was not done for the entire community. He explained that this was not a DelDOT project but a City of Dover project, and DelDOT was a support arm. Mr. Somers advised that DelDOT will give the City what is needed, do what the City asks them to do, and do the design work; however, in a municipality, the municipality governs the process. He explained that the option in Dover was whether the group wanted DelDOT to ballot the community or whether they wanted to go through Council and the group decided to take it to Council. Mr. Somers pointed out that DelDOT had not forgotten to do a survey, this was the way it was chosen to be done in this case. Noting that it was mentioned that DelDOT had offered to do a survey now, he explained that this was because of his concern that there was a disconnect. Mr. Somers indicated that there was confusion, one (1) group was saying that they wanted it, another group saying that they did not, and the votes were not all that far apart, so he made the offer to do a survey.

In regard to the cost of the project, Mr. Somers advised that additional costs beyond what had been mentioned were not anticipated. In terms of the status, he indicated that everything was mostly done and the project was in the process of being passed around the department for review. Mr. Somers advised that, even though there was no impact outside of the right-of-way and there should not be any impact off the asphalt, the project must still be passed by the environmental group, etc., according to the rules. He noted that if it comes back stating that Americans with Disabilities Act (ADA) or other adjustments are needed, this will have to be done, but the plans were finished for the most part. Mr. Somers explained that the plans were not being handed out because they were not finished, and they do not hand out working draft plans. He stated that once plans are complete, they will be public record, and anybody who wants to see them would be more than welcome to do so.

Mr. Anderson questioned how much had been invested in the project so far. In response, Mr. Somers stated that he had not brought those numbers with him but estimated a range of $25,000 to $30,000, noting that it was mostly consultant money.

Mr. Anderson indicated that he had looked at the report that Colonel Dix provided to him for review, and noted that approximately 85% of the traffic was above the posted speed limit and approximately 45% was above 30 mph. He asked if this was within normal parameters. Responding, Mr. Somers indicated that this was getting into speculation; however, it was not uncommon to see those kinds of numbers on a fairly straight road like this. He noted that, other than the one (1) end where all of the houses were directly on the road, most of rest of the road was pretty open and there was nobody living on it directly. Mr. Somers advised that speed limits are set for a reason, they are not supposed to be suggestions, and police try to enforce a

specific speed because those speeds have been designated as safe speeds for a particular route.

For clarification, Mr. Lewis asked what stage DelDOT was at as far as work being done on the project, and if it was in the early stages of drafting, diagrams, and blueprints. In response, Mr. Somers stated that for the most part the plans were finished but were being passed around for in-house review. He explained that a contract had been lined up with a commitment to include this project on it, and the money had been allocated and approved, so DelDOT was ready to move.

Mr. Lewis asked if the money had been disseminated. Responding, Mr. Somers stated that the money had been contributed by the legislators, transferred to the programs, and was ready to go. He pointed out that it is Community Transportation Funding (CTF), which is an allocation of funds that each legislator receives annually for projects in their district. Mr. Somers noted that the City also receives money directly without the legislators' involvement, and Mr. Anderson advised that it was Municipal Street Aid. Mr. Somers stated that these funds are supposed to be used within the City. Referring to Mr. Hare's comments about using the money somewhere else, Mr. Somers indicated that this was not necessarily the case, noting that he would not get into the legislators' business about this.

In response to Mr. Lewis about whether the funds could be used elsewhere, Mr. Somers indicated that the legislators could put it somewhere else, but it would have to be a similar project. He noted that the funding was there and if it is not grabbed when it is available, it may or may not be available next time. Mr. Somers reiterated that he would not presume to get involved in the legislators' business about this.

Mr. Neil asked, if this matter was put on hold for now and had to be brought back at a later time, whether the City would lose any of the plans or if anything would change regarding what had already been done. In response, Mr. Somers stated that a month-and-a-half ago, when he was told that there were questions, he discussed this in-house with his supervisor. He stated that, regardless of what comes out of the process, DelDOT will finish the plans, and if the City decides not to move forward, DelDOT will still have the plans. He cautioned that the plans would have to be reviewed to make sure that nothing has changed with the laws and regulations if this moves forward in two (2) to five (5) years; however, they probably would not have to be changed much. Mr. Somers noted that the money was another issue, and it may or may not be there. He indicated that the plans would be recorded, archived, and set aside until they are called upon.

Mr. Shelton asked how long the money would be allocated for. Responding, Mr. Somers estimated that funds would be in place for this project for a maximum of four (4) years; however, he explained that he did not know what that would mean if the funds were moved out of this project into something else. He indicated that he

thought that the legislators have to use their money annually within at least a four-year period, after which it would no longer be available.

Mr. Shelton asked if enough money had been allocated for a roundabout if they chose, or for the radar speed sign. Responding, Mr. Hosfelt stated that money was allocated for both. *(City Clerk's Office Note: Subsequent to the meeting, Mr. Hosfelt advised the City Clerk's Office that funds had been allocated for both the roundabout and the traffic realignment; however, there was no mention of an allocation for radar speed signs.)*

Mr. Shelton stated that he agreed with the plan to stay with the radar speed sign; however, he noted that he drives on Mifflin Road every day, which has a roundabout, and had seen how it stops the flow of traffic, which he stated was not a bad idea. He indicated that he liked Mr. Hutchison's comments about looking at the radar speed sign initially and moving on to the next thing if that does not work.

Mr. Keller asked how much of the $77,000 outlay the $25,000 would entail. Responding, Mr. Somers explained that the design money is part of DelDOT's in-house budget.

Mr. Hosfelt explained that this project would not cost the City. Mr. Somers reiterated that the funds would not come out of the City's budget but would be CTF money. He indicated that the City would have nothing to lose financially by doing the project, it was a matter of whether the City has an interest in doing it.

Mr. Lewis stated that he was baffled because testimony had been heard by Colonel Dix that they had already put up a radar sign in the community and it was ineffective, so he did not understand why they would want to spend money to do the same thing again. Responding, Mr. Hare stated that the sign had been put up on Bicentennial Boulevard, rather than Independence Boulevard.

Mr. Hosfelt asked Mr. Somers if, in his opinion, traffic calming was needed on Independence Boulevard. In response, Mr. Somers expressed his belief that there was a concern and that the community certainly believed it. He noted that, at a community meeting held a few days prior, even the people who did not necessarily love the notion of a roundabout were collectively not opposed to doing something. Mr. Somers stated that this had been just a straw vote at an individual meeting; however, even the people who did not want to do anything felt there was a concern.

Mr. Hosfelt asked if Mr. Somers thought that it was a matter of both things working together or if one (1) approach or the other should be tried. In response, Mr. Somers advised that each measure, whether a stop sign, roundabout, or realigned intersection, would have an area of influence that is generally 250 to 300 feet, depending on the measure, noting that this area is not always the same everywhere. He explained that a combination of measures breaks speeding more effectively than having one (1) or two (2). Mr. Somers indicated that when most rational people are coming out of a

roundabout, and know there is a stop sign 300 or 400 feet down the road, they will not greatly increase their speed; however, he noted that people are not always rational. He advised that if people know there is something else coming they will stop trying to make up time, because they know they will not be able to do so.

Mr. Hosfelt thanked Mr. Somers, noting that he had been available anytime he was asked to come out in the evenings or to attend different community meetings and had answered questions. He expressed appreciation for Mr. Somers' help with this project. Mr. Somers invited those who needed more information to contact him directly.

Dr. Dina Vendetti, Principal, St. John's Lutheran School, 1156 Walker Road, stated that she was representing the parents of students at Saint John's and noted that the school uses Continental Park for several activities. She explained that their property does not have any playing fields on it, so this is the closest field they can use. Dr. Vendetti advised that they sometimes use the park for physical education classes, but their biggest use of the park is a two-day field day event where several parents participate. She informed members that she put this matter out to parents and was unsure how concerned they would be, and the result was three (3) pages of a petition. Dr. Vendetti explained that their concern was about parking, noting that she had heard two (2) reports of what the area would look like after the project was complete. She stated that if parking was eliminated on the Continental Park side of the street, this would be a problem for them in using the park and for their parents to be able to participate in the activities of their kids. Dr. Vendetti stated that she understood that there was parking on the other side of the street; however, little kids were being discussed. She indicated that parents were not thrilled about the idea of walking the children across the street, and it was much more convenient and much easier for them to pull up alongside the park and be part of the activity. Dr. Vendetti advised that most of them do not live in that neighborhood so it is not really their fight, but their concern was the use of the park and the availability of parking near the park. She asked, whichever route the group decided to go, that members be aware of this and save as many parking places as possible.

Ms. Carolyn Courtney, 24 Lamplighter Lane informed members that she was native to Dover and chose and bought her house in May 1996 because it was in the center of Dover. She indicated that she had two (2) children at the time and it was close to commerce, her parents, and her family. Ms. Courtney stated that at night she has to listen to cars racing up and down the roads, and that she can hear the cars on Walker Road, and the train from her house. She advised that when you live in the City, these are some of the things you deal with; however, it had been a blessing to have a nice, wide street in the neighborhood that had been a place for her and her children to walk, ride bicycles, or rollerblade. Ms. Courtney stated that the occasional yahoo who drives down Independence Boulevard at full speed and runs stop signs would do this on any street, and it was not up to the City to fix this with a traffic circle by taking parking away from a park.

Ms. Courtney noted that Dr. Vendetti had stated that her school uses the park during the day. Ms. Courtney indicated that she had been there at night and seen teens use it for practice and pick-up games for those who show up and play football. She advised that taking the parking and narrowing that section of Independence Boulevard in front of Continental Drive would be an injustice to everyone who uses and appreciates it. Ms. Courtney stated that jumping to traffic circles would be way too fast, noting that there is not that big of a problem on her road. She suggested trying other calming measures and noted that when she sees the blinking signs on Wyoming Avenue and State Street, she looks down, checks herself, and slows down. Ms. Courtney explained that the striping on Independence Boulevard had happened while she was on vacation and at first she thought it was a ridiculous waste of money; however, in the month since, she thought that the striping had helped tremendously. She expressed her belief that the speed limit signs would help on Independence Boulevard, rather than jumping to the measures proposed by Colonel Dix and the committee of three (3) or four (4) people supposedly representing the entire neighborhood. Ms. Courtney advised that, in addition to Bicentennial, the neighborhood included the Greens Association. She explained that these were the townhouses on the west side of Independence Boulevard who were never included in any of this, and she stated that it was an injustice to let four (4) or five (5) people speak for everyone.

Noting that Ms. Courtney had stated that there were only three (3) or four (4) people on this committee, Mr. Lewis asked if there was public notice put out that the committee was being formed and if Ms. Courtney had been aware that this was going on. Responding, Ms. Courtney stated that she knew nothing about it in the beginning, had seen it one (1) time on the Council agenda, and it was then gone and she heard it was a done deal. She indicated that she had received no mailing, flyer, or notice.

Mr. Lewis stated his understanding that the homeowners' association has a Facebook page and asked if Ms. Courtney was privy to this or had been on this site. In response, Ms. Courtney advised that, since attending one (1) of the meetings, she had joined the Bicentennial Association; however, she noted that she is on the west side of Independence Boulevard and belongs to the Greens Association. She stated that these members were not included and did not know anything about it.

Mr. Jim Stewart, 742 Bicentennial Boulevard, stated that he lives at the corner of Colony Drive and Bicentennial Boulevard, which is about the equivalent of being at the corner of Dover Downs at the racetrack as they are whipping around and can hear them at night. He advised that there are 327 households in the neighborhood, including Green Blade Drive and Lamplighter Lane, and they had yet to have 10% of the households represented at any of the meetings. Mr. Stewart stated that there were 897,934 residents in the State of Delaware on the 2010 census, the estimate as of July 1, 2016 was 952,065, and he projected that the State would probably be at 1,000,000 in 2020. Mr. Stewart indicated that the cost of just the traffic circle would be $0.14 per resident, and just doing the narrowing would be $0.06 per resident.

When going to the larger population, he indicated that the cost of the traffic circle would drop down to $0.13, and the narrowing drops down to such an infinitesimal percent of a penny that he could probably pay for everybody in the room and still have change left over from the one (1) penny.

Mr. Stewart indicated that he was in the middle when he attended the meetings and compared this to living between the Hatfields and the McCoys, with bricks flying in both directions. He advised that there was a big group of those who were curious about what was going on and why, and there had obviously been some miscommunication. Mr. Stewart noted that some personalities had gotten involved, and there had been a lot of confusion. He advised that he had raised a concern at the last meeting about the fact that kids have to cross Independence Boulevard to get to the school bus stop there and this had not been mentioned. Mr. Stewart commented that one of his neighbors, in irate frustration, had questioned why anything would be done since no one had been hit yet. He stated that the lady who lives on that corner and has kids at her bus stop or in her yard will have to deal with anybody being injured there, and she had commented that she was a retired public health nurse and believed in preventative measures. Mr. Stewart expressed the need to pay attention to the school kids.

Mr. Stewart advised that many options had been taken away, stating that a four-way stop cannot be used because it does not meet DelDOT standards at Independence Boulevard and Colony Drive, speed bumps or cushions cannot be used due to the Fire Department and other groups, and there were a couple of other items he could not remember. He indicated that he had to call an ambulance to his house once and did not want speed bumps to slow down those coming to him when they are really needed. He stated that it would cost $10,000, not $5,000, for a radar sign, and every time that money is chipped away at, there would be less money and a need to hunt for it somewhere else.

Mr. Stewart stated that members have a good share of responsibility for the City and City taxpayers and if something happened to somebody on that street, particularly a school kid, their parents would hire an attorney who would go hunting for deep pockets. He noted that there was a thorough and deep public record that the City was looking at this issue. Mr. Stewart questioned what the liability would become if the City did not try to do something, stating that it would be far higher than anything that had been talked about this evening.

Mr. Stewart indicated that the group met last on Monday, it was a vibrant meeting, and each time they voted, the votes were roughly one-third, one-third, and one-third. He advised that when they started raising the issue of the school kids, which was the prime issue, only two (2) voted against it, one (1) person that he did not know and another lady who lives well insulated from Independence Boulevard and does not see the problem every day. Mr. Stewart explained that they came to a reasonable consensus, which was a compromise, and there was some fussing and grumbling, but he thought the group seemed to be coming to a conclusion that they would be willing

to try the traffic narrowing. He stated that some of those in the middle were afraid of what they had to lose, and he explained that school kids were what there was to lose if members were not careful. Mr. Stewart advised that they could bring pictures in of these kids to show to members and questioned, if it was too dangerous for little kids to cross the street for a couple of festival events, then what was it for the kids who have to do that every day during the school year. He indicated that they were just as much at risk and just as valuable, and $0.14 or $0.13 was being discussed. Mr. Stewart estimated that basically $0.20 of the first tax dollar spent on the day that this money was allocated would go to this project. He commented that, with all respect to Mr. Hare, the budget vultures were out there and had other projects, and Mr. Stewart did not blame them. Mr. Stewart stated that he had spent 26 years in State government and members could not assume that this money would be there a year or two (2) from now because loose money lying around is low-hanging fruit in State government and they come after it first.

Mr. Eric Frankl, 44 Freedom Drive, asked if there was a device that would not just flash the driver's speed but also take a picture of a license plate and the speed, so that the City could get money from them. Responding, Mr. Hosfelt explained that, several years ago when he was serving as Chief of Police, the City had tried to work with the legislators for Dover to become a test for a program similar to red light or speed cameras. He stated that it never gained any traction at that point from any of the legislators, and that is why the City did not have this program.

Mrs. Rhonda Lewis, 27 Liberty Drive, advised that there had been different proposals, including a circle coming from Route 8 going toward Walker Road, a three-way stop at Continental Boulevard, narrowing, and another three-way stop at Liberty Drive. She asked what would happen when people are ticked off when they go through this long course, reach the block of houses where people are noticing the speed problem, and speed toward Walker Road. Noting that Mr. Somers had advised that these measures reduce speeds within a radius, Mrs. Lewis asked what the point would be and what more there would be to do when drivers get through all of this, are aggravated, and speed to Walker Road in front of the houses of Colonel Dix and others. She noted that she sees people slowly running through the stop signs all the time, stating that she did not know what more there was to do except for law enforcement.

Representative Sean Lynn, 224 Columbia Avenue, stated that he was present to speak in favor of the project which was brought to him by the City. He explained that the City asked him to facilitate public meetings to investigate this issue and they spent about a year investigating the issue. Mr. Lynn advised that they had the finest experts at DelDOT in traffic calming review this project with a private engineer for more than one (1) year and then brought that project to this Committee, who voted on it. He explained that notice was properly given to residents of Bicentennial Village and the other associated neighborhoods vis-a-vis the publication of Council agendas. Mr. Lynn indicated that when this issue was brought before the Committee, everyone

in the City of Dover had access to the agendas and, regardless of what people's positions were, Council and this Committee voted on it.

Mr. Lynn stated that if you go to the doctor and the doctor tells you that you need your appendix removed, you don't say to the doctor that you would rather have your gall bladder removed. He indicated that it is not a buffet, and the experts had opined and rendered an opinion that two (2) things were necessary, a realigned intersection and a roundabout. Mr. Lynn advised that the experts at DelDOT had examined the issue and told members what the solution was and that this was what they needed to listen to. He informed members that he would not fund any alternative other than what the DelDOT engineers had proposed and, unless Council funds what the engineers had proposed, he would not give the CTF dollars to do it. Mr. Lynn stated that if something else was wanted, the City would have to pay for it because the engineers had spoken. He advised that if you return to the doctor and say that you want your gall bladder out and they reiterate that you have appendicitis, you do not get to choose. Mr. Lynn explained that they had asked the finest minds in the State to examine this and they had rendered their opinions. He indicated that this issue would only get worse as time progresses, noting that cost of the project would only increase and, once the bypass is completed, there would be more traffic on this road. Mr. Lynn stated that Captain David Spicer had stated what the traffic patterns were on this road, and people who are against the project had asserted that the Dover Police Department was lying about what the traffic patterns were. He indicated that this was unconscionable. Mr. Lynn stated that, as the City grows, the situation will become worse. For these reasons, he advised that Council needed to stick with its original position and allow the project to go through unabated.

Mr. Hosfelt advised that when the original motion was made, through no one's fault and due to a wording issue, the roundabout was the only traffic calming measure that was approved. He asked, if this issue goes back to Council and the other part of the project is not approved, whether Mr. Lynn was saying the money would not be there and if he wanted it all or nothing. In response, Mr. Lynn stated that the money had already been expended since it was not clear to DelDOT that Council made an error and only approved one (1) of the two (2) traffic calming measures. He advised that the dollars had already been allocated, they had already funded the project, and work was already underway. Mr. Lynn stated that he did not think it reasonable to only fund half of the solution, so they were not going to pay for half of an appendectomy but would pay for the entire appendectomy. Mr. Lynn indicated that if the experts say that both are needed, they would fund both, but would not allow funding only half through political expediency. He stated that the experts had all found that a realigned intersection and a roundabout were needed to address the issue, and they would fund both or nothing.

Mr. Lewis stated his understanding that the other part of the project would be the realignment, and this was confirmed by Mr. Hosfelt.

Mr. Anderson asked if anyone could answer the question about parking for Continental Park. Responding, Mr. Hosfelt indicated that, at this time, the only information available were the opinions of Mr. Jamison and Colonel Dix. Mr. Anderson advised that a plan was being looked at for that park and that it would be appreciated if they tried to maximize parking in that area. Otherwise, he stated that he thought the choice was pretty clear and that the City needed to accept the money and address the issue.

Mr. Hosfelt stated that there was no action to be taken by the Committee at this point.

Mr. Lewis moved to defer this matter until the next Council meeting, seconded by Anderson and unanimously carried.

UTILITY COMMITTEE

The Utility Committee meeting was held with Chairman Cole presiding.

Street and Alley Survey Update

Mrs. Sharon Duca, Director of Public Works, reviewed a presentation entitled "Street & Alley Survey," dated February 13, 2017.

Referring to page 4, Pavement Distresses, Mr. Anderson questioned the meaning of alligator cracking. Responding, Mrs. Duca explained that alligator cracking is distressed pavement that looks like an alligator or crocodile's skin.

In reference to page 15, Capital Funding Sources, Mayor Christiansen asked if Community Transportation Fund (CTF) referred to designated municipal street aid monies. Responding, Mrs. Duca explained that Municipal Street Aid actually goes into the General Fund, and Public Works pays for projects through the General Fund.

Mr. Neil asked how long it would be before a roadway has problems and needs to be repaired again after it has been brought down to the bottom, and recreated. Responding, Mrs. Duca explained that usually there is not a need to go down to the base for an entire road section, and base repairs are typically needed only for sporadic sections. She compared this to a roof replacement, where there may be a couple of pieces of plywood that need replacing, rather than an entire roof. Mrs. Duca expressed the overall goal that the roads would remain in decent condition for at least 20 years, if the City was on schedule. She noted that the City has a storm sewer system, a sanitary sewer system, and a water system that are all within the roadway as well. Mrs. Duca advised that, in planning projects, staff tries to assess the water system and video the storm and sanitary sewer system when they identify the roads that need to be addressed. She explained that this is done to try to make sure that they are working on a total project, so that there are not scenarios of failure with the utilities that destroy the investment in the road.

Mr. Anderson advised that he noticed in the report that several streets in the Fourth District needed repair and that Bicentennial Boulevard had a lot of issues as well. He asked what percentage of the City's streets have had repaving or rehabilitation within the last 20 years. Mr. Anderson noted that he was curious what percentage of streets have had the 20-year cycle applied to them because there were streets that had grass growing in them, pieces of the street falling apart, and some that had not been touched in so long that staff was unable to find records. He stated that he did not expect that information right now but in the near future, perhaps through an email later in the week.

Responding to Mr. Anderson, Mrs. Duca stated that staff could work on providing the percentage of the overall street system that actually gets addressed each year. She stated that she was unsure that she could obtain decent data in terms of going back 20 years; however, she agreed that roads were not being addressed at this frequency. Mrs. Duca advised that staff was addressing roads that do not have base to them in certain areas, and the City had to do some of the re-laying. She explained that in some cases it is found that there are two (2) inches of asphalt on top of dirt, so these streets had obviously not been addressed since they were built.

Mr. Hutchison asked how much was spent on routine maintenance per year on average over the last five (5) years. Responding, Mrs. Duca stated that there was approximately $10,000 for paving and $10,000 for concrete work in the Streets Division budget. Mr. Hutchison asked if this was the average amount that was spent on improvements and maintenance in the City over the last five (5) years and Mrs. Duca confirmed that it was. She indicated that she had made certain requests to the City Manager for improvements in that area and there were certain expenses that the City was not properly addressing. Mrs. Duca explained that there were a lot of issues with the concrete system. For example, she stated that the City had started to implement painting work on roadways to improve marking to control speeding, which involved an epoxy that staff was not able to do in-house. She noted that this work had not been budgeted in the past and would amount to an extra $5,000 per year, for a program that had been budgeted for years at only around the $15,000 mark.

Mr. Hutchison asked if there was a master plan for the future. He stated that, when looking at the numbers discussed, the amount of money that the City needed to apply to address maintenance issues and the total number of miles in the City, a clear amount of money must be set aside every year so that the staff and workforce can address the issues. Mr. Hutchison stated that he thought it was obvious that the City was running behind and needed a plan to catch up.

In response to Mr. Hutchison, Mrs. Duca indicated that the master plan for the future was tied in with another project that Mr. Bob LaFountain, Civil Engineer I, was working on. She noted that, in order for staff to make a proper recommendation to Council as to what infrastructure investments are needed, there was a need to have a firm handle on what the City's assets and infrastructure are. Mrs. Duca advised that

line painting is part of the same line item as signs, which all relate to the safety factor of the roadway system. She indicated that, in conjunction with road rating, Mr. LaFountain was working on an inventory of signs, including how many and what kind of signs the City has and what the replacement issues are, so that more sound budget requests could be made based on these components, just as much as they are on pavement and other infrastructure components.

Mr. Hutchison asked, if Mrs. Duca could wave a magic wand, how much was needed per year in order for the City to be caught up. Responding, Mrs. Duca indicated that, based on her current knowledge, she could easily see the City increasing just the concrete budget from $10,000 to $50,000 and still not have all the issues resolved.

Mr. Neil asked if it was planned to include updated street signs in the forthcoming budget. For clarification, Mrs. Duca asked if Mr. Neil was referring to replacing faded streets signs. Mr. Neil indicated that he was referring to faded signs, as well as periodically replacing street signs with the modern street signs that had been adopted. Responding, Mrs. Duca stated that there is a line item for street signs and painting, which is done at a certain percentage when things are very poor. She noted that when staff completes the actual inventory she could give a more definitive number. Mrs. Duca explained that it would then be known, for example, that there are 10,000 signs that should be replaced at 10% per year.

Mr. Hosfelt asked if striping is automatically included in the price when a paving or resurfacing job is done. He noted, for example, that Independence Boulevard was not re-striped when it was repaved initially, and this was brought up by residents. He stated that when the stripes were put down, this had an impact for a while on speeds. In response, Mrs. Duca stated that striping is extra and most City streets do not have stripes on them. She indicated that much of the roads with striping are Delaware Department of Transportation (DelDOT) roads.

Mr. Hosfelt recalled that the City Manager had indicated that Wyoming Avenue was scheduled for repaving in the spring of 2017. He stated that when this is redone, striping, including possibly a double yellow line down the center and shoulder striping, would definitely help with the speed issues on the road. Mr. Hosfelt noted that, looking at this in terms of what needs to be done to these streets in the future would help the City in the long run from a safety point of view. In response, Mrs. Duca stated that she agreed, and that when items are put out to bid, looking at roadway classifications, such as whether roads are collectors or purely residential, would help and would create a difference in what is needed.

Mr. Cole asked how long the line items Mrs. Duca mentioned had been set at $10,000. Responding, Mrs. Duca advised that they had been at their current levels for as long as she had been Director of Public Works, which was over five (5) years.

Mrs. Donna Mitchell, Controller/Treasurer, stated that one (1) of the difficulties with trying to get through a street program is that there are other projects in the works that

have change orders. She explained that whenever there is a need for a change order, the money historically comes out of the Street Program, noting that this seems to happen every year.

Mayor Christiansen asked if monies allocated for individual line items throughout the entire budget are put in a lockbox specifically for the projects for which they are designated. Responding, Mrs. Mitchell explained that departmental operating expenses all have line items that the department budgets for, and they mostly manage to that. She noted that departments have discretion to move money around in their budget to where it is needed. Mayor Christiansen asked to what percentage staff has discretion to move money. In response, Mrs. Mitchell indicated that there is not really a percentage and it just depends where they need the money, noting that they are not usually big line items. She explained that projects over a certain percentage have to come before Council for approval, such as the $60,000 Salt Barn project. Mrs. Mitchell advised that just about every year money is reduced from the original budgeted amount for some of the blanket projects, such as the Street Program. Mayor Christiansen asked if, in Mrs. Mitchell's opinion, this was a best practice or if it should be changed. Responding, Mrs. Mitchell stated that the way the budgets are done could be looked at a little closer; however, without getting into the details that she had not been into in the past, she could not answer that question. Mayor Christiansen asked if this would be a recommendation, if it was feasible and Mrs. Mitchell answered yes.

Mr. Anderson recalled that street money had been about one-half the current amount at one (1) point in the last five (5) years and then had increased. He asked if Mrs. Mitchell had any idea about the changes in the General Fund budget for street money over the last five (5) years. In response, Mrs. Mitchell expressed her belief that the City Manager was trying to keep the amount at approximately $1M per year; however, when the budget cannot be balanced, this is one (1) of the first places that is usually reduced. She indicated that it had been close to $1M for the past two (2) years, stating her belief that it was approximately $1M last year and approximately $800,000 the year before. Mr. Anderson recalled that it had been much lower five (5) years ago and had been slowly edging up. Mrs. Mitchell stated that she had looked at the Street Program for the last two (2) years and it had been reduced by approximately $220,000 for other projects.

Mrs. Duca informed members that it had been a challenge for everyone involved to deal with unknown environmental issues and other factors that had come into projects on the capital side. On the operating side, she noted that it had also been a challenge for Council, the Controller/Treasurer, and the City Manager to deal with some of the environmental requirements that the City had to pay for. Mrs. Duca advised that the Municipal Separate Storm Sewer System (MS4) Program had prevented the City from being able to do preventative maintenance that was desired. For example, she noted that the MS4 Program increased by over $100,000 and was in the Streets Division budget, which is the same budget that pays for some of the concrete work, and the environmental requirements had limited growth in other areas.

Mayor Christiansen asked if Mrs. Duca was saying that too many governmental regulations were getting in the way. Responding, Mrs. Duca stated that it is a challenge to determine how to get the money to do these projects.

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

MONTHLY REPORTS - JANUARY 2017

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

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

CANCELATION OF MARCH 14, 2017 COUNCIL COMMITTEE OF THE WHOLE MEETING

Council President Slavin reminded members that Councilman Anderson, due to the forecast of inclement weather, had proposed canceling the Council Committee of the Whole meeting scheduled for March 14, 2017 and moving all of those agenda items to the March 28, 2017 Committee meeting, along with scheduling a Special Parks, Recreation, and Community Enhancement Committee meeting on March 28, 2017, to consider those items that would be postponed.

Mr. Anderson moved to cancel the March 14, 2017 Council Committee of the Whole meeting and defer all agenda items to the March 28, 2017 Council Committee of the Whole meeting. The motion was seconded by Mr. Sudler and unanimously carried.

SETTING OF PROPERTY ASSESSMENT APPEALS

Staff recommended that the 2017 Property Assessment Appeals be scheduled for May 30, 2017 through June 2, 2017 from 9:00 a.m. until 4:00 p.m.; June 5, 2017 through June 9, 2017 from 9:00 a.m. until 4:00 p.m. (if needed); and one (1) evening (if needed). Members were advised that the hearing times are subject to change.

Mr. Anderson asked if these hearings were for anyone who had a dispute or just for people who had received a recent notice. Responding, Mrs. Cheryl Bundek, Tax Assessor, explained that these are the annual appeals and anybody is allowed to appeal their properties between April 1st and April 30th of this year.

Mr. Hare moved for approval of the dates and times recommended by staff for the 2017 Property Assessment Appeals, seconded by Mr. Anderson and unanimously carried.

REVIEW OF REQUESTS FOR INFORMATION - COMMERCIAL REAL ESTATE SERVICES

Mr. Kirby Hudson, Assistant City Manager, advised members that the City of Dover requested Letters of Interest from qualified commercial real estate professionals who are willing and able to provide commercial real estate services on an "as needed" basis for the City of Dover. He indicated that it was anticipated this venture should involve more than one (multiple) commercial real estate professionals, since conflicts of interest could be a future concern; therefore, two (2) selected commercial real estate companies would be placed on an approved list under their firm's name. Mr. Hudson stated that the professionals placed on the "Commercial Real Estate Consultants List" would be contacted at various times to provide services on a project-by-project basis for a period of up to three (3) years. He noted that, as such, work assignments would be issued to specific consultants based upon the City's needs, the actual qualifications of the commercial real estate company, and the project price being proposed. Mr. Hudson stated that qualified consultants must have experience with commercial marketing of real property, specifically improved land as well as unimproved vacant land. He noted that the primary focus of these services will be the Old Dover Public Library, Garrison Oak Technical Park, and other City properties as requested.

Mr. Hudson stated that it was the intent of the Commercial Real Estate Services solicitation to identify and contract with two (2) professional companies to provide a wide spectrum of real estate services for the City of Dover to facilitate potential City-wide land transactions or land sales services. He indicated that the Commercial Real Estate Consultant(s) would be required to provide professional marketing services and have the ability to determine the market value of improved land, unimproved land, and vacant lots.

Mr. Hudson reviewed the background of two (2) commercial real estate firms, as follows:

1) Cushman & Wakefield of Delaware is a full service global commercial real estate firm that can offer the City of Dover a full menu of services on an as needed basis ranging from brokerage to appraisal. Cushman & Wakefield have become experts in the field of commercial real estate by designing for their clients, a custom marketing campaign tailored to the specific attributes of the property. They will provide senior level commitment with No-Conflicts of interest in ownership, and will leverage our resources for the properties maximum exposure to local, regional and global developers and users. Cushman & Wakefield, has been in operations for 100 years both nationally & international, having more than 300 locations and 43,000 employees in more than 60 countries. Locally, Cushman & Wakefield of Delaware have been a major player serving this region's real estate market for over 40 years.

2) R & R Commercial Realty offers over 79 years of commercial real estate experience in the Delaware market place and are located in Kent and Sussex County. With a focus on commercial real estate services, R & R is one of the most visible and respected commercial real estate companies within the City of Dover's service area. R & R Commercial Realty services include Retail, Office, Industrial, Property Management, Land Sales, Development, and

> Self-Storage Facilities. The combination of R & R's in depth knowledge of the local Delaware market, combined with their national and regional contacts will provide an optimal combination to better serve the City of Dover. R & R Commercial Realty has worked extensively with the State of Delaware over the past several years including, but not limited to selling of excess land.

Staff recommended authorizing the City Manager's Office to select Cushman & Wakefield of Delaware and R & R Commercial Realty to be placed on an approved list for Commercial Real Estate Services for the City of Dover.

Responding to Mr. Lewis, Mr. Hudson advised that the current commission for both commercial and residential property sales is six percent (6%). He noted that in a lot of instances the commission could be negotiated.

Mr. Anderson asked if the City would receive preferential rates from this group of firms and if there was any particular reason that the two (2) were chosen and not a third on the list, such as Harrington Realty, which has a lot of experience in the commercial market in the area. Responding, Mr. Hudson stated that there was a total of eight (8) companies, with Cushman & Wakefield being the largest by far out of the entire group, and he could have picked a number of other second firms. He advised that it seemed to be important to keep a local company and R & R is strong in both retail and commercial real estate and they were the strongest of the local companies.

Mr. Sudler expressed concern that 6% seemed quite high, especially for a residential percentage, which he stated he was under the impression was approximately 3% to 4%. He asked if Mr. Hudson would be willing to see if they could come down from 6%, feeling that this might be a good commercial rate but was extremely high for residential. Mr. Slavin advised that the City would not be using the realtors for any residential properties. Mr. Hudson stated that he had considered negotiating the 6%; however, he could not move forward until City Council voted on the matter.

Responding to Mr. Sudler, Mr. Hudson stated that he determined the "going rate" by making phone calls to realtors that were not on the list, and three (3) separate companies quoted 6% as their commission. He also noted that he used to have his real estate license and the rate of commission had been 6% for a very long time.

Responding to Mr. Lewis, Mr. Scott Koenig, City Manager, stated that the City had not previously used Cushman & Wakefield. He noted that R & R was part of the representative group that initiated a potential sale of one of the lots at Garrison Oak Technical Park the previous year. Mr. Koenig advised that the City had not sold commercial property of this nature, and the request for information on services was really related to the Garrison Oak Technical Park and potentially the old public library site. He stated that property sales in the past had been residential property that was listed on the City's website. Mr. Sudler asked what the lowest negotiated percentage was for the sale of the residential property. Responding, Mr. Koenig stated that they were not represented by a firm on those sales.

Mr. Hudson stated that the three-year arrangement with only two (2) firms may be incentive for them to reduce the rate.

Mr. Sudler asked how many properties the City planned to sell within the next three (3) years. Mr. Hudson advised that the remaining lots at the Garrison Oak Technical Park and the former Dover Public Library were envisioned for sale. Mr. Koenig advised that he thought there were 11 remaining lots at Garrison.

Responding to Mr. Anderson, Mr. Hudson advised that his next choice would have been Newmark Grubb Knight Frank.

Responding to Mr. Lewis, Mr. Hudson advised that selecting two (2) real estate firms would not preclude the possibility of adding other firms.

Mr. Anderson moved for approval of staff's recommendation to authorize the City Manager's Office to select Cushman & Wakefield of Delaware and R & R Commercial Realty to be placed on an approved list for Commercial Real Estate Services for the City of Dover, with the understanding that additional firms may be added at a later date if so warranted. The motion was seconded by Mr. Neil and unanimously carried.

APPOINTMENT RECOMMENDED BY COUNCIL PRESIDENT SLAVIN - HUMAN RELATIONS COMMISSION - SARA HERBERT - AT-LARGE REPRESENTATIVE (TO FILL THE EXPIRED TERM OF LYNNE SADUSKY) - THREE-YEAR TERM TO EXPIRE FEBRUARY 2020

Council President Slavin recommended the appointment of Sara Herbert to serve on the Human Relations Commission, as the At-Large representative (to fill the expired term of Lynne Sadusky) for a three-year term to expire February 2020.

By consent agenda, Mr. Neil moved for approval of the appointment of Sara Herbert, as recommended by Council President Slavin. The motion was seconded by Mr. Lewis and carried by a unanimous roll call vote.

CITY MANAGER'S ANNOUNCEMENTS

Mr. Scott Koenig, City Manager, officially announced his retirement from City government. He advised that, earlier in the evening, he provided written notice to the Council and his last day in the office would be Friday, March 17, 2017, at which time he would relinquish his appointment as City Manager.

Mr. Koenig stated that he has thoroughly enjoyed serving the City of Dover in various capacities since June 18, 1990 and that he will cherish the friendships and experience developed over these years for the rest of his life. He stated that he appreciates the hard work and dedication displayed by the City's workforce, and he will continue to have high expectations of their future accomplishments. Mr. Koenig thanked the Mayor, members of Council, and members of former Councils for the opportunity to be part of the community and to serve at the pleasure of the Mayor and Council.

COUNCIL MEMBERS' ANNOUNCEMENTS

Mr. Slavin thanked Mr. Koenig for his words, sincerity, and his service to the City.

Mr. Hutchison stated that he had the opportunity to work with Mr. Koenig for the total amount of years that Mr. Koenig had been with the City. He stated that he watched Mr. Koenig grow from Director of the Public Utility to City Manager and was always impressed with his knowledge of the City and the infrastructure. Mr. Hutchison noted that he had never seen anyone that was better prepared in answering questions off the cuff than Mr. Koenig, and he thanked him for his service, dedication, commitment, and focus to the City. Mr. Hutchison stated that the City was a better place today because of the years of service Mr. Koenig had given and he wished he and his family the very, very, best.

Mr. Anderson thanked Mr. Koenig for his years of service in the community, noting that 27 years is a great commitment, and stated that he believed the City was better off with Mr. Koenig's leadership than without it. He noted that there had been a number of successes that Mr. Koenig should definitely be proud of, including some restructuring which had saved the taxpayers money, and healthcare cost sharing, which helped make it sustainable so that employee benefits could be protected. Mr. Anderson stated that Mr. Koenig could definitely look back at those accomplishments and say he had done a great job for the taxpayers and for the employees in the city of Dover. He wished Mr. Koenig the best in his next season and future endeavors.

Mr. Slavin stated that he hoped that Mr. Koenig would accept their invitation to receive formal recognition at a Council meeting in the very near future.

Mr. Lewis thanked Mr. Koenig for his service and stated that it had been an honor and pleasure to work with him. He noted that he echoed Councilmen Hutchison's and Anderson's eloquent words and wished Mr. Koenig and his family an abundance of blessings.

Mr. Neil stated that he had known Mr. Koenig as a Councilman only for a very short period of time; however, he had known him for a much longer time as a citizen of the City. Mr. Neil advised that the times that they had needed Mr. Koenig, as a citizen, he had come through like a champ. Mr. Neil stated that Mr. Koenig leaves as a class act, and he applauded him for it over and over again.

Mr. Cole wished Mr. Koenig and his family well in whatever he chooses to do.

Mr. Hare echoed what had been said before.

Mr. Hosfelt thanked Mr. Koenig and stated that they appreciated everything he had done for the City. He noted that, when Mr. Hosfelt served as Chief of Police, he had the chance to work with Mr. Koenig as the City Manager, and he had enjoyed those times at Council.

Mr. Sudler expressed his thanks to Mr. Koenig.

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

Meeting adjourned at 8:00 p.m.

TRACI A. McDOWELL
CITY CLERK

All ordinances, resolutions, motions, and orders adopted by City Council during their Regular Meeting of March 13, 2017, are hereby approved.

ROBIN R. CHRISTIANSEN
MAYOR

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