REGULAR COUNCIL MEETING

The Regular Council Meeting was held on April 10, 2017 at 7:40 p.m. with Council President Slavin presiding. Council members present were Mr. Anderson, Mr. Sudler, Mr. Neil, Mr. Lewis, Mr. Cole, Mr. Hare, and Mr. Hutchison.

Council staff members present were Deputy Police Chief Mailey, Mrs. Mitchell, Mr. Hugg, Fire Chief Carey, City Solicitor Rodriguez, and Mrs. McDowell. Mayor Christiansen and Ms. Peddicord were also present.

OPEN FORUM

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

Ms. Alexis Simms stated that she had been attending the Open Forum and speaking about homelessness for about nine months and she thought it was ridiculous that nothing had been done, although the Mayor and Council say they are working on things. She advised that the homeless gave the Mayor and Council their jobs and that they could take them away. Ms. Simms asked that they help the homeless.

Mr. Steven Hall advised that he took the time to look up the definition of the word "depressed", which means to be in a state of general unhappiness or despondency. Despondency is a state of low spirits caused by loss of hope or courage. Mr. Hall stated that you lose courage when you wake up in the morning and say, "Thank you, Lord, for letting me live to see another day" and then your eyes focus and all you see around you are trees. He noted that a hot waffle with scrambled eggs, his favorite breakfast, is just a dream, something that you wish you had, but you have no means of making or preparing that breakfast. Mr. Hall stated that living like this is enough to depress you.

Mr. Hall stated that he still had hope and belief that something was going to be done; however, when he was in the state of depression, he wanted to take his life because he did not want to live another day in this world being homeless.

Mr. Eric Abernathy stated that they would continue to work for the homeless in the state of Delaware and would not stop because he was on God's side. He advised that he knew for sure that homelessness would be stopped in the state of Delaware before they are done.

Mr. Lance Moffa stated that he has been dealing with a complaint with the City of Dover since 2014, which he has documented everything, every step of the way. He also noted that he had the owner's representative with him. Mr. Moffa advised that they have suffered mental anguish, physical stress and tremendously financially due to some of the misdeeds of some at the City. Mr. Moffa requested that City Council hold an executive session so that he could speak with them professionally and privately about the matter. He stated that he intended to be indemnified.

Mr. Moffa stated that Mr. Neil sits on the Board of Adjustment and presided over a formal complaint at which he was either bamboozled by some of the staff or he was in on it. Councilman Neil clarified, for the record, that he does not sit on the Board of Adjustment.

Mr. Dean Cromer advised that he attended the last Open Forum and he said he would come back with a solution. He suggested that they could start a GoFundMe account or a website to help the homeless by asking for $1.00 to change a life. Mr. Cromer stated that they could post pictures of the people with their bios and tell their stories. He advised that, throughout the internet community and the worldwide web, they would be surprised how many people would donate $1.00. Mr. Cromer stated that he would like to come back with a $20,000 or $30,000 check to help the homeless.

Mr. Arthur Cunningham thanked Pastor Appling, Victory Church, and Mayor Christiansen for helping Jim and Lisa. He noted that they had been in their new home for three (3) weeks and it was a good thing.

Mr. Cunningham advised that he was a Vietnam era veteran and, if it were not for the grace of God, he would be homeless because three (3) years ago he was hurt in a car accident and he was employed at Walmart in Wilmington. He noted that he could not go back to work and, months later, he had surgery and was going to different shelters in Wilmington. Mr. Cunningham advised that he has been in Dover for two years and it is his home. He thanked the State of Delaware and everybody for helping him out, because if he was not a veteran, he would not have any resources to work with. Mr. Cunningham stated that he was sworn to put his life in harm's way and the same people he swore to protect, he was there to support and make a way for them. He requested that something be done to support them.

Mr. Jonathan Tyler advised that he had not been homeless too long and he was not as old as most of the people out there, but he did know that his time being homeless had taught him a lot and he had seen a lot go on that should not be going on, especially with some of the people that were disabled, and they should not be homeless. Mr. Tyler stated that there was no reason for him to be homeless, other than his old ways, which have been washed away and he has been made new. He advised that he is young and can, and is willing to, work and that he does not like being on food stamps or relying on other people to do things for him, but he is in a position where he has to. Mr. Tyler asked for people that can actually do for themselves to be helped, at least a little bit, so they can stop relying on the government and start relying on themselves.

Mr. Steven French asked why the homeless were still out in the cold.

Mr. Timothy Sewell advised that he was a United States Army Reserve veteran and that he would like to go to Perry Point or Coatsville Hospital just as soon as possible. He requested someone to call the number for confidential help for veterans and their families for him. Mr. Sewell advised that the toll free number was 1-800-273-8255 and that they have a lot of opportunities. Council President Slavin advised Mr. Sewell that Mayor Christiansen had offered to help him after the meeting if he wanted to stay.

Pastor Aaron Appling stated that he wanted to bring a revelation about what was happening in the state. Pastor Appling advised that he had been in Dover since he was a kid, and he knew that it had been run predominantly by the elites who have been around and in power a long time. He stated that a rise up amongst the common people was happening and they understand that they are just as important as anybody else and they deserve a voice. Pastor Appling noted that he loves to see so many people come up and speak. He advised that it is not about one person or one church, it is about

a group of people who have been discriminated against for a long time, who have been beat down for a long time, whether through their culture or through their race in the past years, and they are now beginning to wake up and realize that things are wrong in our city.

Pastor Appling stated that he thought the gentrification that was happening in downtown Dover was wrong and asked where the people were going to go when they move them out of these houses and put other houses up. He noted that not everybody has to live the way the elites and different people want to live and many of them come from cultures that do not put money or success above everything else, but put fellow human beings above everything else. Pastor Appling advised that the people are changing in the street and before you know it, these guys are going to be a force that you are not going to want to mess with because they are getting educated, empowered, and they are getting self esteem.

Mr. Corey Berry stated that he did not know most of the people in the audience, but he respected them and cared about them just as well as they cared about him. He advised that he went beyond the call of duty and was now homeless. Mr. Berry stated that he has lost his job and his residence. He stated that he sought help at the James William Building and they told him he did not qualify for a place to rest his head.

Mr. Berry stated that he was the father of four children and two are handicapped and he gets no help. He advised that he has nothing but the clothes on his back and a book bag with powder, mouthwash, soap, and essential things that he needs. He stated that he had Medicaid and food stamps but was turned down because he did not have his children with him. Mr. Berry stated that he recently told one of his family members that he felt like hurting himself because he felt as though there was nowhere else to turn. He advised that he is able to work, but he keeps getting turned down just like everyone else there. Mr. Berry stated that all they were asking for is was help, no more, no less.

Ms. Katrina Stubbs reminded members that the last time she came before them, she was distressed. She advised that things had turned around and she thanked her Lord and Savior, Jesus Christ, for keeping her in sound mind and protecting her in the midst of everything. Ms. Stubbs also thanked the Mayor for meeting with her and Councilman Brian Lewis for listening to what she had to say and for contacting Shepherd's Place on her behalf. She thanked Code Purple for shelter during the winter season, Christ Church, People's Church, and Wesley Church who allowed them to have showers and wash their clothes. Ms. Stubbs thanked Mrs. Prettyman who, when she went to the James Williams Building, was able to get her into People's Place. She thanked People's Place, who allowed her to stay there for 30 days and the Resource Center who allows them two showers a week. Ms. Stubbs also thanked the library for all of their resources and Ms. Janine with Interfaith Ministry for providing a house for her. She thanked Victory Church, the Pastor and his wife Sandy, and Mr. Abernathy, who picks her up and takes her to the church to take a shower, wash her clothes, and get a hot meal. Ms. Stubbs also thanked Pastor Aaron for having the drive to come out into the community and let City Council know and Mr. Mike Finney of the Delaware State News for writing the article about her because there are a group of individuals like her who have no criminal records and are not addicted to drugs or alcohol, and they are just trying to get jobs.

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

AGENDA ADDITIONS/DELETIONS

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

Mr. Anderson requested that item #7B - City Manager's Report, be removed from the Consent Agenda.

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

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

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

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

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

PROCLAMATION - ARBOR DAY

The City Clerk read the following Proclamation into the record:

WHEREAS, in 1872, J. Sterling Morton, a Nebraska pioneer, proposed that a special day be set aside for the planting of trees by individuals and civic organizations, resulting in the first celebration of Arbor Day on April 10, 1872, with an estimated one million trees being planted in Nebraska that day; and

WHEREAS, in 1885, Arbor Day was named a legal holiday and has since become a national event promoted by the National Arbor Day Foundation, whose mission is to inspire people to plant, nurture, and celebrate trees; and

WHEREAS, the City of Dover was named a Tree City USA in 2016 for the twenty-seventh consecutive year by the National Arbor Day Foundation in recognition of the City's outstanding urban forestry program, which includes the maintenance of over 2,200 street trees by the Department of Public Works Grounds Division; and

WHEREAS, the City of Dover Planning and Inspections Department's Tree Planting and Preservation Ordinance has caused the planting of thousands of trees in all subdivisions and commercial sites since 1992, and the City has continued to aggressively plant street trees between curbs and sidewalks in almost every available site in the City; and

WHEREAS, the Delaware State champion American Elm on The Green may be the only living witness to Delaware's ratification of the United States Constitution that took place at the Golden

Fleece Tavern in 1787, underscoring that planting and caring for trees is a special gift that one generation passes down to the next.

NOW, THEREFORE, I, ROBIN R. CHRISTIANSEN, MAYOR OF THE CITY OF DOVER, DELAWARE, do hereby proclaim April 28th, 2017 as **ARBOR DAY** in the City of Dover, and urge all citizens to support efforts to care for trees along our streets, in our parks, and in our yards. As the City of Dover plants trees on public property, I urge all citizens to plant trees on their properties to enhance the environment and promote the well-being of present and future generations.

Mayor Christiansen and Councilman Sudler presented the Proclamation to Mr. George Jamar, Grounds Supervisor for the City of Dover. Mr. Jamar thanked City Council and the whole City for their support.

PROCLAMATION - AUTISM AWARENESS MONTH

The City Clerk read the following Proclamation into the record:

WHEREAS, autism, the fastest growing developmental disability in the United States, affecting more than 3.5 million people, is an urgent public health crisis that demands a national response. According to the Centers for Disease Control and Prevention, in 2004 the prevalence of autism was one in every 125 births and today it is one in 68; and

WHEREAS, autism is the result of a neurological disorder that affects the normal functioning of the human brain and can affect anyone, regardless of race, ethnicity, gender, or socioeconomic background. Symptoms and characteristics of autism may present themselves in a variety of combinations and can result in significant lifelong impairment of an individual's ability to learn, develop healthy interactive behaviors, and understand verbal as well as nonverbal communication; and

WHEREAS, the effort to address autism continues. Doctors, therapists, and educators can help persons with autism overcome or adjust to its challenges and provide early, accurate diagnosis and appropriate education, intervention, and therapy that are vital to future growth and development; and

WHEREAS, it is crucial to ensure that persons living with autism have access to the lifelong care and services needed to pursue a full measure of personal happiness and achieve their greatest potential.

NOW, THEREFORE, I, ROBIN R. CHRISTIANSEN, MAYOR OF THE CITY OF DOVER, DELAWARE, do hereby proclaim the month of April 2017 as **AUTISM AWARENESS MONTH** in the City of Dover and encourage all citizens to raise public awareness of autism and the myriad of issues, as well as to increase knowledge of the programs that have been and are being developed to support individuals with autism and their families.

On behalf of City Council and the citizens of Dover, Mayor Christiansen presented the Proclamation to Ms. Livia Matthews and Ms. Amie Ferguson of Autism Delaware. Mayor Christiansen noted that City Hall, the Capital, and other buildings throughout the city were lit blue for Autism Awareness

Month, indicating that they have the support of the entire community. On behalf of Autism Delaware, the Kent County office, Ms. Ferguson thanked members for recognizing and acknowledging and bringing awareness.

Mr. Slavin offered his thanks to Autism Delaware, noting that he has had the honor of raising his 23 year old stepson, who is on the autism spectrum, for the past 20 years. He noted that, while his stepson was a student in the Capital school district, he was receiving tremendous support and it was thanks to the good people like Kay Sass and Mr. Lewis, who worked at the Capital School District, and, indirectly, Mr. Cole. Mr. Slavin advised that the real challenge is when young kids need school support and they don't have that support, and they become young adults and they have to find them, and it was very difficult time for them until Evan found the Power Program at Autism Delaware. He stated that Evan is employed through the Power Program and it has given him his structure and he personally thanked the team that put that program together.

PRESENTATION - COUNCIL RESOLUTION NO. 2017-04 AND STATE OF DELAWARE TRIBUTE - SCOTT D. KOENIG

The City Clerk read Resolution No. 2017-04 into the record, as follows:

WHEREAS, on June 18, 1990, Scott D. Koenig began his career with the City of Dover as a Civil Engineer. He became the Public Works Director in 1994, was appointed to the position of City Manager in 2011, and concluded his service on March 17, 2017, with an official retirement date of March 21, 2018; and

WHEREAS, Mr. Koenig's keen intellect, accumulated experience, and detailed knowledge of the City's infrastructure and internal systems equipped him with a remarkable ability to extemporaneously address questions regarding every aspect of the City of Dover. He guided the City through many complex challenges and provided steady leadership when the effects of the nation's economic crisis became a reality in Dover, as he worked to consolidate City departments, eliminate redundancies, and streamline processes. Mr. Koenig thoughtfully developed sound, even-handed fiscal strategies that provided value to the City's citizens and customers, while he carefully considered and remained sensitive to the needs of the workforce, whom he frequently recognized as the City's greatest asset; and

WHEREAS, Mr. Koenig has laid a sound foundation for the future of Dover through the development of strong partnerships with the public and private sectors, proactive planning for the City's utilities, and the development of prudent strategies to advance the interests of the City of Dover.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council recognize that Scott D. Koenig will be sorely missed and express their sincere appreciation to him and his family for the dedicated years of service and personal sacrifices made on behalf of the City of Dover, and wish him and his family success in all future endeavors.

BE IT FURTHER RESOLVED that the Mayor and Council direct the City Clerk to make this resolution a part of the permanent records of the City of Dover as a lasting symbol of appreciation and gratitude to Scott D. Koenig.

ADOPTED: APRIL 10, 2017

On behalf of members of City Council and the citizens of the City of Dover, Mayor Christiansen presented Mr. Koenig with the City plaque, Resolution, and Dover Cup in recognition of his many years of service with the City of Dover.

State Senator Brian Bushweller stated that during the time that he has served as State Senator and Mr. Koenig was the Public Works Director and later the City Manager, they worked on many, many City issues together and he thought actually they may have accomplished some good things together. Senator Bushweller advised that the perception he gained of Mr. Koenig was that he definitely accomplished a lot for the City of Dover.

Senator Bushweller presented Mr. Koenig with a tribute from the State Senate, which he read in part as follows:

> "State of Delaware Senate Tribute. Recognized Scott Douglas Koenig City of Dover Manager, Recognizing near to 27 years of notable service to the citizens of Dover and it's environs. Throughout his extraordinary tenure he has generously shared his time and talent and is highly respected by many. Mr. Koenig has demonstrated a unique appreciation for the capital municipality of the first state, and conscientious efforts assisting and encouraging fellow employees. Senator Bushweller finds it most befitting the Senate recognizes this fine gentleman and his many contributions and accomplishments with gratitude and best wishes for the bright promise of the future. The Senate directs this tribute presented Monday the 10th of April 2017 as Scott Koenig celebrates the culmination of a job well done".

Senator Bushweller advised that the Tribute was signed by the President Pro Tempore, The Secretary of the Senate, and himself. He thanked Mr. Koenig for all the assistance he had given him, and all the things he had done for the City.

Mr. Koenig recalled June 18th, a very special day to him, a bright sunny day back when there were no locks on the back door. One of the first people he ran into that day was Mike Karia, who immediately started giving his dissertation on what he should or should not do. Mr. Koenig advised that those words have stuck with him for many, many years. Mr. Koenig noted that, initially, he thought he was only going to be with the City two to five years, and that two to five year window kind of melted very quickly into 27 plus years. He thanked his wife, mom, and brother for attending the meeting that night. Mr. Koenig stated that it had been 27 very good years with the City of Dover. He advised that when he left Virginia Tech he intended to build roads and buildings and he had an opportunity to build a City and, for him, Dover has always been a three dimensional project that operates 24/7. Mr. Koenig stated that, in his opinion, he really never accomplished anything on his own but with the hard work and dedication of people that were working with him and for him.

Mr. Koenig advised that Dave Braun and Richard Scrafford gave him the opportunity to become an engineer for the City and Jim O'Connor gave him the opportunity to become a department head at a very young age. He noted that he learned a lot from many, many people. Mr. Koenig stated that the Council gave him the opportunity to take the top administrative position and really learn the ins and outs of the City. He stated that he was eternally grateful for the opportunity and that he was very happy with the staff and all they have accomplished over the last 27 years. Mr. Koenig stated that they had made millions of dollars worth of improvements related to the operation of the city and the service to its citizens and customers.

Mr. Koenig advised that he had the opportunity to work on three major economic engines: the water, sewer, and electric utilities, as well as all the support that goes with them: the emergency services, the financial services, trash collection and all of the things that do not make the paper very often but that the citizens expect. Mr. Koenig noted that Dover is unique and has a very special place in history and in the state and he reiterated that he was eternally grateful for the opportunity and that it had been a pleasure to be in the well and the debate and he could not have asked for a better City and that he had loved every minute of his career.

Mr. Hutchison stated that Mr. Koenig's recognition from both the City and the State were well deserved and that he could be very proud as he leaves the City a better place. He thanked him for his 27 years of focus and commitment, noting that it had been fun to watch him grow over the years.

Mr. Hare moved for adoption of Resolution No. 2017-04, seconded by Mr. Hutchison and unanimously carried.

HUMAN RELATIONS COMMISSION REPORT - FEBRUARY 23, 2017

The Dover Human Relations Commission (DHRC) met on February 23, 2017 with Chairman Henderson presiding.

Introduction of New Member

Mr. Fleming advised members that he was born and raised in Cincinnati, Ohio, graduated from the University of Cincinnati, and later received his master's degree from there. He stated that he taught public high school in Cincinnati before accepting a position at the University of North Carolina in Charlotte, where he taught, coached wrestling, and did additional course work and post-graduate work in administration. Mr. Fleming informed members that he had served as vice principal at two (2) junior high schools in Warrenton, Virginia before accepting a position in the Caesar Rodney School District at the Dover Air Force Base High School. He noted that he had also worked for Delaware Technical and Community College for 33 years as a counselor, financial aid officer, and tennis coach, and retired in 2006.

Election of Commission Chair

Mr. Henderson opened the floor for nominations for Commission Chair.

Mr. Gaddis moved to nominate Mr. Henderson to serve as the Commission Chair, seconded by Mr. Fleming.

There being no further nominations, Mr. Henderson closed the floor for nominations.

The Commission elected Mr. Henderson to serve as the Commission Chair.

By consent agenda, Mr. Hare moved for approval of the Commission's recommendation, seconded by Mr. Anderson and carried by a unanimous roll call vote.

DHRC Committee Updates

Government Policy, Programs, and Practices Committee (Gaddis)
Mr. Gaddis stated that he had reviewed the four (4) paragraphs included in the City of Dover Human Relations Commission Strategic Plan 2015-2018 regarding the duties and obligations of the Government Policy, Programs, and Practices Committee (GPPP). He noted that the Commission was able to bring people in from the outside to work with members to help fulfill their obligations and he would be searching for people, although was not sure exactly how to do so. Mr. Gaddis indicated that he would like to get in touch with police officers, someone from City Hall, and one (1) or two (2) people from the outside. He suggested that a church or the Inner City Cultural League may be possibilities, noting that he would like to make the GPPP Committee diverse.

Community Engagement Committee (Mullen)
No update was provided.

Education Committee (Bogle)
No update was provided.

Communications Committee (Paige)
No update was provided.

Old Business

Development of Concise Statement - Mission and Functions of DHRC
During their Regular Council Meeting of February 13, 2017, members of Council approved the DHRC recommendation that Mr. Gaddis and Reverend Paige present a consolidated statement at the next meeting.

Mr. Henderson read the consolidated statement developed by Mr. Gaddis and Reverend Paige, as follows:

> The mission of the City of Dover Human Relations Commission is; to sensitize all, employees and citizens alike to the value of individuals whose cultures differ from their own due to ethnicity, gender, religion, origin, appearance, abilities, age, or economic situation; to promote equal opportunity and fair treatment for all

> people of Dover regardless of their cultural differences. It will ensure that the City will not discriminate due to differences of culture.

Mr. Fleming informed members that he had previously served on the DHRC. Referring to the mission statement of the DHRC, he noted that he had a list of items that the DHRC did during his previous tenure and asked if the DHRC could or wanted to perform some of the things that it had when he previously served. Responding, Mrs. Sadusky explained that the concise statement being developed was different from the DHRC's mission statement. Mr. Gaddis read the first paragraph of the DHRC mission statement, from the 2015-208 DHRC Strategic Plan, as follows:

> Committed to a philosophy of inclusion, intergroup cooperation and fair treatment, the City of Dover Human Relations Commission works to ensure that the City of Dover has and utilizes policies, programs, ordinances, organizational practices, specialized resources and appropriately trained employees to support diversity, inclusion and cultural competency in its organization and services.

Mrs. Sadusky stated that the concise statement was a thumbnail description or summary of what the Commission does that members could use to explain to those who inquire.

Mr. Fleming noted that the DHRC had previously investigated allegations of discrimination by citizens living and working in Dover and asked if this was still the case. He noted that, formerly, those who felt that they were being discriminated against would approach the Commission, a hearing would be held where they would express their concerns, and members would refer them to the appropriate authority. Mr. Fleming indicated that these individuals submitted intake forms which were reviewed, and then the individuals came in to discuss them.

Responding to Mr. Fleming, Mr. Gaddis explained that Mr. Nicholas Rodriguez, City Solicitor, had previously attended a DHRC meeting and expressed concerns that there could be legal ramifications if members got too involved in investigating complaints. Mr. Henderson recalled that Mr. Rodriguez had indicated that this task was now in the area of the State Human Relations Commission (SHRC), rather than the DHRC. Mr. Henderson noted his understanding that this was because the DHRC does not have the money, attorneys, or backing. He noted that the job of DHRC members is to advise Council if they see areas where there are problems. For example, he stated that members had conducted a diversity survey, had asked approximately 20 questions, interviewed key employees, and gave other people who work for the government an opportunity to respond regarding how they felt about diversity. Mr. Henderson noted that he and Mr. Gaddis had recently presented the Dover Human Relations Commission Diversity Research Project report to Council. He advised that the DHRC was somewhat limited, stating that he would like to see

how effective the Commission can be within the parameters set, noting that he did not want to sit there and look pretty but wanted to make a difference.

Mr. Fleming noted that previously the Commission had visited locations in the community to discuss concerns with residents, and meetings were held in community centers or churches from time to time. Mr. Henderson asked if Mr. Fleming was referring to meetings of individual commissioners or the Commission itself, and Mr. Fleming indicated that he was referring to the Commission. Mrs. Jody Stein, Administrative Assistant, City Clerk's Office, stated her belief that there are restrictions in the Dover Code that all meetings must be held at City Hall.

Mr. Henderson stated his understanding that there was a limit regarding the number of members who could meet outside the present forum. Mrs. Stein explained that, according to the Delaware Freedom of Information Act (FOIA), whenever there is meeting with a quorum of members, a formal agenda must be posted.

Mr. Fleming stated that the DHRC had formerly sponsored forums to bring citizens together to promote tolerance and understanding. Mr. Henderson stated that the DHRC had done this, noting that the Commission had participated in an event put on by the SHRC at Wesley College, where a film entitled "Cracking the Code" was shown. Mrs. Sadusky noted that the DHRC had been co-sponsoring or participating in events with the Dover Public Library and that this is something that the Education Committee could do.

Mr. Fleming stated that the DHRC had also formerly passed proclamations and resolutions for action by the Mayor and City Council. Mr. Henderson stated that this would probably fall under advice to Council if the Commission decided that there was a situation that needed to be addressed. Mr. Fleming indicated that the DHRC previously recommended proclamations for Race Unity Day and Women's Month to City Council, and the Mayor signed them. Mr. Gaddis stated that he did not think that doing this would be stepping on anyone's toes.

Mr. Gaddis stated his understanding that City Council functions as a Committee of the Whole on the Tuesdays after each Council meeting and asked if the DHRC could take advantage of a similar format. He stated that Council comes in and listens to people at those meetings. Mr. Gaddis asked if the DHRC could operate as a committee of the whole at other locations, such as the Inner City Cultural League or Modern Maturity Center, just to listen and not to act. Responding, Mrs. Stein stated that she did not have that information but explained that Chapter 58 - Human Relations Commission of the Dover Code has parameters about meetings. Mr. Gaddis noted that Chapter 58 - Human Relations, Article II - Human Relations Commission, Section 58-33(c) - Meetings, of the Dover Code states that "The commission shall hold at least five meetings per year; one each quarter and one to be determined by the commission. Special meetings may be called by the chairperson or three members of the commission. All meetings shall be held at City Hall and in accordance with the Laws of Delaware regarding the Freedom of Information Act

(FOIA) and City of Dover procedures. The commission will distribute its agendas and minutes through the city clerk's office."

In response to Mr. Gaddis, Mrs. Stein advised that the Code did state that all meetings would be held at City Hall. Mr. Gaddis agreed that the DHRC must meet as a commission at City Hall where they actually vote and act; however, he noted that the City of Dover Human Relations Commission Strategic Plan 2015-2018 states that "The Commission as a whole is to develop, implement and monitor work plans for Objectives C.1, C.2, D.4 and D.5." He indicated that he thought that this opened the door for the Commission to meet as a commission of the whole. Mr. Gaddis asked if it would be appropriate to ask about this at a Council meeting in open session or send a letter to the Mayor and Council President. Responding, Mrs. Stein indicated that this was not something that she could advise members on. Mr. Henderson indicated that this would relate to what Mr. Fleming had been talking about and that the Commission was limited. Mr. Henderson indicated that this was something that members could research.

Mr. Henderson stated that he felt that the concise statement that had been developed did not get in the way of the mission statement.

The Commission recommended acceptance of the concise statement as written.

By consent agenda, Mr. Hare moved for approval of the Commission's recommendation, seconded by Mr. Anderson and carried by a unanimous roll call vote.

DHRC Vacancies

Mr. Henderson indicated that there were still vacancies on the DHRC, noting that Mrs. Sadusky would be leaving and there would be a vacancy for the At-Large Commissioner, along with vacancies in the First and Fourth Districts. Mr. Gaddis advised that he had emailed Mr. Henderson regarding a reporter from the *Delaware State News* who stated that he would be willing to help get the word out.

Mr. Henderson stated that he had stressed to Council President Slavin that the DHRC needed Council to be much more involved in finding people from their districts for the Commission. He noted that members are on the Commission at the pleasure of Council and if Council wants members to be even minimally effective, they must find people in their districts. Mr. Henderson expressed his hope to have all the positions filled. He indicated that after the full Commission meets for a few months, he will have done his part, noting that it was his challenge to fill all of the vacancies.

New Business

Proposed FY 2017/2018 Budget

Mr. Henderson advised members that the proposed budget for the DHRC was $3,000, which would include development, training, education forums, marketing materials, postage, etc. He stated that funds had previously been expended for

training when Commissioner S. Renee Smith had served as Chair. Mr. Henderson noted that Ms. Smith had attended an educational forum and planned to share her training with members; however, she was dismissed, so members did not receive the benefit of that forum. *(City Clerk's Office Note: Ms. Smith attended the University of Delaware Institute for Public Administration Basic Mediation Training in October 2015, and resigned from the DHRC on December 9, 2015.)*

Referring to the budget, Mr. Henderson asked members to let him know if they could think of anything that would help the Commission, so members could see if it could be supported. He noted that he had attended a fascinating forum at the University of Delaware regarding Hispanic culture. Mr. Henderson indicated that perhaps members could do something with the Dover Public Library, Ms. Bogle may have some ideas, or the Government Policy, Programs, and Practices Committee would have suggestions. He stated that the Commission should spend the $3,000 budgeted.

Mr. Fleming stated that when he previously served on the Commission their budget was $4,000, and they had the same issue about filling seats on the Commission. He stated that, at that time, members had suggested purchasing advertisements for DHRC openings in the newspaper; however, this was not approved. Mr. Fleming circulated a brochure entitled "Dover Human Relations Commission" for members to review, noting that it included a mission statement, meeting dates, meeting information, commissioners' names, assignments, and information about intake forms. He indicated that this brochure had been used when he previously served on the Commission and he was unsure if it was still being used for contact purposes. Mr. Henderson noted that he had not seen the brochure before but he liked it. He indicated that a brochure would fall under marketing materials in the budget.

The Commission recommended approval of the Proposed FY 2017/2018 DHRC Budget in the amount of $3,000.

2016 DHRC Annual Report to City Council

Mr. Henderson advised members of the need to submit the 2016 DHRC Annual Report to Council. Mr. Gaddis questioned when the report would be due. Responding, Mrs. Jody Stein, Administrative Assistant, City Clerk's Office, stated that the Dover Code did not specify a date; however, last year's report was submitted in February.

Mr. Henderson stated that the biggest item to be included in the Annual Report would be the DHRC Diversity Survey. He indicated that members had been involved with programs with the Interdenominational Ministerial Alliance (IMA) and the Police Department, and had served a meal at a church. Mr. Henderson stated that he could look over the minutes from DHRC meetings from last year to glean information for the report. He indicated that he would work on gathering the information and suggested possibly working on the report with Mrs. Sadusky, noting that she could assist as an individual, rather than as a member of the Commission.

Future Meeting Dates

Mr. Henderson reminded members that Chapter 58 - Human Relations, Article II - Human Relations Commission, Section 58-33(c) - Meetings, of the Dover Code states that "The commission shall hold at least five meetings per year; one each quarter and one to be determined by the commission. Special meetings may be called by the chairperson or three members of the commission." He asked members if they would like to continue to meet monthly, and Mr. Gaddis indicated that he would like to do so until the members get their feet on the ground.

After discussing possible future meeting dates, Mr. Gaddis suggested meeting on March 23, 2017 and scheduling the following meeting at that time.

The Commission scheduled the next meeting for Thursday, March 23, 2017 at 6:00 p.m. and agreed to schedule the following meeting at that time.

By consent agenda, Mr. Hare moved for approval of the Commission's recommendation, seconded by Mr. Anderson and carried by a unanimous roll call vote.

Mr. Henderson thanked Mrs. Sadusky for her wonderful service. Mrs. Sadusky advised that she had appreciated her time working on the Commission and that it had been a very valuable and wonderful cause. She stated that she had been able to work with a wonderful group of people and learned a lot, and she expressed thanks to members of the Commission for their kindness to her. Mrs. Sadusky indicated that she hoped to be able to come back some day and be more helpful, noting that her plate was very full now.

Mr. Gaddis stated that, after reading the Strategic Plan and Chapter 58 - Human Relations of the Dover Code, he wished to express some thoughts to be dealt with at some time. He indicated that he had some questions for members to consider. Mr. Gaddis asked if the Commission was to:

a) Teach/sell diversity, tolerance, etc. to Dover personnel?

b) Police Dover's government? Mr. Gaddis indicated that this seemed to be one (1) of the jobs of the Government Policy, Programs, and Practices Committee and him, as that Committee's Chairman.

c) Create/promote more programs for citizenry?

d) Go to established groups like schools, churches, and clubs and present programs?

Mr. Henderson asked if Mr. Gaddis was inquiring about doing these things is as a Commissioner or as a Commission. Responding, Mr. Gaddis explained that he was asking whether members could do any or all of these things, stating that, in his

opinion, this was where it seemed the DHRC was limited in doing something positive.

By consent agenda, Mr. Hare moved for acceptance of the Human Relations Commission Report, seconded by Mr. Anderson and carried by a unanimous roll call vote.

SPECIAL HUMAN RELATIONS COMMISSION REPORT - MARCH 23, 2017

A Special Dover Human Relations Commission (DHRC) meeting was held on March 23, 2017 with Chairman Henderson presiding.

DHRC Committee Updates

Government Policy, Programs, and Practices Committee (Gaddis)
Mr. Gaddis advised that he had nothing to report.

Community Engagement Committee (Mullen)
Mrs. Mullen advised members that she was exploring barriers to community engagement. She stated that one (1) barrier she had encountered was trying to contact or communicate with populations that are hard to reach, such as young people and older people, noting that she finds older people more closed off when she tries to have conversations with them. Mrs. Mullen stated that the isolated inner city population does not want to engage in conversation, and she did not know what members could do as a Commission to open communication.

Mr. Fleming asked if Mrs. Mullen had been talking with individuals or if she had gone to places like the Modern Maturity Center. Responding, Mrs. Mullen indicated that her first approach was to try community associations where the bulk of the communities congregate. She stated that it is possible to find out a lot from community associations, noting that she had done so in her own community. Mrs. Mullen indicated that she wanted to be able to expand beyond where she resides and had gone to Capital Park to present, but she found it very closed in, so she just gave her speech.

Mrs. Herbert asked if Mrs. Mullen had tried neighborhood watches. Responding, Mrs. Mullen indicated that these organizations relate to community associations, which have crime watches.

Mr. Henderson expressed appreciation to Mrs. Mullen for reaching out, stating that at times this is a thankless job. He suggested that members schedule a time to put their heads together in this regard.

Mr. Fleming stated that when he previously served on the DHRC, members would go into the communities, set up dates, and meet at association meetings, community centers, or churches. He advised that this approach was very effective, rather than asking people to come to City Hall, which they were often reluctant to do.

Mr. Fleming indicated that members worked through the community to set up a date when the DHRC would come to their facility, and all people were welcome to express their concerns. He asked if members were permitted to do this now. Responding, Mr. Henderson noted that City Council members cannot get together as a council in unscheduled meetings, and the DHRC is under the same constraints. Mr. Henderson advised that DHRC members can attend meetings as individual Commissioners.

Mrs. Jody Stein, Administrative Assistant, City Clerk's Office, explained that a quorum of members could not meet without a meeting agenda being posted. Noting that there were currently seven (7) members serving on the DHRC, she stated that a quorum would be four (4) members. Mrs. Stein also advised that there was also a provision in the Dover Code that all DHRC meetings were to be held at City Hall. She noted that members could participate in and attend events such as the "Cracking the Code" film series that the DHRC had previously participated in at the Dover Public Library.

Mrs. Herbert asked if members could attend events by invitation, for example, if her neighborhood watch invited Mrs. Mullen to attend. Responding, Mr. Henderson indicated that he would think so. Mrs. Stein explained that individually there would be no problem; however, there could be a problem if a quorum of members was present.

Mrs. Herbert stated that she and Mr. Gaddis would not attend the neighborhood watch meeting as Commissioners but as members of the Old Dover Neighborhood Watch, noting that she serves as the corresponding secretary. Mr. Henderson noted that he also wears many hats in addition to being a Commissioner, stating that on the weekend he and Reverend Paige also circulate as members of the Interdenominational Ministerial Alliance (IMA). Mrs. Stein stated that there would not be a problem if there was not a quorum of members and they were not conducting City business.

Reverend Paige stated that she was finding it hard to deal with all of this, explaining that she thought that the DHRC was hindered and set up to be defeated. She stated that she was unsure how to go about looking at policy changes; however, it seemed that if the Commission was to be effective, doing what Mr. Fleming had suggested would be the best way to go. Reverend Paige indicated that she was in favor of going to where the people are, if they were not going to come to City Hall, which she could understand. She questioned what the harm would be in members being invited to an event, showing up as a group, and explaining who they are. Reverend Paige advised that the policy regarding a quorum made no sense to her and asked if someone was afraid that members would do or say something that they did not want them to do or say.

Responding to Reverend Paige, Mrs. Stein explained that this was not something that the City was imposing on the DHRC, noting that under the State of Delaware

Freedom of Information Act (FOIA), all meetings must be posted ahead of time with an agenda so that all City business is conducted transparently. She informed members that the purpose is to provide the public an opportunity to view proceedings and an agenda is posted so that anyone who wants to attend can do so. Reverend Paige stated that this was fine, noting that the agenda could be posted on the website and indicate where the DHRC would be. She stated that if the DHRC went to the Capital Park Civic Association meeting to introduce the members, this would be very transparent. Mrs. Stein reiterated that the DHRC had participated in events such as a film series with the State Human Relations Commission (SHRC) and all members were invited to attend.

Mr. Henderson stated that, after completing the committee reports, members could discuss steps they could take toward becoming better commissioners and perhaps alleviating some frustrations, noting that members could be creative.

Education Committee (Bogle)
No report was provided.

Communications Committee (Paige)
Reverend Paige stated that she did not have a formal report but had a couple of ideas. She indicated that once the DHRC has a clear mission and purpose, she would like to move forward. Reverend Paige informed members that she had a friend who was willing to possibly develop a website, noting that the DHRC could have updates regarding what the Commission was doing and where they were going to be. Reverend Paige stated that members could continue to provide updates to Council and develop a pamphlet that would clearly state the Commission's mission, vision, and goals. She stated that she had been thinking about having a reception where people could come in and members could explain who the Commission is, the services it can provide, and what members cannot do, so that everybody is clear.

Mr. Henderson noted that the Communications Committee could bring in additional members from the community.

Old Business

2016 DHRC Annual Report to City Council
Mr. Henderson reviewed the Dover Human Relations Commission 2016 Annual Report to Council.

In regard to the DHRC Diversity Survey, Mrs. Mullen questioned what happened to the data from the report, whether it was being utilized, and if recommendations were made. Responding, Mr. Henderson indicated that the data was tabulated and available online. Mrs. Jody Stein, Administrative Assistant, City Clerk's Office, stated that the data was included in the meeting packets for previous meetings which were posted online. She noted that the DHRC's meeting minutes went to Council for

their review, and Mr. Henderson and Mr. Gaddis had also presented the information to Council.

Mrs. Mullen stated her understanding that the purpose of the diversity survey was to bring more awareness to the City and asked if this mission or goal was achieved. Responding, Mr. Henderson indicated that the goal was achieved, explaining that it was a completely objective tool. He stated that he thought that the people who responded were either aware and sensitive to diversity or they were not but, by and large, people were sensitive.

Mr. Henderson informed members that the four (4) points in the 2016 DHRC Annual Report would be considered by Council at their next Regular meeting, noting that he did not think he necessarily had to attend the meeting to present the report. In response to Mr. Henderson, Mrs. Stein stated that it would be Mr. Henderson's choice whether or not to present the report, and clarified that the report would be considered during the April 10, 2017 Regular City Council meeting.

The Commission recommended approval of the 2016 DHRC Annual Report to City Council.

By consent agenda, Mr. Hare moved for approval of the Commission's recommendation, seconded by Mr. Anderson and carried by a unanimous roll call vote.

DHRC Vacancies

Mr. Henderson noted that the DHRC vacancies were being filled.

Mr. Henderson asked Mrs. Herbert and Mr. Fleming which committees they were interested in serving on. In response, Mrs. Herbert stated that she was interested in the Community Engagement Committee, and Mr. Fleming advised that his experience lent itself to the Education Committee.

Responding to Mr. Henderson regarding her background, Mrs. Herbert advised that she graduated from Delaware State College in 1979 as a human services worker, and worked at Cecil Community College on networking for abused and other women, connecting them with education, health, and other resources. She then served as a community service worker at Queen Anne County Department of Social Services, working with abused and disabled adults. Mrs. Herbert advised that she did substitute teaching, and also performed case work at Laurelwood Nursing Home. She noted that she spent 20 years working for the Cecil County Health Department where she was an adolescent case coordinator for pregnant teens and teens who were at risk of pregnancy, which involved reproductive health teaching and client advocacy. She stated that she also worked as a perinatal coordinator helping to coordinate services between doctors, nurses, the health department, and social services. Mrs. Herbert explained that this resulted in the first Fetal and Infant Mortality Board to review poor pregnancy outcomes, and this entity grew into a

Fetal-Infant-Child Review Board. Mrs. Herbert explained that she had done community work since she was approximately 20 years old.

New Business

Scheduling of DHRC Workshop

Mr. Henderson expressed the desire to schedule a DHRC Workshop for members to discuss what the DHRC is all about and what members can and cannot do. He indicated that it did not have to be an all-day event, noting that there could possibly be a morning session, lunch, and an afternoon session.

Mr. Fleming noted that he serves on the Delaware Senior Olympic State Board, which has an annual meeting at Outback Steakhouse. He explained that the restaurant normally opens at 11:00 a.m. but allows members to come in at 10:00 a.m., hold their meeting, and stay for lunch.

Mr. Henderson stated his understanding that the workshop would have to be in City Hall. Mrs. Jody Stein, Administrative Assistant, City Clerk's Office, explained that the workshop would have to be a public meeting.

Mrs. Herbert asked if there had just been a retreat at City Hall. Mrs. Stein confirmed that City Council had held a retreat and the press attended. Mrs. Herbert questioned why members would mind people coming, and Mr. Henderson indicated that this would not bother him in the least.

Mrs. Herbert asked if the Commission had money. Responding, Mr. Henderson advised that the Commission's budget was $2,000. *(City Clerk's Office Note: The amount budgeted for the Dover Human Relations Commission in FY 2017 was $3,000 and no funds had been expended to date.)*

Mrs. Herbert stated that members might not want to spend their budget on lunch. Mr. Fleming stated that he thought members could handle their own lunch, and Mr. Henderson agreed. Mr. Fleming stated that he knew the owner of Outback Steakhouse, who might be able to give members a discount on lunch.

Mr. Henderson indicated that during the workshop members could review the City of Dover Human Relations Commission Strategic Plan 2015-2018 and the various responsibilities for the committees. He advised that members could brainstorm what they can do within the current format and how to accomplish their plan within the rules and laws.

Mr. Gaddis asked if there was anything codified that tells members what they cannot do. He stated his understanding that part of the constraints came from Mr. Nicholas Rodriguez, City Solicitor, and beyond that Mr. Gaddis did not know what the constraints were. Responding, Mrs. Stein noted that the Dover Code states that meetings must be held at City Hall and the Strategic Plan outlines goals for the

Commission. She indicated that it sounded as though there should be discussion regarding how to attack those goals and that Mr. Henderson was suggesting working on strategies. She noted that everything about the DHRC's mission was included in either the City's Code or the DHRC Strategic Plan.

Mrs. Herbert asked if people who came to observe the workshop would be allowed to participate. She expressed her belief that this would have to be controlled in terms of when and where; however, she felt that there were a lot of ideas out there. Mrs. Stein noted that members of the public had spoken at the recent City Council Retreat. Responding to Mr. Henderson, Mrs. Stein stated that the City Council Retreat was held in the City Hall Conference Room.

Reverend Paige asked if the City Solicitor would be included in their workshop. Mr. Henderson stated his belief that the City Solicitor would have to be paid to attend. Responding, Mrs. Traci McDowell, City Clerk, advised that a bill would be received for the City Solicitor's services; however, this is what they are there for.

Mr. Henderson suggested, as part of the workshop, having the City Solicitor brief members on what they can and cannot do and this could be done at the opening of the meeting. He suggested then looking at the strategic plan and reviewing the subsections for each committee, with members providing their ideas for each committee. He indicated that the workshop could be broken up into blocks of a maximum of 50 minutes. Mr. Henderson advised that there would be a break for lunch, and members could then return and do some brainstorming. He advised that he could easily put together an agenda. Mr. Henderson suggested holding the workshop on a Saturday beginning at 9:00 a.m. He noted that members could bring in donuts, coffee or a continental breakfast.

After further discussion regarding scheduling the workshop and members' availability, members agreed that the City Clerk's Office would work with Mr. Henderson to come up with proposed dates. Mr. Henderson indicated that the workshop needed to be held sooner rather than later.

Mr. Fleming suggested using a scheduling tool called Doodle to check availability for meeting participants. Mrs. McDowell indicated that the City Clerk's Office could use Doodle, noting that it had been used in the past. She explained that members would receive a Doodle survey by email and check boxes to indicate their availability. Mrs. McDowell advised that, if members wished to invite the City Solicitor, the workshop dates would depend on his schedule, since he does not usually attend City meetings on Saturdays.

Reverend Will Grimes, Neighborhood Revitalization Coordinator, Restoring Central Dover, National Council on Agricultural Life and Labor Research Fund, Inc. (NCALL), informed members that last year Restoring Central Dover had held a "Cracking the Code" event at Wesley College. He noted that this year they would be holding an event called "Bridging the Racial Divide" from 10:00 a.m. to 2:00 p.m.

on April 22, 2017 and invited members to attend. Responding to Mrs. Herbert, Reverend Grimes indicated that the event was held in the chapel at Wesley College last year and he thought it would be held there again this year; however, he was unsure.

Reverend Grimes indicated that Restoring Central Dover would also be briefing City Council on what their organization had been doing to revitalize the central Dover area on Monday, March 27, 2017 at 7:30 p.m. during the Regular City Council Meeting and invited members to attend.

Mr. Henderson invited members to attend any of the City Council meetings, which he stated were very educational. He advised members that there is an Open Forum segment held prior to each Regular Council meeting where people can stand up and state their views.

Mr. Fleming indicated that he had attended the recent "302 Back the Blue" event downtown to show support for correctional and police officers, which was attended by about 50 people. He indicated that he did not represent the DHRC there but attended, and it was a very nice activity.

Mr. Fleming asked if business cards were available for members, and Mrs. Stein indicated that they could be ordered for members if they would like them. Ms. Denise Devine, Assistant City Clerk, advised that business cards had been ordered in the past from Vistaprint and this could be done again. Mr. Fleming asked if cards were expensive, and Mr. Gaddis estimated that 500 cards would cost $10, according to the television promotion.

Mr. Henderson asked for the business cards to be ordered, noting that it would be good for morale.

Mrs. Mullen indicated that she had also attended the "302 Back the Blue" event. She also noted that there would be an upcoming event about Dover culture and black history, and offered to send the information to the City Clerk's Office for distribution to members.

By consent agenda, Mr. Hare moved for acceptance of the Special Human Relations Commission Report, seconded by Mr. Anderson and carried by a unanimous roll call vote.

COUNCIL COMMITTEE OF THE WHOLE REPORT - MARCH 28, 2017

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 met with Chairman Cole presiding.

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

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

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 Committee recommended referring this request back to staff.

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

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.

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

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

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.

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."

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 Committee recommended referring this matter to the Parks and Recreation Department to look at creating a playground.

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

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.

The Committee recommended approval of the Community Development Block Grant (CDBG) allocations, as recommended by staff.

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

SAFETY ADVISORY AND TRANSPORTATION COMMITTEE

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

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.

The Committee recommended 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.

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

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 Committee recommended placing Proposed Resolution No. 2017-01 - Complete Streets Policy back on an agenda for consideration by the Safety Advisory and Transportation Committee.

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

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

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

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.

The Committee recommended 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.

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

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.

The Committee recommended 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.

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

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.

By consent agenda, Mr. Hare moved for acceptance of the Council Committee of the Whole Report, seconded by Mr. Anderson and carried by a unanimous roll call vote.

MONTHLY REPORTS - FEBRUARY 2017

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

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

Referring to the City Manager's Monthly Report, Mr. Anderson asked if Mrs. Donna Mitchell, Acting City Manager was looking at making any changes to the report matrix. Responding, Mrs. Mitchell advised that she had been reviewing the report and had some thoughts and processes to put together in order to develop the scorecard requested by Council during the Council Retreat. She explained that she had not yet determined whether the scorecard would become part of the monthly report or another report. Mrs. Mitchell stated that she was also considering including an executive summary of any major items that need to be brought to Council's attention because there are a lot of details in the report. She advised that she was looking at those two (2) aspects; however, the current priority was the budget. Mrs. Mitchell stated that she would review the monthly report once the budget was complete.

Mr. Anderson stated that he hoped that the departments that prepare reports for Council will all look at a scorecard approach as well, noting that he thought that it was important for communication.

Mr. Anderson moved for acceptance of the City Manager's Monthly Report, seconded by Mr. Hare and unanimously carried.

2016 ANNUAL REPORT - DOVER HUMAN RELATIONS COMMISSION

By consent agenda, Mr. Hare moved for acceptance of the 2016 Annual Report of the Dover Human Relations Commission, seconded by Mr. Anderson and carried by a unanimous roll call vote.

CHANGE ORDER UPDATE - SOUTH NEW STREET WATER MAIN PROJECT - UPDATE AND EMERGENCY CHANGE ORDER - ENVIRONMENTAL WORK

Mrs. Donna Mitchell, Acting City Manager, reviewed her memo to City Council dated March 31, 2017 which provided a brief history of the project and an update on the additional funding required in the amount of $151,784.

Mr. Lewis asked if there was enough money in the budget to pay for this project. Responding, Mrs. Mitchell advised that there was enough money, explaining that it was coming out of Water Quality Improvement funding.

Mr. Anderson stated that this project obviously had to be done, noting that it is a priority; however, he asked what would not be done in order to accomplish this project. In response, Mrs. Mitchell advised that the water quality funds are for water lines that need to be repaired or replaced. She stated that she would ask Mrs. Sharon Duca, Public Works Director, what was on the schedule that staff anticipates will be replaced with the funds, and provide that information to members.

Mr. Neil moved for approval of the change order, seconded by Mr. Cole and unanimously carried.

ACTING CITY MANAGER'S ANNOUNCEMENTS

Mrs. Donna Mitchell, Acting City Manager, made the following announcements:

The Customer Service Department will be holding a training exercise on Wednesday, April 12, 2017 and will be closing to the public at 1:30 p.m. They will reopen to the public at 8:30 a.m. on Thursday, April 13, 2017. The training exercise will include Emergency Management, the Dover Police Department and other agencies, and there will be emergency vehicles present. Information regarding this training and the closing has been posted on the City's Facebook page and website, as well as social media for the Police Department, and signs have been placed on the doors.

The City will be closed on Friday, April 14, 2017, in observation of Good Friday.

The Dover Police Department will have their Spring Jam on Thursday, April 20, 2017.

Leaf compost and wood chips giveaway is still occurring on Fridays and Saturdays in April and May.

Monday, April 10, 2017 through Sunday, April 21, 2017 is Spring Break.

COUNCIL MEMBERS' ANNOUNCEMENTS

Mr. Neil wished a happy Passover to the City residents of Jewish faith.

Mr. Hutchison stated that the 2017 City of Dover Municipal Election will be held on Tuesday, April 18, 2017 between the hours of 7:00 a.m. and 8:00 p.m. The polling places are: First (1st) District - The Elks Lodge #1903, 200 Saulsbury Road; Second (2nd) District - The Seventh Day Adventist Church, 647 Wyoming Avenue; and Third (3rd) District - St. Andrew's Lutheran Church, 425 North DuPont Highway.

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

Meeting adjourned at 8:09 p.m.

TRACI A. McDOWELL
CITY CLERK

All ordinances, resolutions, motions, and orders adopted by City Council during their Regular Meeting of April 10, 2017, are hereby approved.

ROBIN R. CHRISTIANSEN
MAYOR

/TM