COUNCIL COMMITTEE OF THE WHOLE

The Council Committee of the Whole Meeting was held on March 28, 2017 at 6:00 p.m., with Council President Slavin presiding. Members of Council present were Mr. Anderson (arrived at 6:13 p.m.), Mr. Neil, Mr. Cole, Mr. Hare, and Mr. Hutchison. Mr. Sudler and Mr. Lewis were absent. Mayor Christiansen was also present (departed at 7:41 p.m. and returned at 7:52 p.m.). Civilian members present for their Committee meetings were Ms. Arndt and Mr. Blakeman (*Utility*), Mr. Caldwell (*Parks, Recreation, and Community Enhancement*), Mr. Keller and Mr. Shelton (*Safety Advisory and Transportation*), and Mr. Shevock and Dr. Stewart (*Legislative, Finance, and Administration*). Mrs. Horsey (*Parks, Recreation, and Community Enhancement*) was absent.

UTILITY COMMITTEE

The Utility Committee meeting was held with Chairman Cole presiding.

AGENDA ADDITIONS/DELETIONS

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

Presentation by Central Delaware Chamber of Commerce - Vision 2020 for Dover - Item #7

Members were provided a letter from Ms. Janie Libby, Chairman of the Board, Central Delaware Chamber of Commerce (CDCC) dated February 22, 2017 regarding the Electric Utility ***(Attachment #1)***. Ms. Judy Diogo, President, CDCC, advised that the letter asked for a specific task force to be developed to review the opportunity or options for the City to possibly sell its electric utility. She explained that, in 2009, some members of the CDCC who were large utility users expressed concern with their electric rates and met with the leadership of the City, including former Mayor Carleton Carey; Mr. Tony DePrima, former City Manager; and Mrs. Beverly Williams, former City Council Representative. Ms. Diogo indicated that the CDCC hosted workshops at which the Delaware Electric Cooperative presented their option of buying the utility from the City. She noted that shortly after that presentation, the CDCC signed up with a company called CQI and began allowing those members who could to become part of a small electric cooperative through the CDCC to save money. Ms. Diogo estimated that approximately 17 members signed up for that program. She explained that currently the CDCC has a different program with Infinity Energy Services, and seven (7) members are currently signed up in that small electric cooperative.

Ms. Diogo explained that the initiative taken in 2009 or 2010 lost its momentum, and in 2015 some members who were large users approached the CDCC with concerns about their rates. She stated that the CDCC met with Mr. Scott Koenig, former City Manager, and Mr. Harry Maloney, Electric Director, set up a small electric buying group, and started meeting with the City on a regular basis to try to determine how to help these members and the City, noting that they were trying to find a win-win situation. She explained that these meetings had continued, and meetings with Mr. Maloney and the City's Key Accounts associate occur approximately three (3) times per year. Ms. Diogo advised that positive things had come out of the meetings, noting that people had come to do electrical inspections and surveys. She stated that members had tried to change things, such as light fixtures or operation hours, so that they are not using the bulk of their energy during the peak time for the City.

Ms. Diogo indicated that the CDCC's purpose for being present was to try to move forward their recommendation to establish some type of task force to assist the City in looking at opportunities for the utility.

Ms. Janie Libby, Chairman of the Board, Central Delaware Chamber of Commerce, advised members that she is the Vice President of Human Resources for Dover Downs Hotel and Casino and Dover International Speedway. She indicated that the energy consumption for Dover Downs and Dover Speedway is enormous, and they are extremely interested in anything that they can do to reduce their expenses. Ms. Libby stated that, with the highest casino tax rate in the nation, Dover Downs must do everything they can to be prudent about expenses so that they can compete with the neighboring states of Pennsylvania, Maryland, and New Jersey. She noted that in 2016 their electric bill exceeded $2.1M, stating that it was no secret that Dover's electric rates are significantly higher than those of any of their neighbors, including the other two (2) casinos in Delaware with which they compete. Ms. Libby stated that this increases their operating expenses, leaving less money to reinvest in their facility. She indicated that, in order to stay competitive, they must invest in capital improvements, and their hotel is in need of refreshing. Ms. Libby advised that this is typically done every five (5) years and they were now past eight (8) years, noting that the carpeting, painting, linens, draperies, and operating systems needed to be upgraded, refreshed, or repaired. She explained that if they do not provide an attractive place to visit, customers will be less inclined to come because they have other options. Ms. Libby stated that Dover Downs employs hundreds of Dover residents and hopes to continue doing so; however, labor needs are directly related to business levels, and lowering electric rates would go a long way toward helping them stay competitive and successful.

Mr. Scott Kidner, Vice Chair, Legislative Affairs, CDCC, advised that they had been present when City Council had a working group a few months ago, and the CDCC was there to begin a conversation as to whether the City of Dover should remain in the electric utility business. He noted that this issue was not without controversy or a fair amount of concern and recognized that the City of Dover had a lot invested within this silo. Mr. Kidner advised that the Chamber's point of view was twofold, and the first was to offer the CDCC as an opportunity to help facilitate a movement forward to look at whether the sale of the utility to a third party should be considered. He indicated that it was not the Chamber's job to become a complete advocate or to say that the sale must be done, and only City Council and the leadership of this City could make that decision. He stated that the CDCC was present to ask the City to form the group referenced in Ms. Libby's letter with the players that were identified. Mr. Kidner stated that the Chamber's second request was that this process begin soon, while recognizing the City's issues with internal timing related to the loss of the City Manager and upcoming loss of the Director of Planning. He indicated that, nonetheless, the Chamber thought that now was the time to put the interested parties together to allow them to help facilitate and open a broad discussion about whether this would make sense for the City of Dover. Mr. Kidner stated that there were many players and various interests, and some thought this was a bad idea for the City while others thought that this was direction the City must go.

Mr. Kidner explained that the utility issue being discussed tonight was just one (1) of several recommendations from the CDCC covering a multitude of issues, as contained in the Vision 2020 document. He stated that the CDCC was available to help facilitate, answer questions, enter a

broader discussion, or set up a potential opportunity to come before members again in a different light.

Mr. Neil stated that he was a great supporter of Dover Downs, noting that they are a great neighbor in every respect and stated the desire to lower their rates, as had been done with programs for Kraft and others. He indicated that, unless the State of Delaware would let Dover Downs keep profits, the life of Dover Downs would not change. Mr. Neil advised that the City could help, but this would not be all the help the organization would need. He expressed the need to keep some of their profits, the more the better. Mr. Neil stated that he did not know how to provide not only for business but for the residents, who have some of the lowest rates and sometimes the lowest rates in the State, and that he would make sure that the City has the capacity to do this. He advised that he would look to protect the people of this community to keep the rates low and also do what he could to help the businesses and keep their rates low.

Mr. Kidner stated that this was understood and that this is why the CDCC started this conversation. He reiterated that ultimately the decision belongs in Council's plans. He indicated that, from Dover Downs' point of view, he did not disagree, stating that this had been discussed at Legislative Hall. Mr. Kidner noted that Dover Downs' tax rate was clearly the most significant issue they were facing; however, if there was an opportunity for the City of Dover to reduce their cost or somehow add to their ability to be competitive, this was what the Chamber was asking. He asked that members take this under serious debate and consideration, not only for Dover Downs, but for the Chamber's many other business members who purchase electricity from the City. Mr. Kidner indicated that this issue had been discussed and backed away from a number of times, and they were standing before members to ask them to not back away and to make a decision. He reiterated that Council would ultimately be making the decision.

Mr. Slavin expressed appreciation for the dialogue, stating that dialogue proves healthy, regardless of the outcome, if everyone agrees that they will be sincere, ethical, and transparent about how to proceed with the dialogue, and he expected that they would. He noted that the decision to get into the electric utility by the City of Dover when rural electrification was making its way down the Peninsula was a 100-year good decision. Mr. Slavin advised that the City adopted this decision for the residents; however, someone who was visionary realized that if the City sold to more people than were living in the City, it would balance taxes out and the City would have a very low tax rate. He indicated that this good decision had been echoed a few times since then, noting that Mayor Christiansen had been serving as Council President at a time when energy was coming into the City. Mr. Slavin indicated that this had been another generational good moment and a good deal for the City. He explained that the utility at that time generated electricity and the City transmitted it; however, in the current 21st century model for the municipal utility, the City does very little generation. Mr. Slavin advised that the City is in a very complicated market, and buying futures and buying prices is a very complex and delicate business that can be very risky if the City is not up to the challenge. He stated that he was glad for the dialogue and supported it; however, he asked the CDCC to understand that there will be multiple bottom lines for the City. Mr. Slavin noted that the City's financial bottom line is that if the City gets out of the utility business and sells it, it would have to net enough so that property taxes would not be affected. He noted that it would be of no value to anyone to pay a lower electric bill and a higher tax bill that nets out more. Mr. Slavin stated

that the City is on the dole for a $10M transfer each year from the electric utility that offsets property taxes, so this must be figured out somewhere in the calculations coming out on the other end.

Mr. Slavin advised that there is also a human capital or a people bottom line, noting that Council Chambers was full of men and women who put their lives on the line to do electric work, and they had done this outside his home a few times. He cited an incident when a tree fell down at 2:00 a.m. and knocked out power to his entire neighborhood when it was very cold, and staff worked all through the night. Mr. Slavin expressed the need to begin with the principle that no employees would be harmed and they would have positions at the end of the day if a path is chosen.

Mr. Slavin noted that there is also a social bottom line in that the City must communicate this issue from this moment forward and be transparent, the issue must be understood, and the position chosen must be defensible, and if this is done he thought there would be a healthy dialogue.

Ms. Diogo clarified that the CDCC was present tonight to see if a task force could be developed so that an investigative process could be started. She stated that they were not asking for decisions but to see if this step could be taken. Ms. Diogo indicated that this would be a beneficial step for everyone because it would provide information to Council, the community, and the users of electricity. She reiterated that they were asking for a potential motion this evening to move forward in establishing a task force to do the investigation.

Mr. Slavin expressed his understanding, stating that a journey of 1,000 miles begins with a first step.

Mr. Anderson stated that he was on board with nine (9) of the 10 proposals that the CDCC had provided but was not in favor of this proposal at this time unless someone had enough interest with enough money, noting that anything is for sale as far as he is concerned. He advised that he has a friend in an engineering firm who does this type of work for a living, and who looked at the public information available and did an evaluation for Mr. Anderson as a favor. He indicated that this individual came back a few days later with some numbers, which Mr. Anderson did not want to state publicly and start a negotiation; however, his friend had noted that the offers out there were not worth doing now and would not work financially. Mr. Anderson stated that his friend advised that the concept was not unreasonable, but the numbers must be at least 50% above what everybody was talking about because it would not make sense otherwise, noting that this was true all over the world. Mr. Anderson indicated that the City had a study that cost hundreds of thousands of dollars that came back with basically the same numbers that his friend provided on the back of an envelope, which made Mr. Anderson wonder about doing more studies.

Mr. Anderson expressed concern about moving forward now until the City knows what the changes are in the regulatory environment. He noted that Washington, DC is currently changing the dynamic that had existed just a year ago, and the President had just signed some executive orders earlier in the day that would change the viability of keeping the utility more toward the City's favor. Mr. Anderson indicated that, with the current dynamic, he would personally want to see things shake out for at least a year to see what regulations are developed for these executive orders. He stated

that, without this, the City would be shooting in the dark, and he did not see a point to any studies until that information is available.

Mr. Kidner stated that Mr. Anderson's example could be used as a reason to start now, noting that the regulatory environment was changing, and this would require the City to be flexible, nimble and aggressive in understanding what those changes are, and he believed that now was the time to start to examine whether this should be done. Mr. Kidner noted that the conclusion may be that this would not be worth it and there are no third party providers out there or utilities willing to pay the numbers needed; however, it would be nice to get to the table, have paper moving back and forth between the two (2) bodies, and begin an earnest negotiation.

Mayor Christiansen expressed appreciation for the CDCC's effort in being present; however, he stated that he had reservations, noting that he had been through this before. He noted that there were a lot of people and jobs, and the future of the City was riding on what transpires from this Committee and on which direction the City goes. Mayor Christiansen advised that former Mayor Crawford Carroll was a great advocate of the City of Dover being in the utility business and having enterprise funds which subsidized the City, and out of respect for him, Mayor Christiansen stated that he thought this was something that should be looked at. He was unsure if the CDCC's committee would be the right direction, noting that there was a mechanism that had been used in the last go-round when he was serving as Council President. Mayor Christiansen stated that, whatever direction was chosen, several models should be looked at before proceeding so that there is a fair and just assessment of the direction the City needs to go. He advised that the City would take into account that the Chamber stepped forward and offered to help. Mayor Christiansen expressed the need to act very deliberately, noting the desire not to damage any of the CDCC's members or the City of Dover today or in the future.

Mr. Hutchison thanked the Chamber, stating that he could not think of anyone he would rather be partners with than the CDCC when looking to the future of what is in the best interest of the City of Dover. He indicated that the City had some in-house issues to deal with before beginning this relationship, noting the need to get a management team in place, hold an election in April, and hold a special election in May. Mr. Hutchison urged that the City get its team in place so that there could be a vision and understanding of where to go; however, he advised that he could not say enough about looking at partnership between the CDCC and the City of Dover on this very critical issue.

Mr. Kidner indicated that if only a couple more weeks were needed, the Chamber would accept that.

Mr. Hare stated that he thought the task force list was fine and good; however, there was a lot more to this issue, noting that there were two (2) separate parts that included transmission and distribution. He explained that he had grown accustomed to having his lights, heat, and air come on when he needs them. Mr. Hare stated, in regard to generation, that the City pays a very high price to have someone run the plant, and he had never been a big advocate of this because he thought there were people capable of running the plant that could save $7M. He indicated that the plant does not generate enough electricity to supply power to the City if the grid went down, and a lot of people would be out of electricity. Mr. Hare noted that he likes having his lights on, and the employees do a good job of this.

Mr. Hare stated that he thought the City was pouring good money after bad in regard to generation, and was waiting for an accident to happen that would cost an arm and a leg. He indicated that there were a lot of things to look at before making a decision on what would be done. Mr. Hare advised that if the City was going to be in the electric business, it should be in the electric business and not pay someone $7M to run an operation when the City has people that could do this.

Ms. Diogo reiterated that the CDCC was not present to advocate for the sale of the utility but to advocate for research to take a look at it, and they were also present because the City of Dover is a member of the Chamber. She stated that an important part of the reason that the CDCC prepared the Vision 2020 was because they want to protect and be a good partner for the City. Ms. Diogo reiterated that there were nine (9) different recommendations, and this was just one (1). She noted that this matter was being brought to the Utility Committee; however, they would be happy to talk with City Council about the recommendations. Ms. Diogo explained that the CDCC was trying to make Dover as economically viable as possible, so that the companies that are here and the businesses that they were trying to attract could be competitive in today's market.

Mr. Neil stated that during the City Council Retreat of January 6, 2017, he had two (2) top long-term items, and the second was what would be done about electricity, because a decision must be made. He stated that he was more concerned about how to lower the cost, as opposed to whether the City gets rid of it or runs it. Mr. Neil noted he was very impressed by the CDCC's report and that the City has to make things better for them and for people coming in, stating the desire to get more people in so that they can spend more money. He noted that the economic issue was his other concern during the Retreat. Mr. Neil stated that he had served as press officer for the Mayor during the renaissance of the City of Baltimore, people had come to Baltimore, and he wanted the same for the City of Dover. He indicated that he is a supporter of the Chamber; however, he was unsure if their proposal would be the way to go. Mr. Neil advised that much of what they had included was well thought out and had to be done, and there was no question about this having to be done in partnership. He indicated that there were many good ideas included; however, he agreed with Mr. Anderson's concern. Mr. Neil stated that if a way could be found to get rates down, it would be better for the Chamber and for the City, and he would do anything he could to help Dover Downs.

Mr. Blakeman commented that there had been discussion about finances and costs, noting that Mr. Hare had mentioned reliability, and asked if there were any other underlying issues. Responding, Ms. Diogo advised that the CDCC had primarily heard about cost, which comes down to competition with other companies, particularly in the manufacturing industry. She noted that companies may have a plant in Dover and a plant in South Carolina and, when sitting down at their corporate table looking at operating expense, they find expenses that are out of line. Ms. Diogo stated that the question arises about whether Dover is the place they really want to be if they are looking to invest more money in a plant and, since Dover's expense size has increased, they may consider going to South Carolina. She indicated that the CDCC was trying to assist them by doing what they can to lower rates or find out how they can be served in Dover and make it possible to be more competitive within their own corporations.

Mr. Blakeman questioned if they had developed a target cost that they needed to have within that structure, or a range that they needed. In response, Ms. Diogo advised that this is part of what the

CDCC had done with the electric group, noting that some of those seated at the table could provide the rate they are paying in another state and what they are looking for. She stated that these people had been worked with and she thought they would be willing to share this information with members. Ms. Diogo stated they were unsure if they could share information in a public forum, but they could do so with the Utility Committee, and she noted that Mr. Harry Maloney, Electric Director, would also know this information, as he had attended those meetings. She stated that Mr. Maloney had been helpful in finding members grant money, some had been helped with audits, and Dover Downs went through a tremendous refit on all their lighting fixtures, so these ways of helping were being exhausted. Ms. Diogo indicated that the Chamber was trying to find out if there was another way that would be beneficial to businesses, the City, and to everyone else.

Mr. Cole stated that it was realized that the commercial rate issue was the driving force.

Mrs. Donna Mitchell, Acting City Manager, expressed the desire to provide context to the conversation and noted that Dover's utility transfer is 12.3% of electric revenues and 23.7% of General Fund revenues. She explained that every one (1) cent of a tax increase equals 2.5% in a property tax billing increase, and 30% of the tax space is tax exempt. Mrs. Mitchell noted that the City's current Power Cost Adjustment (PCA) credit was approximately 2.2%, or $1.8M in electric revenues that were credited back to the customers. She stated that from FY 2011 through FY 2014, electric rates were reduced by approximately 18.2% outside of the PCA credit, mostly attributed to the reduction the City is getting in power supply cost.

Mrs. Mitchell advised that the local government has the ability to direct both physical and financial resources for the betterment of the community and its customers through providing reliable power, excellent customer service, and managed cost. Mrs. Mitchell indicated that the City has local employment, which provides economic benefits to the local businesses, and local control helped Council to develop a business retention rate in the last year. She advised that the public utility provides several benefits to the customers that are not quantified in the cost of service, such as the in-kind contributions listed on page 14 of the article entitled "Benefits of Public Power." Mrs. Mitchell noted that this list reflected the same services that the City's electric utility provides to Dover residents. She indicated that, in order to address concerns by the City's customers, she proposed to complete the Organizational Analysis and Benchmarking study by an independent consultant to ensure the utility's future success. Mrs. Mitchell advised that this proposed study was the next item on the evening's agenda and would provide accountability and transparency to the customers. She noted that the customers are the utility, and it was preferable to her to see if a benchmarking study with a similar demographic profile to the City of Dover could be found. Mrs. Mitchell indicated that an updated full cost of service study would address any customer load profile changes and regulatory and energy market changes since the last time a full study was completed. She stated that this would ensure equity among the customer classes based on customer usage.

Mrs. Mitchell advised that one cannot just say that the City's rate study is based on the revenue requirement. She stated that, if the City goes forward based on today's revenue requirement and it is seen that there are concerns about the demand charges to the commercial customers being high, this would shift the revenue requirement to another customer class, which would result in another

customer class coming before members. Mrs. Mitchell explained that this was why she was proposing that the studies be done.

Mrs. Mitchell advised that the City took its first step in looking at the future of the utility operations with approval of the Integrated Resource Plan (IRP) to analyze future power supply needs. She noted that Council approved inclusion in the task order for The Energy Authority (TEA) the following:

> Whereas, Dover desires to obtain the professional services of TEA for the purpose of evaluating the City's existing generation resources and power supply contracts, demographics, consumption patterns, and significant regulations impacting electric utilities in order to prepare a comprehensive economic assessment in the form of an Integrated Resource Plan ("IRP");
>
> Whereas, Dover desires for TEA to prepare and present the IRP to assist the City in providing reliable, competitively priced supply of electricity to its customers, as well as provide economic benefits to the City;

Mrs. Mitchell explained that she had run the numbers for the budget in the last few years, and some of them had impacted Dover Downs, who had concerns about their electric charges. She indicated that the last time the City was ready to do a slight rate increase, she ran a comparative analysis for the Chief Financial Officer at Dover Downs to show them what a tax increase would be versus an electric rate increase. Mrs. Mitchell advised that, because of their massive land holdings, a tax increase would have cost Dover Downs more than an electric rate increase.

Mr. Cole opened the floor for public comment.

Mr. Harry Maloney, Electric Director, informed members that he had been in the electric business for 40 years, since attending college. He advised that last year the City received an award for utility reliability, and he stated that he saluted the people seated behind him in the Council Chambers who were able to provide that service to the customers of the City. Mr. Maloney advised that they know what they are doing and are doing an excellent job. He explained that he came to the City out of retirement to help the City move ahead for the future, and one (1) thing he did not have to worry about was the lights staying on. Mr. Maloney indicated that the City has an excellent interconnection and transmission system, noting that the distribution system is 60% underground, and growing every day as the City gets rid of backyard construction. He stated that no one had fences or sheds in their backyards when the system was built in the 50s and 60s, and now one cannot even walk down where the pole lines are. Mr. Maloney advised that replacements are needed, and through budget appropriation, staff was continuing to improve reliability and put the system underground and move it out front to the street.

Mr. Maloney stated that the City has an aging generation facility and a fairly new jet engine and the City can restore power if the transmission goes down. He noted that the unit will start up in a black start and is tested occasionally, and once that unit is on the City can restore 40 MW. Mr. Maloney indicated that today they could probably put half the load back within 15 minutes. He noted that it

takes a little more time to do switching, but as soon as the 100 MW unit comes up online, within eight (8) hours they could restore the rest of the power to the City. Mr. Maloney advised that for a few hours in the summer with the load at approximately 150 MW, the City might be short a little bit, but 99% of the year the City is fine. He indicated that in an area just north of the City in New York and in the Great Lakes area power went down for days in 2003.

Mr. Maloney stated that the City has a good utility. In regard to what the CDCC had said, he indicated that if the utility had terrible reliability, the rates were through the roof, the infrastructure needed millions in improvements, and the plant was falling apart, it would be time to stop rather than investing $150M in the system. Mr. Maloney advised that this was not the case and revenues were healthy. He stated that, in March, $6M in revenue was transferred into reserve accounts and $5M of Other Post-Employment Benefits (OPEB) obligation was transferred from the City's General Fund to the utility, noting that some of the OPEB obligations were for City employees who work for the utility. Mr. Maloney advised that he had gone through the rate study with Mrs. Mitchell and the City has flat rates. He noted that most utilities have summer and winter inversion rates, time of day rates had been around for 20 plus years, and more can be done with this with new metering. Mr. Maloney stated that the Co-op does not have a demand rate but has a different daytime/nighttime rate, which to him was like a demand rate in consumption. Mr. Maloney advised that all of these things would be looked at.

In regard to revenue, Mr. Maloney indicated that the City was doing very well this year and revenues were outpacing expenses, so the City had the clay to model something to help what was being asked for once the first draft of the IRP is received. He informed members that President Trump had signed documents indicating that the Clean Air Act would be forgotten, and this would be a factor. Mr. Maloney stated that staff had not wanted to do all the studies assuming that the Clean Air Act was going to occur and then have all the studies become obsolete. He advised that the IRP would be a process, with a mechanism to constantly go through a decision tree and revisit the plan, and noted that most IRPs are revisited every two (2) years.

Mr. Maloney reminded members that the City had made a power purchase with Calpine of capacity for five (5) years starting next June 1st. He indicated that this would give time to analyze, see how things move, and harvest the value of the capacity. Mr. Maloney estimated that Unit #3, a 100 MW unit, had approximately 10 more years, noting that it had just been overhauled and was running and doing well. He advised that the combustion turbine (CT), which was a 1992 or 1993 unit, was due for its first major overhaul in 25 years, based on starts and run times, noting that there had been small overhauls here and there. Mr. Maloney reiterated that the utility was very healthy and he thought that there was enough material to work with on rates to begin to get competitive. He stated his understanding that 30% or as high as 40% of the City's tax base is non-taxable and questioned where to reach out to cover capital expenses. Mr. Maloney stated that it is nice to be the State capital; however, this is expensive, as had been seen through supplies, support, and police, and he questioned where to go for revenue. He reiterated that the electric utility had been healthy and asked members to imagine if the City had only one (1) pot to pull money from, noting that this much money could not be taken from water utilities because the City could not pump this much water.

Mr. Maloney stated that when the City has a good draft or final IRP, it should reach out to constituents; however, it does not have this yet, noting that models were being run now. He indicated that the City should have something shortly; however, two (2) or three (3) weeks were lost due to the holidays, President Trump's actions, and a hurricane that came up the coast. Mr. Maloney expressed the need to work ahead and for employees to know if they will have a job tomorrow or if the City will let the utility go. He noted that if this is dragged on, it will be difficult to hire and to keep people with the City because they will want to know how stable the utility is. He questioned Mr. Hare why it was necessary to not fill positions that are vacant for six (6) months without approval, and asked how jobs would be filled if people were being chased away. He indicated that the City cannot have all these poles up in the air and expressed the need to settle down, pick a path, be firm with it, and move forward, and he stated that he thought the City could get there.

Mr. Maloney advised that everyone was invited to attend a Delaware Municipal Electric Corporation (DEMEC) rate presentation on April 22, 2017, noting that the presenter had spoken previously, was very good, and had done municipal rates. He indicated that this would provide a feel for what would happen and how to move ahead and would allow CDCC to move forward and bring the concerns of their consumers.

Mr. Anderson stated that there had been discussions in executive and special sessions, so unfortunately he did not know if everyone knew how concerned Council had been with the need to update commercial rates. He indicated that this was one (1) of the charges of Council due to concerns that the City was not as competitive with rates in the C2 to C4 commercial area as it should be, although it was very competitive in other areas and even had some of the lowest rates in the State. Mr. Anderson expressed his hope that members of the CDCC would look over these rates and hear these concerns, stating that he thought there would have to be an adjustment in order for the City's economic competitiveness to be what it should.

Mr. Maloney stated that when a cost of service study is done, it starts with a blank piece of paper and the question is asked what it costs to serve a customer of a certain size. He indicated that the wires, capacity, and load profile are reviewed. He noted that the peak occurs on July 15th, and this is where capacity cost comes into play. Mr. Maloney stated that the costs of serving a small customer, a Wawa store, or a little bigger industrial place, such as Uzin Utz, are each classified. He advised that the number of hours for people in the call centers are determined, which helps to know where the utility stands and if everybody is covering their weight. Mr. Maloney indicated that the question can then be asked if residential service is getting a free ride from commercial. He stated that most municipalities lay it on the commercial customers and take it easy on the residential, noting that he was unsure if this is true in Dover and that the load was pretty heavy compared to surrounding utilities.

Mr. Maloney advised that when the balance analysis is done, there will be no favoritism and the costs will be determined and laid out. He advised that Mrs. Mitchell had a good Request for Proposals (RFP) put together and the numbers would be reviewed to determine the cost. He indicated that if there had to be movement, this would not be done in one (1) year. Mr. Maloney explained that solar was another concern since the City would begin to lose revenue as solar penetrates more, so the City would have to recover wire charges. He stated that solar users should not get a free ride and should have to pay for basic wire service. Mr. Maloney indicated that the

City had made the first move approximately 1½ or two (2) years ago and changed the basic residential rate customer charge from $5.00 to $7.50, noting that it could go a lot higher in most places, and the kWh would be lowered since this is revenue neutral. He noted that the solar users pay a basic fee to have wires hooked to their houses so they can have power at night, and this is buried in the kWh rate. Mr. Maloney advised that where he came from they now have over 35 MW of solar, 16MW of it behind the meter, and the same size load of 150 MW peak load during the summer. He stated that this hurts their revenue, but they are dealing with it and have a plan in place.

Mr. Cole thanked Mr. Maloney for helping to guide him and the Committee, noting that Mr. Maloney had been fully able to answer any questions.

Mr. Scott Koenig, former City Manager, 243 Great Geneva Drive, stated that he had been a residential customer of the City of Dover since June 1990, except for one (1) four-month period when he lived with his in-laws. He noted that he is also an equity partner in a small business in the City limits and, in his opinion, the City of Dover's municipal utility is by far the best in the State. Mr. Koenig advised that, with all of the issues in front of members, the advantages of having generation, the quality of the system, and the quality of the personnel working for the City, the City has the best utility right now and, with a few more improvements, the City would take a few more steps to being even better than the competition around it. He indicated that he did not think that there was anything that could be done in the decision-making process that would make the discussion of the utility less complex. Mr. Koenig stated that the discussion to actually evaluate the utility was probably even more complex than running the utility. In his opinion, what the Chamber had asked was a significant waste of time and would distract the City from continuing to provide a very high level of service, not just to the residential customers, but also to the business customers. Mr. Koenig noted that the electric rate is really a simple function of the numbers for many business customers and does not drive whether someone will start or give up a business in the City. He advised that many service businesses like Wawa are driven primarily by traffic, the zip code, and the amount of cars running in front of the piece of land, and not so much by the electric rates. Mr. Koenig stated that a few businesses are extremely sensitive to the electric rate and expressed the need to address them; however, he stated that they would be addressed by the efforts in the cost of service study. He stated that he thought the answer to the Chamber's request should be simply, no, thank you.

Mr. Cole thanked the Chamber for their presentation and everyone for their comments.

Proposed Studies for the Electric Utility

Mrs. Donna Mitchell, Acting City Manager, advised that two (2) proposed studies were being considered: 1) an Organizational Analysis and Benchmarking Study by an independent consultant to include the best practices and possible areas for improvement; 2) an updated full Cost of Service study to include rate design and street lighting with recommendations on changes to the current components of the City's electric rates. She explained that both of these studies would take place in unison, and one (1) of the reasons that she proposed the Organizational Analysis and Benchmarking Study was based on conversation and research from the American Public Power Association (APPA). Mrs. Mitchell explained that they had stated that if a utility is not competitive, there is a need to find out why. She stated that, from her prior comments earlier in the evening, she had heard the customers loud and clear, noting that they had come to the City for the last three (3)

or four (4) years. Mrs. Mitchell indicated the desire to ensure the success of the utility and thought these two (2) items were necessary to take a deeper dive into what is done to run the business every day, and to see if improvements can be made and recommended actions can be taken to control this cost. She noted that one of the biggest cost drivers would probably be the General Fund transfer; however, she did not know if this would be the only thing and stated the need to find this out. Mrs. Mitchell indicated that this should be done with complete transparency for everyone's benefit, and doing these things would be acceptable to her if Council chose.

Staff recommended authorizing the Acting City Manager to solicit interest for Utility Professional Services.

Mr. Anderson stated that he was skeptical about paying another six (6) figures for another set of studies, noting that this had been done a lot recently and asked why this would be different. In response, Mrs. Mitchell stated that the first study done by GAI Consultants, Inc. was a valuation of the utility if it were sold and not a review of benchmarking and operations. She indicated that rate studies had been done in the past but were not fully updated, noting that the rate study was updated based on cost each year and not at all on the design. Mrs. Mitchell advised that this study would be not only an update of the cost but also of the design, and would look at what is driving the load profile by customer to make sure the design is equitable among customer classes and relevant to the customer usage.

Mrs. Mitchell explained that she had contacted four (4) consultants and, from her discussions with them, this was the high end cost. She indicated that if the cost was any more than this when the IRP was done, she would bring it back to Council for approval. Mrs. Mitchell stated that Council would still have a future opportunity to say no because she was planning to bring it back to Council.

Mr. Neil advised that, in light of the discussions this evening, he thought it would be extremely worthwhile to have additional information that is transparent, and to make sure that everybody understands what is being done and that Council is doing something and not just sitting on their hands.

Mr. Neil moved to recommend authorizing the Acting City Manager to solicit interest for Utility Professional Services, seconded by Mr. Hutchison.

Mr. Blakeman asked how the transfer from the Electric Department would be incorporated in the rate study and if this was an integral part of the study. Responding, Mrs. Mitchell stated that this was in the current study and would also be included in the next study. In regard to rates, she explained that when a cost of service study is done it is not done just on the cost of service for operations but includes the transfer, debt service, and depreciation, because assets must be replaced. Mrs. Mitchell stated that all those variables are included and there is also a need to make sure at the end of the day that revenues and expenses meet bond covenants. She noted that, while rates can be reduced and money pulled from reserves, the revenues then are not meeting bond covenants because they do not meet expenses. She stated the need to live within the means each physical year and that this was something to keep in mind when preparing the budget.

Mr. Blakeman asked if The Energy Authority (TEA) was doing the IRP study for the City and if they are the City's power supply contractor. Responding, Mrs. Mitchell indicated that they were. Mr. Blakeman asked if they were evaluating themselves. In response, Mrs. Mitchell advised that they were; however, she indicated that this argument had already been made and decided. She noted that the City was involved on all sides of it; therefore, there were some checks and balances with staff involved. In response to Mr. Blakeman, she stated that staff was reviewing how TEA reviews this.

Ms. Arndt stated that she supported the idea of a comprehensive assessment from an independent party to get information and looking for cost savings and efficiencies. She questioned if Mrs. Mitchell had indicated that she did a Request for Proposals (RFP) and there were four (4) consultants. In response, Mrs. Mitchell indicated that she did not do an RFP but contacted four (4) consultants to determine what the pricing was for these two (2) studies. She stated that the companies she contacted were UFS, Plante Moran, Baker Tilly, and Burns & McDonnell.

Noting that Mrs. Mitchell had talked to four (4) vendors, Mayor Christiansen questioned why a firm RFP was not put out. Responding, Mrs. Mitchell advised that she did not want to put out a firm RFP unless she knew Council wanted to move forward with this path.

Mayor Christiansen asked if these prices were negotiable once they come in or if Mrs. Mitchell had leeway. Responding, Mrs. Mitchell indicated that if it were an RFP this would be negotiable. She noted that there were two (2) components and she would take the approach that they could be split if the vendors would provide a separate price; therefore, she may end up with two (2) different consultants.

Mr. Hare asked if the four (4) companies that she had talked to had any ties to the City, and Mrs. Mitchell responded that the only one with ties was Burns & McDonnell, who had done a cost of service study in the past. She indicated that this did not mean that the City would have to use them again.

The motion to recommend authorizing the Acting City Manager to solicit interest for Utility Professional Services was carried with Mr. Anderson voting no.

Request for Alley Abandonment (Unimproved/Paper) - Between 29 North Kirkwood Street and 434, 440, 442, 444, and 452 Fulton Street

Mrs. Donna Mitchell, Acting City Manager, advised that the City Clerk's Office had received a request from Central Delaware Habitat for Humanity for the abandonment of an unimproved alley located between 29 North Kirkwood Street and 434, 440, 442, 444 and 452 Fulton Street extending west to east from North Kirkwood Street to North Queen Street West Alley. Mrs. Mitchell explained that the right-of-way for the unimproved alley is 10 feet wide, and half of the right-of-way, or five (5) feet, would be conveyed to the owners of 29 North Kirkwood Street. She noted that letters were sent to adjacent property owners to see if they were interested in participating in the abandonment, and only one (1) owner of property adjacent to the northern portion of the alley was interested. Mrs. Mitchell advised that abandoning the northern portion would create a difficult maintenance task; therefore, abandonment of this portion was not recommended until all property owners agree to the abandonment. She indicated that staff had no objection to the abandonment of

the southern five (5) feet of right-of-way and recommended conveyance of five (5) feet of the right-of-way to the property in conjunction with the provision of a public utility easement for each parcel. Mrs. Mitchell advised that if other adjacent property owners expressed interest in the future, staff would return to recommend abandonment of the northern side of the alley.

Staff recommended the following actions should the Committee be in favor: 1) abandonment of the subject right-of-way with conveyance of the southerly five (5) feet of said right-of-way adjacent to 29 North Kirkwood Street, due to maintenance concerns; 2) the northern five (5) feet should not be abandoned until all property owners agree to accept the land; and 3) adoption of a resolution by Council setting a public hearing regarding the proposed abandonment for April 24, 2017.

Mr. Neil asked if there was a cost for abandonment and if the City would save any money. Responding, Mrs. Mitchell indicated that there would be a cost savings because the City would not have the inconvenience of going in on either side of the alley to try to maintain half of it. She advised that abandoning one-half of the alley would be easier and more straightforward and would avoid potential problems between property owners because one (1) has an additional five (5) feet and the others do not.

Mr. Blakeman moved to recommend approval of staff's recommendation, seconded by Mr. Neil.

Mr. Anderson stated that there were other locations in this area where the City owned only half of unimproved alleys, and he did not think that it worked in the long run. He noted that eventually there are complaints from people wanting to improve the alley or complaints about criminal elements and other activity occurring. Mr. Anderson indicated that this never seemed to work and that he would much rather see an all or nothing approach.

Mrs. Mitchell stated that she shared Mr. Anderson's concern. She indicated that this matter was new to her; however, abandonments had been done this way in the past. Mrs. Mitchell advised that she was looking at staff efficiencies and had taken this approach for that reason. She concurred that this had not been beneficial in the past; however, since one (1) property owner wanted the whole length of the alley, she did not see a problem with abandoning that part of it.

Mr. Hare stated his understanding that property owners did not want to pay to abandon the northern half of the alley. Responding, Mrs. Mitchell advised that there would be deed changes and legal costs that she believed would be less than $500. Mr. Hare questioned if it would be more beneficial for the City to pay for this and give the property owners this land so that the City would no longer have to worry about it. He indicated that if the alley was split in half, the City would still have to somehow get down it to maintain it. Responding, Mrs. Mitchell explained that if the City paid, this would be setting a precedent and the City would then have to do this for everyone requesting an abandonment.

Mr. Dan Simpson, Executive Director, Central Delaware Habitat for Humanity, stated that he had been in his new job for only 30 days and did not know what was typical, allowed, or could be done; however, speaking as a representative for Habitat for Humanity, they would certainly entertain absorbing the entire thing. Mr. Simpson advised that if this could not be done because it would be unfair to the other owners who did not want to absorb the cost, Habitat would also entertain the

possibility of absorbing their costs to help the City, because the City does a lot for Habitat. Mr. Simpson explained that Habitat owns the properties at 21, 23, and 29 South Kirkwood Street, and 23 South Kirkwood Street is very narrow. He stated that they had just obtained a permit to start work on 21 South Kirkwood Street and it is beneficial for everyone when they can impact an entire block at one (1) time and work on multiple houses at once. Mr. Simpson advised that Habitat hoped to do a minor lot line adjustment later so that the shapes of 23 and 29 would be consistent with one another. He indicated that for them to absorb the entire alleyway, they would also absorb the cost of the entire alleyway if it would be a viable possibility because they hoped to make two (2) similarly adjusted and shaped lots to help two (2) future homeowners in the City.

Mr. Don Grower, Donald G. Grower, Inc., advised that he was doing land survey work for Habitat for Humanity in this area and had found that the alley was only six (6) feet wide, although it was originally supposed to be 10 feet wide. He indicated the alley had gotten squeezed over the years to fit in the properties on this block. Mr. Grower pointed out that the alley has large trees growing in it, so it had never been opened or used, and it appeared that the area that the parcel encumbers on the south side of the parcel owned by Habitat comes up to the tree line. He noted that the alley being discussed was only a total of six (6) feet wide. Mr. Grower reiterated that he was working with Habitat and offered to prepare any documents or mapping wanted to ease the situation.

Mrs. Mitchell stated that she was unsure whether the code specified that alleys are split in half with property owners on both sides. She advised that letters were sent out to all property owners; however, one (1) property owner in the middle was interested; therefore, she was unsure if this could be done. Mrs. Mitchell indicated that she was unfamiliar with this and would have to research this matter.

Mrs. Ann Marie Townshend, Director of Planning and Community Development, advised that splitting alleys between adjacent property owners had been a practice of the City. She stated that, to her knowledge, this was not required in the code, unless it had just recently been included; therefore, there were options.

Mrs. Mitchell advised that she would also have to check with Public Works Department staff regarding the statement that the alley was six (6) feet wide rather than 10 feet, noting that her information indicated that it was 10 feet wide.

Mr. Neil stated that he would be willing to table this matter to find out what the legalities were because he thought whether this could be done was a legal issue at this point. He stated that if Habitat wanted to do this, he would love to have them do it.

Mr. Neil and Mr. Blakeman withdrew their motion to recommend approval of staff's recommendation.

Mr. Neil moved to recommend referring this request back to staff, seconded by Mr. Anderson.

Mr. Slavin noted that an issue had been raised about the width of the alleys. He stated, as someone who lives downtown where the alleys were defined a long time ago, that the markers for his alley are in other people's yards or the aprons of driveways. Mrs. Mitchell stated that alleys had been encroached upon.

Mr. Hutchison asked if referring this request back to staff would work within Mrs. Mitchell's timetable. Responding, Mrs. Mitchell advised that she would prefer to bring this matter back to make sure that the City gets it right.

The motion to recommend referring this request back to staff was unanimously carried.

Amendment to Contract User Agreement with Kent County

Mrs. Donna Mitchell, Acting City Manager, informed members that the City of Dover is currently a contract user of the Kent County Levy Court for transmission and treatment of sewage discharge. Members were advised that Kent County treats the sewage that is transmitted from the City transmission system prior to re-entry into the environment. Due to future expansion, and existing conditions being altered since the last agreement was executed, multiple changes to the agreement are necessary.

Staff recommended authorizing the Acting City Manager to execute the amendment to the contract user agreement with Kent County.

Ms. Arndt commented that it appeared that the changes to the agreement were just corrections. Responding, Mrs. Mitchell indicated that there were only administrative changes.

Mr. Neil moved to recommend authorizing the Acting City Manager to execute the amendment to the contract user agreement with Kent County. The motion was seconded by Mr. Anderson and unanimously carried.

Mr. Neil moved for adjournment of the Utility Committee meeting, seconded by Mr. Hutchison and unanimously carried.

Meeting adjourned at 7:17 p.m.

SPECIAL PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE

The Special Parks, Recreation, and Community Enhancement Committee meeting was held with Council President Slavin presiding in the absence of Chairman Sudler.

AGENDA ADDITIONS/DELETIONS

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

Request for Benches - Continental Park

Mrs. Ann Marie Townshend, Director of Planning and Community Development advised members that a request for benches in Continental Park had been received from Retired Colonel Tom Dix. Members were provided an email from Colonel Dix dated March 12, 2017 with the subject "For the Record Park Benches for Continental Park" ***(Attachment #2)***.

Colonel Tom Dix, 664 Independence Boulevard, stated that he wanted to nail down the location of two (2) park benches for Continental Park and requested that they be located near the intersection of Independence Boulevard and the southernmost extension of Lamplighter Lane, noting that Lamplighter Lane is U-shaped. Colonel Dix advised that this would be near the center of a new, re-aligned intersection on Independence Boulevard. Referring to the aerial view of the area, he pointed out dots that reflected the potential location for the benches, which he noted lined up almost with the crosswalk. Colonel Dix pointed out the streetlight, which he stated was numbered S13, between the curb and sidewalk and a maple tree to the east. He expressed the desire to place two (2) strong, four-foot-wide benches to the right and left of the tree and referred members to the information regarding sample benches. Colonel Dix indicated that if the benches were properly installed into two (2) pipes, they could be pulled up when the lawn is cut or for repairs and advised that if they were sturdy benches without cross-bracing underneath, a lawnmower could get under them. Colonel Dix advised that there had been quite a bit of traffic on the neighborhood's Facebook page, including references to a playground and other things. He explained that he was not suggesting a playground but benches to accommodate elderly ladies walking to Liberty Court from Redner's with their groceries. Colonel Dix noted that with a newly realigned intersection, this would become a safe, protected area and a major place to cross Independence Boulevard. He explained that there are a lot of people who meander down the road wanting to get rides, and this was a good halfway point. Colonel Dix indicated that in the past he had asked Mrs. Townshend to possibly put a wastebasket there because it also seemed to be a halfway point between McDonald's and Liberty Court, and he sometimes finds McDonald's wrappers on his front lawn.

Colonel Dix noted that there is also a problem with people not picking up after their dogs, and suggested that placing a wastebasket for dog waste would encourage more people to pick up after their dogs. He noted that Dr. Dina Vendetti, Principal, St. John's Lutheran School, had noted that the school does a sweep for dog waste before their annual field day at the park, and she had also put up anti-dog waste signs. Colonel Dix asked the City to spend $1,000 for park benches and suggested being careful where they are purchased from, noting that they are very heavy and the freight cost was expensive.

Mr. Slavin advised that sometimes when benches are put in they are used for purposes other than what they were intended for, and he encouraged staff to look at partitions for the benches so they do not become beds. Responding, Colonel Dix explained that this was why he wanted them to be four (4) feet long.

Mr. Dana Shelton, 133 Red Oak Drive, advised he owns property at 22 Lamplighter Lane and has an issue with putting benches in that area. He noted that, as President Slavin had indicated, benches would bring people that are not wanted into the neighborhood to hang out, and he did not want to see the property values at his townhouse decrease. Mr. Shelton did not think the benches were a great idea and stated the need to find some other way to help people get from one place to another.

He advised that putting park benches at this location would create a lot of problems, noting that there a lot of people hanging out there already without park benches. Mr. Shelton stated that he serves as the Vice President of The Greens of Dover Homeowners Association, although he was not present to represent this organization. He indicated that the benches would be a problem for other residents, although they had not discussed this.

Colonel Dix noted that this was why had suggested benches in a well-lit area at the westernmost point of Continental Park near a light pole in full view of the world, not in the hidden reaches of the park. He stated that kids currently hang out on the utility boxes across the street from this location, and he did not mind this since this is what he thought a park is for.

Mr. Slavin asked if this had been vetted with the neighborhood association. Responding, Colonel Dix advised that they did not have a homeowners association, but they have a Bicentennial Village Association that does not have a president or any such structure.

Mr. Slavin noted that there is a very active Facebook page and suggested posting this matter. Responding, Colonel Dix indicated that this had been done, there had been quite a discussion, and great hordes of mostly women indicated that they wanted a playground there. He stated that these women were expecting him to talk about putting in a playground; however, he did not want a playground but just a place where people could stop and rest when walking from Redner's to Liberty Court. Colonel Dix asked if Mr. Shelton agreed, and Mr. Shelton indicated that he did not.

Mr. Caldwell asked if the single purpose of the request was for people to sit down and walk from Redner's to Liberty Court. Colonel Dix noted that people could look at the trees. Mr. Caldwell stated his thought that people should find other means of transportation if they were having trouble walking from Redner's to Liberty Court, and if this was the only purpose being discussed, he had a problem spending $1,000 or $2,000 for two (2) benches. Responding, Colonel Dix advised that the cost of the benches was $500 apiece.

Mr. Anderson stated that quite a few people had expressed interest in benches and that they may serve one (1) valuable purpose but also many more because parks need both active and passive recreation, and this would be part of the passive recreation in Continental Park. He indicated that the benches would be valuable for people walking back and also allow people with young families to watch their children playing in the park. Mr. Anderson stated that this would allow more adult supervision and more family utilization in the park. He advised that many of those who want benches were people with children, noting that there are benches in many parks and crime is not centered around park benches but off in the woods or darker areas. Mr. Anderson stated that benches such as these encourage the opposite effect, such as more neighborhood involvement, activity, and eyes.

Mr. Anderson stated that this was valuable and that former Councilman Hosfelt was setting aside $1,000in discretionary funds for this purpose. Mr. Anderson noted that requests had gone to many members of Council, including himself who is not in this district, as well as the State legislature. He indicated that it was a valuable thing to do, the requests were from multiple people, and the notice for this on the Bicentennial site was seen by over 140 people; therefore, there was a lot of interaction and it was something worthy to do.

Ms. Nicole Carey, 21 Patriot Drive, advised that she loves the City of Dover, graduated from Wesley College, stayed here, married locally, and she will have lived at her current location for three (3) years in May. She stated that when park benches were brought up, she put a post on Facebook questioning why there was no playground in the neighborhood, which generated a lot of conversation. Ms. Carey stated that during the day she takes her two-year-old to Wyoming Park because Silver Lake is crowded and the park by New Street is too close to her work. She indicated that there is no riffraff at Wyoming Park, and her two-year-old likes to feed the ducks. Ms. Carey advised that it would be nice for her and her neighbors to walk to a playground in their neighborhood, noting that it is great to have a swingset in the backyard but even better to have social interaction with young children in the neighborhood. She indicated that when Colonel Dix brought up park benches, she looked at this in a positive way, and that if the City was able to do the park benches now, hopefully down the road there could be a playground for the young kids in the neighborhood. Ms. Carey indicated that a park bench would be useful for women who are breastfeeding or have diaper bags and other items and did not care where it was put, although she thought it would be good to have a light there. Ms. Carey expressed her hope that this would be a starting point for kids to have interaction together and for a playground within the park.

Mr. Neil stated that this problem should be directed to Parks and Recreation to look at whether there should be a playground and benches. He indicated that members were not ready to make a decision because the cry was for a playground, which would be useful in the neighborhood. Mr. Neil advised that he was unsure if there was money or what the design would be.

Mr. Neil moved to recommend referring this matter to the Parks and Recreation Department to look at creating a playground, seconded by Mr. Hutchison.

Mr. Cole advised that there is a playground and two (2) benches in his neighborhood, noting that he has a six-year-old and they use it all the time. He stated that if there was money, he was in favor of a workshop or referring this matter to Parks and Recreation.

Mr. Slavin advised that he had been involved in playground design at Silver Lake Park and Dover Park and recalled a process by which the local community is engaged to pick and choose what is wanted and this is then developed into a budget. He asked how long it takes to schedule such a workshop. Responding, Mrs. Townshend indicated that this could happen later in the spring. She noted that something similar was done at Mallard Pond approximately a year-and-a-half ago and there is now a playground there. Mrs. Townshend explained that this is a community effort, and a vendor comes out with books and allows kids to draw pictures of what they want. Mr. Slavin advised that this is a very positive experience, and Mrs. Townshend noted that this approach gets the community to buy in.

Mr. Slavin stated that the spirit of the motion would be to make sure this takes place this spring, and suggested having a placeholder amount to plug into the budget hearings in May to get this done next year.

Mr. Anderson stated that he had planned to try to amend the motion so that it would be a community project patterned on the Mallard Pond model, bringing people together with hearings in the community. He recommended that it not just include Bicentennial but also The Greens.

Mr. Caldwell stated that he agreed with the discussion, noting that it had started with benches and moved to a playground. He indicated that his concern was about having two (2) benches there, with people loitering for any reason that they wanted to be there. Mr. Caldwell favored the park being studied and evaluated.

The motion to recommend referring this matter to the Parks and Recreation Department to look at creating a playground was unanimously carried.

Community Development Block Grant (CDBG) Application Review

Mrs. Tracey Harvey, Planner I, advised members that the Planning Staff had provided the proposed Community Development Block Grant (CDBG) allocation recommendations for the FY17 CDBG grant renewal and that proposed grant funding recommendations would be allocated to the sub-grantees that were awarded multi-year grants from the approved 2015-2019 Consolidated Plan.

Mrs. Harvey reviewed a brief description of the programs proposed by the City's Community Development Office for funding, stating that allocations were recommended by Staff as follows:

2017 Grant Projects	Grant Request	Current Amount	Recommended Amount
Homeownership Assistance Program	$60,000	$50,000 100% of funds spent	**$60,000**
Program Administration	$43,312	$47,301 45% of funds spent	**$43,312**
Dover Interfaith Mission for Housing	$24,000	$22,000 75% of funds spent	**$24,000**
Connections Community Support	$15,000	$7,208 $0 spent	**$3,000**
Milford Housing Development Corporation (Emergency Home Repairs)	$40,000	$25,000 30% of funds spent	**$25,000**
Milford Housing Development Corporation (Homeowner Rehabilitation)	$60,000	$55,000 $0 spent	**$40,000**
Central Delaware Habitat for Humanity	$40,000	$30,000 $0 spent	**$21,245**
Total	$282,312	$236,509	**$216,557**

Mr. Anderson noted that some applications for rehabilitation grants were still out and some were in process. He asked what percentage of applications would be taken if all of the applications came in and passed the evaluation. Responding, Mrs. Harvey explained that the waiting list was still open. She noted that Milford Housing Development Corporation (MHDC) was previously having trouble finding qualified homebuyers, and there had been issues with those whose taxes were not paid or did not have home insurance.

In regard to minor home repairs, Mr. Anderson noted that 30% of the funds had been spent and asked how much of the $40,000 this amounted to. Responding, Mrs. Harvey advised that $25,000 had been spent, and Mr. Anderson noted that this would amount to 60%. Mrs. Harvey explained that part of the amount had been combined with a rollover from the previous year; therefore, technically only 30% of the funds had been spent.

Mr. Anderson recalled that there had been a problem with turnover in a previous year with the Milford Housing Authority and there had been funds that could not be spent. In response, Mrs. Harvey advised that, in 2014, Milford Housing Authority failed to spend the allocation in that year and were not awarded funds the next year for that reason.

Mrs. Harvey noted that Central Delaware Habitat for Humanity still had funding available from the previous year, and her recommendation was to allocate an additional $30,000 to the Homeownership Program, since 100% of those funds had been spent already and there was a demand for this program.

Mr. Neil moved to recommend approval of the Community Development Block Grant (CDBG) allocations, as recommended by staff. The motion was seconded by Mr. Hutchison and unanimously carried.

Mr. Neil moved for adjournment of the Special Parks, Recreation, and Community Enhancement Committee meeting, seconded by Mr. Cole and unanimously carried.

Meeting adjourned at 7:49 p.m.

SAFETY ADVISORY AND TRANSPORTATION COMMITTEE

The Safety Advisory and Transportation Committee meeting was held with Chairman Hutchison presiding.

AGENDA ADDITIONS/DELETIONS
Mr. Cole moved for approval of the agenda, seconded by Mr. Keller and unanimously carried.

Quarterly Update - Bicycle/Pedestrian Subcommittee
During the Regular City Council Meeting of February 13, 2017, Council considered the Bicycle and Pedestrian Subcommittee Recommendations regarding the Walk21 International Charter for Walking and Proposed Resolution No. 2017-01 - Complete Streets and referred these items back to the Bicycle/Pedestrian Subcommittee. Mr. Jim Hutchison, Chair, Bicycle/Pedestrian Subcommittee, advised that the Subcommittee had previously recommended authorizing staff to sign the Walk21 International Charter for Walking on behalf of the City of Dover. He noted that this Charter provides a common framework that helps cities focus policies and activities to create a culture where people choose to walk. Mr. Hutchison advised that Council had questioned whether it was in the City's best interest to sign the Charter. He explained that, while the Bicycle/Pedestrian Subcommittee believed that the Charter had good intentions, they did not want their work to be controversial in any way; therefore, they withdrew the request to sign the Charter.

Mr. Hutchison indicated that the Subcommittee would like Proposed Resolution No. 2017-01 - Complete Streets to be moved forward, noting that this Resolution was an acknowledgment of existing regulations and practices, and it seemed important to provide appropriate and safe street infrastructure for all traffic using streets.

Mr. Hutchison stated members that the Subcommittee had continued to follow the West Dover Connector project and its implications on bicycling and pedestrian activity. He explained that a shared use path would cross the West Dover Connector at Ridgely Boulevard. Mr. Hutchison advised that the Subcommittee members had been informed through a Delaware Department of Transportation (DelDOT) presentation that the crossing would not be built as planned and, as currently being put forward by DelDOT, would not be protected in any way. Mr. Hutchison indicated that the Subcommittee had a strong concern about the safety of this crossing, noting that, according to DelDOT, the West Dover Connector would be heavily used. He indicated that members thought consideration of some type of protection at the crossing, such as a rapid flash beacon or some other type of control device, was warranted. Mr. Hutchison explained that DelDOT had advised that the first step for consideration of protection would be completion of a pedestrian traffic study. He advised that the Subcommittee was asking that a letter be sent to DelDOT requesting a traffic study where the shared use path and the West Dover Connector cross each other.

Councilman Hutchison asked if Planning Department staff had looked at the safety issue regarding the bike path. Responding, Mrs. Ann Marie Townshend, Director of Planning and Community Development, stated that staff, along with the Subcommittee, had looked at this issue, noting that the project manager from DelDOT had attended the last Subcommittee meeting. She stated that, in DelDOT's view, the warrants at Ridgely Boulevard and the West Dover Connector were not met to signalize that intersection. Mrs. Townshend explained that, although there would be only one (1) lane of traffic to be crossed and a center median to stop at in the middle, there was concern because this would be a 40-mile per hour road. She indicated that she had learned through her previous experience with the Dover High School project that DelDOT would not put any type of signal or rapid flash beacon at the location unless there was a study and warrants were met. Mrs. Townshend indicated that a study should be requested from DelDOT once the road is up and running.

Chairman Hutchison stated his understanding that the City would need to put together a letter to DelDOT to request a study, and Mrs. Townshend confirmed this, stating that if the Committee was interested, she could make sure that this goes into the next meeting packet.

Mr. Neil moved to recommend sending a letter to the Delaware Department of Transportation (DelDOT) to request a traffic study at the crossing of the shared use path at Ridgely Boulevard and the West Dover Connector *(Attachment #3)*. The motion was seconded by Mr. Cole and unanimously carried.

In regard to Proposed Resolution No. 2017-01 - Complete Streets Policy, Mrs. Townshend advised that after the Resolution was sent back to the Subcommittee, members discussed it and felt that it was important to move it forward because it was forward focused and related specifically to the policies and practices in place in Dover. She noted that this Resolution would take things that were spread throughout a variety of documents and put them together into one (1) Resolution.

In response to Chairman Hutchison, Mrs. Townshend advised that she supported the Resolution.

Mr. Slavin moved to recommend placing Proposed Resolution No. 2017-01 - Complete Streets Policy, back on an agenda for consideration by the Safety Advisory and Transportation Committee, seconded by Mr. Cole.

Colonel Tom Dix, 664 Independence Boulevard, stated that he had attended a DelDOT function regarding bicycling a few weeks ago at the Dover Public Library and also attended a meeting of the Metropolitan Planning Organization (MPO) that the Mayor had chaired. He advised that a bicycle path was planned that would run east and west on the north side of Forrest Avenue that would somehow have to get to the south side of Forrest Avenue to get over to the high school. Colonel Dix had questioned how bicycles would jump from the north side of Forrest Avenue to the south side and how they would get around the Kenton Road/Forrest Avenue intersection. He indicated that those present appeared surprised by his question and noted that he did not think they had a plan.

Mr. Hutchison advised that he could not answer Colonel Dix's specific question; however, there was a plan for the pathway.

The motion to recommend placing Proposed Resolution No. 2017-01 - Complete Streets Policy back on an agenda for consideration by the Safety Advisory and Transportation Committee was unanimously carried.

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

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

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

AGENDA ADDITIONS/DELETIONS
By unanimous consent, the agenda was approved as presented.

Request for Incentives - Nail Spa by TR
During their meeting of March 1, 2017, the Economic Development Committee recommended forwarding the Request for Incentives - Nail Spa by TR to Council and to present an amendment to the ordinance to the Legislative, Finance, and Administration Committee, along with a retroactive date and the number of other permits and properties that 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. City Council approved this recommendation during their Regular Meeting of March 13, 2017.

Mrs. Ann Marie Townshend, Director of Planning and Community Development, advised that a request had been received from the owner of Nail Spa by TR to expand the Downtown Development District (DDD) incentives to a larger area. She explained that Ms. TR Rowe had recently opened

a business in the City and was not eligible for the incentives. Mrs. Townshend indicated that the DDD was a very geographically focused program and, under the State's program, the City was limited to 225 acres. She indicated that there was not a good way to expand the incentives beyond that area; however, there was an incentive in Appendix E of the Dover Code of Ordinances for commercial and industrial building redevelopment. Mrs. Townshend indicated that this incentive requires a minimum of 5,000 square feet of floor area and allows for a waiver of half of the building permit fees and half of the impact fees, as well as tax abatement for 10 years on the value of the improvements. She noted that Nail Spa by TR occupies less than that 5,000 square foot threshold; therefore, it did not qualify for this incentive. Mrs. Townshend advised that, during the Economic Development Committee meeting, members discussed bringing forward an amendment to strike the language in Appendix E regarding the minimum 5,000 square foot floor area so that smaller areas would qualify for the incentives. She indicated that another aspect discussed was making the amendment retroactive so that this particular business owner would be able to receive the incentives. Mrs. Townshend stated that she had explained that, in order to be fair, there would be a need to look at other businesses that did not get the incentive because of their size. She indicated that she had offered to review this matter and bring forward what the costs would be; however, it was determined that the permit was issued for renovations for Nail Spa by TR in July 2015, the Certificate of Occupancy was granted in September 2015, and the funds were collected in a prior fiscal year. Mrs. Townshend explained that if the amendment was made retroactively, it would apply to many locations and it would require a great amount of staff time to comb through all of the building permits to determine how widely applicable it would be. In addition, she noted that typically money is not refunded from prior fiscal years and thought this was a bad precedent to set. Mrs. Townshend indicated that there were two (2) things coming out of Committee: 1) the retroactivity which she would not recommend, based on the datedness of the permits and the renovations that were completed; and 2) changing the ordinance going forward to remove the 5,000 square feet of floor area, which would make very small tenant spaces and shopping centers eligible for the incentives. She noted that this would be a benefit on the business side of things; however, there would be a cost on the revenue side of things. Mrs. Townshend stated that it seemed fair to remove the threshold given that 5,000 square feet was not a magic number.

Mr. Anderson stated that he agreed with Mrs. Townshend and did not see any reason to give any money back retroactively. He asked if it would be acceptable to take the July 1, 2015 date and allow businesses to apply for their 10-year exemption 10 years forward from the year that it is approved. Responding, Mrs. Townshend advised that this would be a middle ground position that would not require researching of back permits and refunding money from prior years.

Mr. Anderson stated that this would put the responsibility on the property owner, noting that the City would provide public notice on the City's website, possibly by placing a small legal ad in the newspapers, and through the Chamber. This would put the responsibility on the property owner to do the application, rather than on staff to research, and would not take money from other taxpayers. He questioned if this would be a way to achieve the objective and Mrs. Townshend stated that she thought that it would.

Mr. Hare questioned if the City would still be refunding money. In response, Mrs. Townshend stated that it would not, and this would be tax abatement going forward 10 years from the time of application rather than going backward.

Mr. Neil asked how much money the tax abatement would be for a small building with 2,500 square feet. Responding, Mrs. Mitchell indicated that this would depend on the current assessed value. Mrs. Townshend noted that this could vary depending on the location of the property in the City and its condition.

Mr. Anderson noted that the project has to be at least $15,000.

Dr. Stewart stated her understanding that the request was to eliminate the 5,000 square foot minimum; however, it was unknown how much this would cost in the future if businesses that did not previously qualify could qualify going forward, and this was confirmed by Mrs. Townshend. In response to Dr. Stewart regarding the location of the property, Mrs. Townshend indicated that it was located just before the Arby's on Route 8.

Mr. Hare asked if the downtown development incentives would be expanded, and Mrs. Townshend responded that they would not. She stated that incentives had been developed for vacant commercial properties on Route 13, industrial buildings, and industrial parks to encourage their reuse. Mrs. Townshend advised that these incentives had been used for the Walmart redevelopment and Mission Barbecue projects. She noted that this was a lesser incentive than those in the downtown area but was nonetheless an incentive. She reiterated that the request was to remove the 5,000 square foot threshold.

Mr. Hare questioned if the 5,000 square foot threshold could be left and another threshold could be established with a little less incentive, and Mrs. Townshend indicated that this could be done. Mr. Neil expressed his opinion that members did not have enough information to know what approving this would cost and stated the need for more information.

Mr. Slavin asked if the City had any kind of modeling for incentives that would indicate, if the City is giving on the revenue side, what the gain would be in economic impact of the business on the community. He noted that everyone wanted to be pro-business but, at the same time, he would not want another Council 10 years from now to question this amendment and have to undo it.

Mrs. Townshend stated that she did not know that there was a specific model; however, typically, incentives are targeted to address a specific problem. She stated that a number of fairly large businesses were leaving or vacant, such as Walmart and K-Mart, which was causing concern. Mrs. Townshend noted that these incentives were put in place to address a specific problem. She did not know that the proposal would necessarily solve a problem. She questioned if expanding the incentive would be solving a problem that does not exist or if the whole purpose was to be business friendly. She stated that it was known that businesses would not happen in the downtown area without these incentives and noted that the variety of incentives through the State, County, and City were making it worthwhile for people to invest. Mrs. Townshend indicated that she was unsure that the problem exists outside of the downtown area. She stated her belief that the incentive should be targeted to a problem that the City is trying to solve, noting that she was not convinced that there was necessarily a problem, other than wanting to be more friendly to business.

Mr. Shevock asked if the incentive for 5,000 square feet was the same for 10,000 square feet. Responding, Mrs. Townshend stated that it was; however, she noted that there were permit fee and

impact fee partial waivers; therefore the value of the incentive would change. She advised that the costs and permit fees for renovating a very large space would be more; therefore, the savings would be more. She noted that this would be proportionate. Mr. Shevock asked, if this would proportionately go up, whether the fees could proportionately come down for someone with lesser square footage, and Mrs. Townshend stated that it would. Mr. Shevock indicated that this would be the thing to do, noting that everyone would then be equal. Mrs. Townshend agreed and noted that there would still be a $15,000 minimum of construction value.

Mr. Anderson stated that it was important not just to be friendly to business but to maintain the flow of business. He noted that businesses come and go, and business places become empty, and the value of them goes down. Mr. Anderson advised that it was found that if incentives are put in place, people invest and increase the value of the property. He noted that this incentive does not lower the amount of taxes collected from a property but increases taxes collected; however, it temporarily increases the amount collected at a lower rate. Mr. Anderson indicated that it encourages people to improve the value of the property, so it provides in the long run a higher tax base and more tax revenue. He stated that in the short run it provides more revenue, fees, and economic activity and is designed to bring in more business activity and generate more revenue. Mr. Anderson noted that this design does not have any value difference, noting that there are small empty spaces and that filling five (5) 2,000 or 2,500 square foot office or store spaces is just as valuable as filling one (1) of the bigger stores. Mr. Anderson advised that small business cannot be left out anymore and the City must be friendly to them, not only to the medium and larger businesses.

Mr. Slavin indicated the desire to approach this issue with some science behind it. He expressed the desire to be as business friendly as possible, especially to small businesses, and indicated that this was not necessarily a bad idea; however, he was not convinced with the information provided that the City would be getting a benefit.

Mr. Hare stated that, based on what he was hearing, any small business could come to the City and receive a 10-year tax exemption, just like Ross or Big Lots. Mrs. Townshend clarified that all these businesses would receive tax abatement. Mr. Hare noted that a business such as a massage parlor could shut down, reopen with a new owner, and get 10 years in tax abatement. Responding, Mrs. Townshend indicated that they would have to demonstrate that they had $15,000 worth of construction value in renovations for tax abatement.

Mr. Hare stated that he did not think that members had enough information to make an educated decision.

Mr. Anderson pointed out that it would not lower the taxes that are currently paid and is not a tax abatement on the property but a tax abatement on the improvement. He noted that it is designed to give a partial tax abatement on the increased value for a period of time if more money is invested. Mr. Anderson indicated that it would not pay someone to shut their business down and reopen it because it would not change their taxes. He explained that it was not designed to create more taxes in property in the City of Dover, but to increase the amount of taxable property in the City of Dover, and to provide a partial abatement on the improvement value of the property.

Mr. Hare asked, when the Walmart center reopened, if they were still paying 100% of the property taxes that they were paying. Mrs. Townshend responded yes and noted that they were also paying the increased value on the outbuildings; however, they were receiving an abatement on the main building. She explained that if their taxes had increased from $5,000 to $7,500, they would still be paying only $5,000 over the next 10 years.

Mr. Hare asked if the individual from Nail Spa by TR was requesting just an abatement. Responding, Mrs. Townshend advised that her letter had indicated that she wanted the downtown incentives. She indicated that she was unsure if Ms. Rowe was the property owner and, if not, what the structure of her lease was. Mrs. Townshend advised that she did not know if Ms. Rowe was paying the taxes or if the landlord was paying them.

Mr. Hare expressed his opinion that expanding the downtown incentives would be opening up a can of worms and questioned how far out the incentives would be extended. He stated that businesses outside the DDD should be treated like the Big Lots property or anyone else, and Mrs. Townshend agreed. He expressed the need to come back with a plan before this issue could be addressed.

Mayor Christiansen advised that Mrs. Traci McDowell, City Clerk, had pointed out that the ordinance had a sunset date of December 31, 2018, and he recommended taking it back and massaging it prior to its being sunset.

Mr. Neil moved to recommend that Staff come back with a recommendation with regard to buildings with less than 5,000 square feet, what the impact would be, and whether or not the time could be increased for a smaller building to have the abatement. The motion was seconded by Mr. Anderson and unanimously carried.

Search to Fill Vacant Positions
Mr. Slavin noted that the City had to begin the process for a search for two (2) key positions.

City Manager
Mr. Slavin proposed accepting and reaffirming the City Manager job description that was approved in 2013 without change and reviewed Staff's suggested recruitment resources for the position. Mr. Slavin indicated that he would recommend stopping just short of the suggestion to utilize an executive recruiting firm. He asked that members also authorize the Human Resources Director to advertise locally, on Monster.com, and social media, and that the process begin immediately.

Mr. Slavin moved to recommend acceptance and reaffirmation of the City Manager job description that was approved in 2013 without change, and authorizing the Human Resources Director to advertise as Staff recommended, through the International City/County Management Association, Delaware City Manager Association, Delaware League of Local Governments, Sussex County Association of Towns, Maryland Municipal League, and colleges with MPA programs, as well as locally, on Monster.com and social media, and that the process begin immediately. The motion was seconded by Mr. Anderson and unanimously carried.

City Planner
Mr. Slavin expressed the hope that there was someone who could come in and operate the Planning Office, stating that he would like, after approximately a 90-day period, for this person to provide an assessment of some of the duties involved with the office and a recommendation of organizational structure. He noted that this would then inform what the position description and search might be for the search. Mr. Slavin stated his belief that there was no action to be taken, other than to acknowledge this, and for everyone to understand that they would be waiting on initiating that search.

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

Meeting adjourned at 8:23 p.m.

By unanimous consent the Council Committee of the Whole meeting was adjourned at 8:23 p.m.

Timothy A. Slavin
Council President

TAS/TM/js/dd/tm
S:\AGENDAS-MINUTES-PACKETS-PRESENTATIONS-ATT&EXH\Committee-Minutes\2017\03-28-2017 CCW (revised 05-26-2017 - typographical errors) - JS.wpd

Attachments
Attachment #1 - Letter from Ms. Janie Libby, Central Delaware Chamber of Commerce (CDCC), dated February 22, 2017 regarding the Electric Utility
Attachment #2 - Email from Colonel DIX dated March 12, 2017, Subject: "For the Record Park Benches for Continental Park"
Attachment #3 - Draft Letter to the Delaware Department of Transportation (DelDOT) Requesting a Traffic Study at the Crossing of the Shared use Path at Ridgely Boulevard and the West Dover Connector

Central Delaware Chamber of Commerce

February 22, 2017

The Honorable Timothy Slavin
President
City Council
City of Dover
15 Loockerman Plaza
Dover, DE 19901

Re: Electric Utility

Dear Councilman Slavin;

As you and members of Council are aware, the Central Delaware Chamber of Commerce (CDCC) has long been interested in a number of issues as it relates to the growth of our members here in the City.

At a recent "workshop" of City Council and senior leadership of city government, the CDCC submitted for the record and brief testimony our Vision 2020, providing nine different areas of interest related to economic development. Some of the comments were directed at creating support mechanisms in the City that help business owners to navigate the permitting system, while another was to create a new sponsorship program for our city parks.

One issue the CDCC believes is paramount to the future health and growth of our city is the current ownership and management of the city's electric utility. We think Dover's electric rates are not as competitive as they should be, and in cases where use is significant, it becomes a competitive disadvantage for the user. Generation and distribution of electricity has become extremely complicated, and it is now time we examine Dover's role in owning and managing this complex system or should it be sold and managed by another party.

Based upon our Vision 2020 document and conversations with City leaders and other interested parties, we hereby submit for Council's consideration the following "CDCC Electric Utility Task Force" (TF) made up of the following potential membership:

Chair
Janie M. Libby

First Vice Chair
Sean M. Mace

Vice Chair
Economic Development
Shane E. Breakie

Vice Chair
Organizational Development
Adrienne Hawes

Vice Chair
Community Affairs
Evans Armantrading, Jr.

Vice Chair
Legislative Affairs
C. Scott Kidner

Vice Chair
Military Affairs
Lynne S. Schaefer

Treasurer
Christina M. Lessard

Vice Chair
Smyrna/Clayton
Dana F. Wattay

Past Chair
Tammy J. Ordway

Directors
Alexander J. Guardi
Jesse C. Keleher
Jenny R. Mabus
Stephanie J. S. Preece
Peter M. Renzi
John D. Shevock
Dr. Lisa J. Strusowski
Dr. Dina C. Vendetti
Robert R. Ware
Kevin D. Yingling

Honorary Board Members
Honorable Bradley S. Eaby
Col. Ethan C. Griffin

President
Judy Diogo, CFRE, IOM

Staff
Cristal R. Brenneman
Lori L. Ewald
Kendra D. Friel
Kristi J. Osborn
Heather L. Patosky
Heather M. Pleasants

1. President, City Council
2. Chairman, City Council Utility Committee
3. City Council Member, appointed by the Mayor
4. City Manager (who will act as Vice-Chair of this TF)
5. Director, City of Dover Electric Department
6. Chairman of the CDCC (who will act as Chair of this TF)
7. Two members of the CDCC appointed by the Chairman of the Chamber, one of whom will be familiar with purchasing and sale of energy
8. One residential property owner in the City appointed by the Mayor
9. One commercial property owner in the City appointed by City Council President
10. One industrial property owner in the City appointed by the Chair of the Utility Committee

We ask that all Task Force appointments be completed so the first meeting may occur on or before 15 March 2017. All meetings shall be at the call of the Chair. The TF will produce an Executive Summary on or before 15 June and to present their findings to City Council. Technical support and staffing will come from the CDCC and the City as required.

Overall, it is the intention of the CDCC to form this Task Force to explore facts both pro and con as to whether the sale of the city's distribution/generation system and facilities to a 3rd party has merit. The information provided to the Task Force shall be provided by users, city management, potential purchasers, and if possible, an independent source that operates within the utility business. However, the facts both for and against the sale of the electric utility to a potential purchaser cannot be made by this Task Force. Its objective is to provide all the facts and details as to whether a sale of the electric utility is beneficial to all the citizens of the City. Any decision on the sale of the system must be made by City Council, and to be done in a transparent fashion.

The CDCC is hopeful the outcome of this Task Force will provide City Council and the citizens of the City with the necessary information to make a deliberative and thoughtful decision.

Thank you for this opportunity to serve, and we look forward to starting the "Electric Utility Task Force" as soon as practical.

Respectfully,

Janie Libby
Chair of the Board, CDCC

thomas j. dix

From: thomas j. dix <kathytomm@verizon.net>
Sent: Sunday, March 12, 2017 1:23 PM
To: 'ATownshend@dover.de.us'
Subject: FOR THE RECORD PARK BENCHES FOR CONTINENTAL PARK

Ann Marie Townshend

Director, Planning and inspections

City Hall

15 Loockerman Plaza

Dover, de 19903

March 12, 2017

Dear Ann Marie,

I just wanted to nail down the location of the two park benches for Continental Park.
I am requesting that they be located near the intersection of Independence Blvd. and Lamplighter Lane. Since Lamplighter is "U" shaped, the southern most intersection.
This will also be near the center of the new realigned intersection on Independence Blvd.
It will offer the best place to cross Independence Blvd. There is a street light pole numbered as S-13 between the curb and side walk. Proceed east a few feet to the nearest tree. Place the two benches three feet to the left and right of the tree with the benches running in line with the row of the trees and facing the park. Very sturdy 4 foot wide benches would be the best.
My purpose for the benches is accommodate the little old ladies who are walking back to Liberty Court from Redners. It is a good half way point.
I do want to thank you for your interest in Bicentennial Village.

Sincerely,

Thomas J. Dix



DELAWARE DEPARTMENT OF TRANSPORTATION	The alternatives shown on this map are for conceptual purposes only and are not intended for construction.	PREPARED BY: RK&K	NOTE 1: NOT TO SCALE NOTE 2: EXACT DIMENSIONS WILL NOT BE DETERMINED UNTIL FINAL DESIGN	DATE / SCALE / COUNTY / HIGHWAY	DRAWN BY: CMP / CHECKED BY:	Independence Boulevard Traffic Calming	Independence Blvd - Realigned Intersection

Expanded Steel
Round Corners

Matching Products

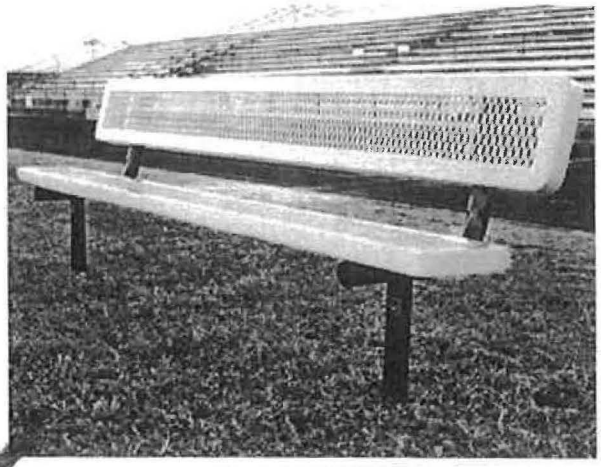


Expanded Thermoplastic Coated Park Bench



Expanded | Regal Thermoplastic Coated 15' Park Benches

#1

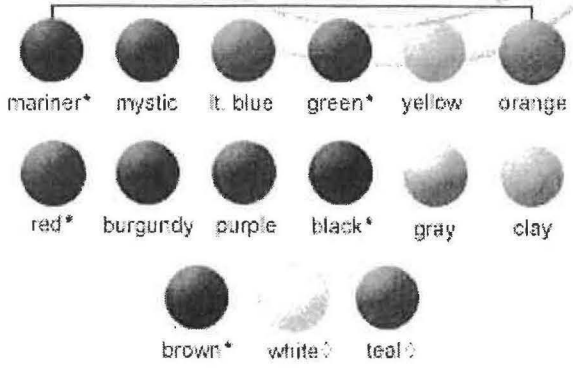


Model R8WB-I

4 FT

Very Sturdy

Color Options (available in *Plastisol | ◊Frame Only)



▼ Item Specific Details Available on Linked Model Numbers Below

Tweet G+1

Thermoplastic Coated Expanded Steel Park Style Benches | 4' Length						Qty
R4WB-P	Portable	Back/Seat Color	Frame Color	(84 lbs)	$426.00	
R4WB-I	In-ground	Back/Seat Color	Frame Color	(80 lbs)	$426.00	
SMSCOVER	**Optional Covers** - One Set of 2 Covers Required Per Bench - $50/Set				◯ No ◯ Yes	
R4WB-S	Surface Mount	Back/Seat Color	Frame Color	(80 lbs)	$426.00	
SMSCOVER	**Optional Covers** - One Set of 2 Covers Required Per Bench - $50/Set				◯ No ◯ Yes	
Thermoplastic Coated Expanded Steel Park Style Benches | 6' Length						**Qty**
R6WB-P	Portable	Back/Seat Color	Frame Color	(113 lbs)	$394.00	
R6WB-I	In-ground	Back/Seat Color	Frame Color	(113 lbs)	$394.00	
SMSCOVER	**Optional Covers** - One Set of 2 Covers Required Per Bench - $50/Set				◯ No ◯ Yes	
R6WB-S	Surface Mount	Back/Seat Color	Frame Color	(113 lbs)	$394.00	
SMSCOVER	**Optional Covers** - One Set of 2 Covers Required Per Bench - $50/Set				◯ No ◯ Yes	
Thermoplastic Coated Expanded Steel Park Style Benches | 8' Length						**Qty**
R8WB-P	Portable	Back/Seat Color	Frame Color	(170 lbs)	$439.00	

TIMOTHY A. SLAVIN
Councilman - At Large
Council President

City of Dover

24 Hazel Road
Dover, DE 19901
(302) 270-6192 - Cell
(302) 736-7006 - City Office

**Date*

Secretary Jennifer Cohan
Delaware Department of Transportation
P.O. Box 778
Dover, DE 19903

Dear Secretary Cohan:

We are excited to see the progress on the construction of the West Dover Connector, and we look forward to the new road opening to traffic. One matter of concern has come to our attention regarding this road, and we would like to share our concern with you. The West Dover Connector includes a multi-use path along the alignment. In the area of Eden Hill Farm, the path parallels the west side of the roadway as it travels north to Ridgely Boulevard. At Ridgely Boulevard, the path on the west side of the roadway ends, and cyclists and pedestrians are forced to cross the road to where the path continues on the east side of the roadway. Under current conditions, traffic volumes from Ridgely Boulevard do not meet the warrants for a traffic signal. The speed limit for this segment of roadway is 40 mph. As we understand, pedestrians and cyclists will cross one lane of traffic in each direction with a landscaped median in the center.

Due to the speeds of traffic expected on the West Dover Connector, we are seriously concerned that there is no traffic control (such as a signal or a rapid flash beacon) proposed for this location. We do not believe that an uncontrolled crossing for pedestrians on a roadway with a posted speed of 40 mph is safe. We request that the Department of Transportation revisit this specific design aspect of the roadway. If some sort of controlled crossing cannot be installed initially, we request that the Department initiate studies to determine if a traffic control device is justified as soon as the roadway and multi-use path become open to the public.

We enthusiastically support efforts to add the bicycle and pedestrian amenities with the new roadway, but we ask you to do what you can to ensure the safety of motorists, pedestrians and cyclists who use the West Dover Connector and associated multi-use path.

If you have any questions, please do not hesitate to contact me at (302) 270-6192.

Sincerely,

Timothy A. Slavin
Council President

TAS/js
S:\Correspondence\Council Meeting\2017\04-10-2017 DRAFT Letter to DelDOT - West Dover Connector Crossing.wpd

cc: Mr. Dave Hugg, Acting Director of Planning and Community Development
Mr. James Hutchison, Chair, Bicycle/Pedestrian Subcommittee