REGULAR COUNCIL MEETING
AGENDA

JULY 24, 2017 - 7:30 P.M.

CITY HALL COUNCIL CHAMBERS
15 LOOCKERMAN PLAZA
DOVER, DELAWARE

OPEN FORUM - 30 MINUTES PRIOR TO OFFICIAL MEETING (7:00 P.M.)

THE "OPEN FORUM" SEGMENT IS PROVIDED TO EXTEND THE OPPORTUNITY TO THE GENERAL PUBLIC TO SHARE THEIR QUESTIONS, THOUGHTS, COMMENTS, CONCERNS, AND COMPLAINTS. DISCUSSION OF ANY ITEM APPEARING ON THE AGENDA AS A PUBLIC HEARING IS PROHIBITED DURING THE OPEN FORUM AS AN OPPORTUNITY WILL BE PROVIDED DURING CONSIDERATION OF THAT ITEM. CITIZEN COMMENTS ARE LIMITED TO THREE (3) MINUTES. COUNCIL IS PROHIBITED FROM TAKING ACTION SINCE THEY ARE NOT IN OFFICIAL SESSION; HOWEVER, THEY MAY SCHEDULE SUCH ITEMS AS REGULAR AGENDA ITEMS AND ACT UPON THEM IN THE FUTURE.

INVOCATION BY CHAPLAIN WALLACE DIXON

PLEDGE OF ALLEGIANCE LED BY COUNCILMAN LEWIS

AGENDA ADDITIONS/DELETIONS

* **CONSENT AGENDA**

THOSE ITEMS ON THE COUNCIL AGENDA WHICH ARE CONSIDERED ROUTINE AND NON-CONTROVERSIAL SHALL BE MARKED WITH AN ASTERISK (*) AND WILL BE ACTED UPON BY A SINGLE ROLL CALL VOTE OF THE COUNCIL. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS A MEMBER OF COUNCIL SO REQUESTS, IN WHICH EVENT THE MATTER SHALL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED A SEPARATE ITEM.

* **1. ADOPTION OF MINUTES - REGULAR COUNCIL MEETING OF JUNE 26, 2017**

2. PRESENTATIONS
- **A. LUTHERAN SENIOR SERVICES OF DOVER, INC. - PAYMENT-IN-LIEU OF TAXES (PILOT)**
- **B. CERTIFICATE OF CONGRATULATIONS - DOVER HIGH SCHOOL BOYS TRACK AND FIELD TEAM**
- **C. COMIC CON**

* **3. DOVER HUMAN RELATIONS COMMISSION WORKSHOP REPORT - MAY 25, 2017**
- **A. WELCOME - EXPLANATION OF PURPOSE OF WORKSHOP (HENDERSON)**
- **B. DHRC AUTHORITY AND HOLDING OF MEETINGS (NICHOLAS RODRIGUEZ, CITY SOLICITOR)**
- **C. REVIEW OF DHRC STRATEGIC PLAN 2015-2018 LONG-TERM OBJECTIVES AND DEVELOPMENT OF WORK PLANS**
- **D. PUBLIC COMMENT**

* **4. COUNCIL COMMITTEE OF THE WHOLE REPORT - JUNE 27, 2017**

A. SAFETY ADVISORY AND TRANSPORTATION COMMITTEE

(1) ALTERNATIVE TO SPEED BUMPS - ANN AVENUE (SUDLER)

(COMMITTEE RECOMMENDED A) INSTALLING A TRAFFIC ENFORCEMENT SIGN ON ANN AVENUE; B) INSTALLING STRICTLY ENFORCED SPEED LIMIT SIGNS ON ANN AVENUE; AND C) PERFORMING A TRAFFIC STUDY ON WALKER ROAD AND ANN AVENUE INDICATING THE TIMING OF THE LIGHTS AND THE COUNT, DATE, AND TIME OF TRAFFIC FLOW)

(2) NOISE COMPLAINTS - MUFFLERS AND CAR RADIOS (LEWIS AND GARFINKEL)

(COMMITTEE RECOMMENDED THAT CHIEF MAILEY RESEARCH A REASONABLE DECIBEL INDICATOR THAT WOULD BE PROFICIENT IN PROSECUTING AN AFFIRMATIVE OFFENSE CHARGE FOR EXCESSIVE NOISE, IN ACCORDANCE WITH NOT ONLY THE U.S. CODE FOR THE STATE OF DELAWARE BUT ALSO REASONABLE IN REGARD TO THE HEARING WHICH THEY CURRENTLY USE FOR THE CITY OF DOVER)

B. LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

(1) CLARIFICATION - REQUEST FOR INCENTIVES - NAIL SPA BY TR

(COMMITTEE RECOMMENDED ACCEPTANCE OF STAFF'S RECOMMENDATION TO LOOK FOR ANOTHER INCENTIVE THAT WOULD WORK BETTER AND BE MORE EFFECTIVE, IF COUNCIL WANTED TO INCENTIVIZE SMALLER, COMMERCIAL BUSINESSES AT SOME POINT, RATHER THAN TRYING TO AMEND THE CURRENT ORDINANCE TO MAKE IT FIT SOMETHING THAT IT WAS NOT INTENDED FOR)

(2) ORGANIZATIONAL RECOMMENDATIONS - DAVID S. HUGG III, ACTING DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT

(COMMITTEE RECOMMENDED ACCEPTANCE OF THE REPORT)

(3) PROPOSED ORDINANCE #2017-09 AMENDING CHAPTER 2 - ADMINISTRATION, ARTICLE IV - OFFICERS AND EMPLOYEES, DIVISION 1 - GENERALLY, SECTION 2-201 - COMPENSATION AND EXPENSES FOR MAYOR, COUNCIL, EMPLOYEES AND OTHER ELECTED OR APPOINTED OFFICIALS

(COMMITTEE RECOMMENDED ADOPTION OF PROPOSED ORDINANCE #2017-09) **(SEE ITEM #14-A)**

* **5. MONTHLY REPORTS - MAY 2017**

A. CITY ASSESSOR'S REPORT
B. CITY MANAGER'S REPORT
C. CITY PLANNER'S REPORT
D. CONTROLLER/TREASURER'S BUDGET REPORT
E. FIRE CHIEF'S REPORT
F. POLICE CHIEF'S REPORT

* **6. QUARTERLY REVENUE REPORT**

7. REPLACEMENT OF ENGINE 7

(STAFF RECOMMENDS APPROVAL OF THE PURCHASE OF ENGINE 7)

8. MODIFICATION TO CONSULTING CONTRACT

9. SUPPORT LETTERS TO FORGOTTEN CATS

10. EVALUATION OF BIDS

A. SILVER LAKE DAM IMPROVEMENTS

(STAFF RECOMMENDS AWARDING THE CONTRACT TO GUARDIAN ENVIRONMENTAL FOR THE CITY OF DOVER SILVER LAKE DAM IMPROVEMENTS PROJECT, BID #17-0037PW, FOR THE AMOUNT OF $265,400)

B. LINCOLN STREET GRAVITY SEWER REPAIR

(STAFF RECOMMENDS AWARDING THE CONTRACT TO GATEWAY CONSTRUCTION FOR THE CITY OF DOVER LINCOLN STREET GRAVITY SEWER REPAIR, BID #17-0040PW, FOR THE AMOUNT OF $27,200)

* **11. APPOINTMENTS/REAPPOINTMENTS**

A. RECOMMENDED BY COUNCIL PRESIDENT SLAVIN

(1) HUMAN RELATIONS COMMISSION - JONATHAN OFFREDO - FOURTH DISTRICT REPRESENTATIVE - THREE-YEAR TERM TO EXPIRE FEBRUARY 2020 (TO FILL THE EXPIRED TERM OF KENNETH ROACH)

B. RECOMMENDED BY MAYOR CHRISTIANSEN

(1) BOARD OF ADJUSTMENT - ARTHUR G. ERICSON - THREE-YEAR TERM TO EXPIRE JULY 2020 (REAPPOINTMENT)

(2) CONSTRUCTION AND PROPERTY MAINTENANCE CODE BOARD OF APPEALS - ADAM M. PERZA, REPRESENTATIVE OF HOMEOWNERS - ONE-YEAR TERM TO EXPIRE MAY 29, 2018 (REAPPOINTMENT)

* **12. 2017/18 ANNUAL APPOINTMENTS (DEFERRED DURING THE ANNUAL MEETING OF MAY 8, 2017)**

A. APPOINTMENTS RECOMMENDED BY MAYOR CHRISTIANSEN

(1) DOWNTOWN DOVER PARTNERSHIP BOARD OF DIRECTORS

(2) SILVER LAKE COMMISSION

13. REZONING REQUESTS - FIRST READINGS OF PROPOSED ORDINANCES

THE FIRST READING IS OFFERED ON THE FOLLOWING PROPOSED ORDINANCES. THEY ARE RECOMMENDED FOR REFERRAL TO THE PLANNING COMMISSION FOR A PUBLIC HEARING ON AUGUST 21, 2017 AND THAT A PUBLIC HEARING BEFORE CITY COUNCIL BE SET FOR SEPTEMBER 11, 2017 AT 7:30 P.M., AT WHICH TIME THE FINAL READINGS AND COUNCIL ACTION WILL TAKE PLACE. THE ORDINANCES ARE AVAILABLE AT THE ENTRANCE OF THE COUNCIL CHAMBERS, ON THE CITY'S WEBSITE AT WWW.CITYOFDOVER.COM UNDER "GOVERNMENT," OR BY CONTACTING THE CITY CLERK'S OFFICE AT 736-7008 OR CITYCLERK@DOVER.DE.US.

A. #2017-10 - PROPERTY LOCATED AT 826 FOREST STREET, CONSISTING OF 0.5$^{+/-}$ ACRES, OWNED BY SARAH E. JONES. THE PROPERTY IS CURRENTLY ZONED RG-1 (GENERAL RESIDENCE), SUBJECT TO COZ-1 (CORRIDOR OVERLAY ZONE) AND THE PROPOSED ZONING IS C-1A (LIMITED COMMERCIAL), SUBJECT TO COZ-1 (CORRIDOR OVERLAY ZONE)

(TAX PARCEL: ED-05-076.12-01-16.00-000, FOURTH COUNCIL DISTRICT; PLANNING REFERENCE: Z-17-04)

B. #2017-11 - PROPERTY LOCATED AT 870-872 FOREST STREET, CONSISTING OF 0.7473$^{+/-}$ ACRES (32,552$^{+/-}$ S.F.), OWNED BY BENNIE SMITH REAL ESTATE, LLC. THE PROPERTY IS CURRENTLY ZONED C-1A (LIMITED COMMERCIAL), SUBJECT TO COZ-1 (CORRIDOR OVERLAY ZONE) AND THE PROPOSED ZONING IS IO (INSTITUTIONAL AND OFFICE), SUBJECT TO COZ-1 (CORRIDOR OVERLAY ZONE)

(TAX PARCEL: ED-05-076.12-01-08.00-000, FOURTH COUNCIL DISTRICT; PLANNING REFERENCE: Z-17-05)

14. FIRST READING - PROPOSED ORDINANCE #2017-09

THE FIRST READING IS OFFERED ON PROPOSED ORDINANCE #2017-09. FINAL ACTION BY COUNCIL WILL TAKE PLACE DURING THE SECOND READING OF THE ORDINANCES ON AUGUST 14, 2017. THE ORDINANCE IS AVAILABLE AT THE ENTRANCE OF THE COUNCIL CHAMBERS, ON THE CITY'S WEBSITE AT WWW.CITYOFDOVER.COM UNDER "GOVERNMENT," OR BY CONTACTING THE CITY CLERK'S OFFICE AT 736-7008 OR CITYCLERK@DOVER.DE.US.

A. PROPOSED ORDINANCE #2017-09 AMENDING CHAPTER 2 - ADMINISTRATION, ARTICLE IV - OFFICERS AND EMPLOYEES, DIVISION 1 - GENERALLY, SECTION 2-201 - COMPENSATION AND EXPENSES FOR MAYOR, COUNCIL, EMPLOYEES AND OTHER ELECTED OR APPOINTED OFFICIALS

(LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE)

15. ACTING CITY MANAGER'S ANNOUNCEMENTS

16. COUNCIL MEMBERS' ANNOUNCEMENTS

17. ADJOURNMENT

EXECUTIVE SESSION PURSUANT TO:

29 DEL. C. §10004(B)(2) - PRELIMINARY DISCUSSIONS ON SITE ACQUISITIONS FOR ANY PUBLICLY FUNDED CAPITAL IMPROVEMENTS, OR SALES OR LEASES OF REAL PROPERTY;

29 DEL. C. §10004(B)(4) - STRATEGY SESSIONS, INCLUDING THOSE INVOLVING LEGAL ADVICE OR OPINION FROM AN ATTORNEY-AT-LAW, WITH RESPECT TO COLLECTIVE BARGAINING OR PENDING OR POTENTIAL LITIGATION, BUT ONLY WHEN AN OPEN MEETING WOULD HAVE AN ADVERSE EFFECT ON THE BARGAINING OR LITIGATION POSITION OF THE PUBLIC BODY;

29 DEL. C. §10004(B)(6) - DISCUSSION OF THE CONTENT OF DOCUMENTS, EXCLUDED FROM THE DEFINITION OF "PUBLIC RECORD" IN §10002 OF THIS TITLE WHERE SUCH DISCUSSION MAY DISCLOSE THE CONTENTS OF SUCH DOCUMENTS;

29 DEL. C. §10004(B)(9) - PERSONNEL MATTERS IN WHICH THE NAMES, COMPETENCY AND ABILITIES OF INDIVIDUAL EMPLOYEES ARE DISCUSSED, UNLESS THE EMPLOYEE REQUESTS THAT SUCH A MEETING BE OPEN

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REGULAR COUNCIL MEETING

The Regular Council Meeting was held on June 26, 2017 at 7:36 p.m. with Council President Slavin presiding. Council members present were Mr. Anderson, Mr. Sudler, Mr. Neil, Mr. Lewis, Mr. Cole, Mr. Polce, Mr. Hare, and Mr. Lindell.

Staff members present were Police Chief Mailey, Mrs. Mitchell, Mr. Hugg, Fire Chief Carey, City Solicitor Rodriguez, and Mrs. McDowell. Mayor Christiansen was also present (departed at 7:37 p.m.).

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.

Mr. Jamie Grubbs stated that the homeless need a place to live and it would be nice to get them off of the streets, where it is not safe. He also noted that there is nowhere for the homeless to eat.

Mr. Steven French suggested allowing the homeless to live at the former library until they get something better. He noted that winter is coming and it will be too cold out there for them.

Mr. Christopher L. Jones thanked members for the opportunity to speak and stated that the problem of homelessness is at disproportionate levels and will get worse without proper care from the City and the community. He noted that if it were not for Victory Church and what they do to help the less fortunate, he did not know where he would be. Mr. Jones advised that he recently became homeless after being kicked on the street by the Veterans Affairs in Wilmington and, before then, he did not realize how hard some people have it. He stated that he has tried to get help from every organization in Dover and the State. Mr. Jones noted that Miss Kathy took him to the pharmacy and paid for his medications out of her own pocket. He stated that, with the City of Dover's help and with Victory Church, this epidemic can be turned around to make this community a better and more loving place for everyone.

Mr. Eric Abernathy stated that there were two (2) veterans, Mr. Jones and Mr. Lawson, in the audience and they were having trouble getting assistance. He noted that both men have been coming to Victory Church and the church is doing what it can to help them so they get lunch every day and a hot meal at night. Mr. Abernathy stated that they are a poor church so there is not much more they can do. He noted that the other issue was the homeless tent city that was recently cut up by the property owner. Mr. Abernathy noted that he had heard that the owner had State officials with them. He advised that this was the third incident of tents being destroyed that he knew of. Mr. Abernathy also advised that many homeless people used to hang out at the library and now they have taken away the seating area and turned it into a passport area. He stated that they also took out the television in the back of the library where they were hanging out. Mr. Abernathy stated that he felt that something needs to be done, not yesterday, not tomorrow, but today.

Ms. Alexis Simms advised that she had been coming to testify for the homeless for a whole year. She stated that whoever cut those tents down destroyed peoples personal property and that is a charge. She noted that these people cannot afford a one bedroom for $850.

Ms. Jasmine Boggs advised that, within the past year, she had lost her son because of being homeless. She stated that, over the past five (5) years, she had been homeless off and on. Ms. Boggs advised that two (2) people in attendance had helped her during the past year with legal matters and with her son. She noted that being homeless does not make you a bad person, no matter what other people think about you. Ms. Boggs advised that her son, who was born on August 3rd, died on November 9th because she was homeless with him. She stated that she had also had several miscarriages because she was homeless and if she had a place to live, her children would still be living.

Mr. Brandon Ricks advised that he gave up his place to live 18 or 19 months ago because he allowed homeless people to come stay with him. Mr. Ricks stated that he has had two (2) heart attacks and a stroke in the last six (6) months and every time he goes to the hospital, it is a shame because nobody cares about them. He noted that it is the other homeless people that actually come and check on you to make sure you are alright. Mr. Ricks advised that, as his wife previously stated, they lost their son in November and since then, anytime that people have needed help, every time he gets paid, he spends $400 a week at a hotel so that people are able to have a place to eat and take showers. He noted that he cannot afford his heart pills because he makes sure people eat on a daily basis. Mr. Ricks advised that he has given up everything he had to help people. He stated that he moved to Dover four (4) years ago from Virginia and he tries to help as many people as he can.

Mr. Swann Twitty stated that they are making it hard for homeless people to get jobs, especially the ones that have charges. He stated that it is not fair for them to be homeless without a job and they have to go apply somewhere and they get turned down because of what they did 10-20 years ago.

Mr. Richard Lawson advised that he is homeless and has been in Dover for 64 days. He noted that for the first nine (9) days, he stayed at Red Roof Inn, and for 22 days he was at Kent General Hospital where he was diagnosed with a heart condition, a bad set of lungs, and diabetes. Mr. Lawson stated that for the last 33 or 34 days, he has been on the street. He advised that Victory Church and the outreach center lent a hand to help him the best that they could to try to keep a good frame of mind to not give up on things. Mr. Lawson stated that when he was discharged from the hospital, he met with several social workers, both interior and exterior, along with case workers, his chief doctor, and VA reps. He advised that he was supposed to be released into an environment for home healthcare, noting that he is supposed to be on 20 medications a day, four inhalers, a CPAP machine, and a nebulizer. Mr. Lawson noted that he is currently only able to manage nine medications, he cannot use his machine, and he only has two (2) of the inhalers because he had nowhere in the woods to plug a nebulizer in. He advised that he has exhausted every resource that he could find and asked when the City would decide that it is going to step up and do something to improve conditions for the homeless.

Mr. James Bierman stated that this was his first time attending to advocate for the homeless. He advised that he was 77 years old and, for over 50 years, he was in the construction business, 25 of which were in Dover and surrounding areas. Mr. Bierman advised that he has worked as a carpenter, a foreman, and a superintendent for some major construction companies, including Kent Construction. He noted that he has noticed empty buildings and the library is empty now. Mr. Bierman stated that these empty places could be renovated for a moderate price and made into an adequate dwelling for some of these people that are homeless.

Mr. James Plaisted advised that he was getting ready to be pinned for medical assistant and indicated that if there were a Kent County clinic for the homeless, he would assist in any way he could.

Mr. Ed Dougherty, 25 Lotus Street, stated that he would promote anything that the City of Dover could do with regard to the closing of the Schwartz Center. He noted that he took a bike ride around the City that day and there are excellent facilities and opportunities here. Mr. Dougherty requested members to do what they could for the Schwartz Center to keep the downtown alive.

Mr. Slavin announced that on Wednesday, June 28, 2017 at 6:00 p.m. in the City Council Chambers, the Mayor would be holding a meeting with the Blue Ribbon Commission on homelessness and they will be releasing and discussing their findings. He also noted that the Mayor has offered to meet with the veterans who spoke after the Open Forum, noting that the Mayor has made great efforts statewide to cure homelessness for veterans and he knows where the resources are.

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

AGENDA ADDITIONS/DELETIONS

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

Mr. Neil requested that item #3-A-1 - Council Committee of the Whole/Parks, Recreation, and Community Enhancement Committee Report - Recommendations from Community Meeting of May 25, 2017 be removed from the Consent Agenda.

Mr. Anderson requested that item #2-C - Board of Assessment Appeals Exemption Report - May 31, 2017 - Norfolk Southern Railway be removed from the Consent Agenda.

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

ADOPTION OF MINUTES - SPECIAL COUNCIL MEETING - BUDGET REVIEW OF MAY 30, 2017

The Minutes of the Special Council Meeting - Budget Review of May 30, 2017 were unanimously approved by motion of Mr. Lewis, seconded by Mr. Neil and bore the written approval of Mayor Christiansen.

ADOPTION OF MINUTES - REGULAR COUNCIL MEETING OF JUNE 12, 2017

The Minutes of the Regular Council Meeting of June 12, 2017 were unanimously approved by motion of Mr. Lewis, seconded by Mr. Neil and bore the written approval of Mayor Christiansen.

ADOPTION OF MINUTES - SPECIAL COUNCIL MEETING OF JUNE 13, 2017

The Minutes of the Special Council Meeting of June 13, 2017 were unanimously approved by motion of Mr. Lewis, seconded by Mr. Neil and bore the written approval of Mayor Christiansen.

BOARD OF ASSESSMENT APPEALS EXEMPTION REPORT - MAY 31, 2017

The Board of Assessment Appeals met on May 31, 2017 with Chairman Garfinkel presiding.

EXEMPTIONS

Central Delaware Habitat for Humanity

Locations:	**Exempt Request:**
325 N New St.	$13,600
22 N New St.	$70,900

BACKGROUND AND ANALYSIS

An exemption request for the above referenced properties was submitted to the Assessor's Office.

The property located at 22 N New St. currently has a dwelling.

Once these properties are complete and the ownership is transferred, the properties will be added back to the tax rolls. (As a supplemental billing)

RECOMMENDED ACTION: Recommend that the request for exemption be reviewed.

Mr. Simpson, Executive Director, was present for the hearing.

Mr. Simpson informed the board that the organization is utilizing these properties to help improve the status of difficult neighborhoods and help those in need. He went on by explaining that the home on 22 N New Street will be demolished and that 325 N New Street is already a vacant lot, that the organization will be building new homes on both of these lots for low income families.

Chairman Garfinkel asked who the lien holders for these homes are. Mr. Simpson told the board that Habitat for Humanity becomes the lien holder and explained that the organization receives funding from various sources such as charitable donations or grant money. The home owner then pays the interest fee loan back to the organization over a 30-year period.

When asked what the timeline for the rebuilding of the properties would be, Mr. Simpson said that thy are on a three-year plan, meaning that the property located at 22 N New Street would get done first since it is located within an area that is currently being rebuilt by the organization. Mr. Simpson explained that the organization finds that it makes a difference if they rebuild as many homes in one

area as they can, which is why he believed that the property located at 22 N New Street should be worked on first.

Chairman Garfinkel asked what would happen to the properties if the new owner fails to pay the mortgages. Mr. Simpson told the board that if the owners fail to pay the mortgage they would follow the same path any homeowner would who does not pay their mortgage.

Mr. Galvin asked if the new homeowner was able to sell the home after they purchased it. Mr. Simpson told the board that the owner has the right to sell the home, but also explained that the mortgage of the home is based on the actual materials bought and not what the home could be appraised for making it a lot more affordable. Should the owner decide to sell the home before the 30 years are up, they would have to pay what the home would have appraised for and not what the actual cost was. He also told the board that these homes are only built for low income families, who know that they are fortunate to have been given the opportunity to own a home and pay less in monthly mortgage fees, for a single family home, than they did when they rented an apartment.

Mr. Kelly asked about the selection of homeowners. Mr. Simpson replied by explaining to the board that that part of the program has been the most challenging, due to the company that handled the selection, letting the board know, that the organization recently hired somebody that works for the organization, which will in the future make the selection faster. He mentioned that the homeowners have to help build their homes, the homes are not just handed to them, they also have to go to credit and mortgage counseling.

Mr. Galvin made the motion to exempt both properties until they are sold to the new owner. Mr. Kelly seconded the motion. Motion carried 3-0.

Mrs. Bundek informed the appellant, that the City Council has the final decision and that a certified letter with the date of the Council Hearing would be mailed.

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

NCALL

Locations:	**Exempt Requests:**
231 N Queen St.	**$13,800**
101 S Queen St.	**$13,400**
106 S New St.	**$13,100**
110 S New St.	**$11,600**
112-114 S New St.	**$ 8,600**
108 S New St.	**$10,700**

NCALL (Continued)

212 N Governors Ave.	**$10,800**
14 S Queen St.	**$12,000**
18 S Queen St.	**$12,000**
245 N West St.	**$13,500**

BACKGROUND AND ANALYSIS

An exemption request was submitted to the Assessor's Office.

RECOMMENDED ACTION: Recommend that the request for exemption be reviewed.

These properties are currently vacant land; to be built for a low-income family to provide an affordable mortgage. Once these properties are complete and the ownership is transferred, they will be added back to the tax rolls. (As a supplemental billing)

Karen Speakman, Deputy Director, was present for the hearing.

Ms. Speakman told the board that their organization is very much like the "Habitat for Humanity", which is building and selling homes to low income families.

She informed the board that the properties located at 231 N Queen Street and 212 N Governors Avenue have just been sold and can be taken off of the list of exempt request properties.

Chairman Garfinkel asked if these homes are also sold at 0% interest, same as the Habitat?

Ms. Speakman told the board that NCALL sells the properties at market value. She explained that a home that would sell for $200,000, the organization would sell for approximately $165,000 to a low income family. The difference would be paid by different funds and grants the organization receives. She also mentioned that the homes are located within an abatement area, which gives the new homeowner a 5-year window of reduced property taxes.

Mr. Galvin, asked if the new owner could turn around and sell the property as soon as they purchased it, and was told by Ms. Speakman that the homeowner is required to live in the home for 5-10 years depending on the grant restriction they have.

Chairman Garfinkel asked what would happen if the new owner fails to pay the mortgage. Ms. Speakman explained that once the home is sold the owner pays the bank who holds the mortgage and if they fail to pay the mortgage the bank would repossess the property.

Mr. Kelly made the motion to accept the exempt request for the 8 properties until they are sold. Mr. Galvin seconded the motion. Motion carried 3-0.

Mrs. Bundek informed the appellant, that the City Council has the final decision and that a certified letter with the date of the Council Hearing would be mailed.

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

Norfolk Southern Railway

Location:	**Exempt Request:**
S West St.	**$50,700**

BACKGROUND AND ANALYSIS

An exemption request was submitted to the Assessor's Office.

This property was preliminarily denied because more information was needed. It has been placed back on taxable status pending this hearing and Council's final vote in June 2017. Right of Way & Roadbeds

RECOMMENDED ACTION: Recommend that the request for exemption be reviewed.

Mr. Quam, Manager for State Taxes was present for the hearing.

The Assessor started the hearing by explaining that this request is part of the 2016 Exemption Audit. At one of the meeting the Board requested the organization to come to a hearing scheduled for April 26,2017, which they failed to do, therefore placing the property back on the tax roll.

Mr. Quam told the board that he is not from this area and had not seen this property until the night before the hearing. He asked if any of the board members knew how long the platform had been on the property.

Mr. Bundek told him that according to the information the office had, the "truck well" had been there since 1960.

Mr. Quam told the board that this property became exempt with the county in 2010. He explained that at that time the organization was not aware that the City would not have to adopt the counties status.

He explained that spaces like this vacant piece of land are often necessary for offloading and storing equipment and materials needed for maintenance along the

railroad. He told the board that this property falls within the allowed 50 feet of right of way.

Mr. Kelly made the motion to accept the exempt request, which was seconded by Mr. Galvin. Motion carried 3-0.

Mrs. Bundek informed the appellant, that the City Council has the final decision and that a certified letter with the date of the Council Hearing would be mailed.

Mrs. Cheryl Bundek, City Assessor, advised that the Norfolk Southern Railway property on South West Street is a public open space, or right-of-way, that is owned by the railroad tracks. She noted that the improvement is a truck welding bin.

Responding to Mr. Anderson, Mrs. Bundek advised that Norfolk Southern was still the official owner of record, noting that they had not received a deed change.

Mr. Anderson asked why the improvement was not taxed. Mrs. Bundek advised that the improvement, to her knowledge, was an unattached truck bed that could be removed and, therefore, was not considered a real estate improvement. She noted that the property itself would be tax exempt per 8108 of the State Code.

Mr. Hare noted that he had a constituent call about the Walker Road crossing and asked who was responsible for maintaining the railroad crossings. Mrs. Bundek responded that she thought it would be the railroad company's responsibility and that she would call their contact from the exemption request and ask them. Mr. Polce advised that he spoke with the Secretary of Transportation and it is a joint partnership between the Department of Transportation and the railroad company. He noted that the specific intersection that Mr. Hare referenced, Walker Road, is scheduled for maintenance this summer.

Mr. Neil moved for approval of the Board's recommendation, seconded by Mr. Lewis and carried with Mr. Anderson voting no.

Dover Housing Authority

Locations:	**Exempt Requests:**
402 S New St.	**$40,000**
13 S New St.	**$10,700**

BACKGROUND AND ANALYSIS

An exemption request was submitted to the Assessor's Office.

This property was preliminarily denied because more information was needed.

It has been placed back on taxable status pending this hearing and Council's final vote in June 2017.

RECOMMENDED ACTION: Recommend that the request for exemption be reviewed.

Mr. Mincey, Executive Director was present for the hearing.

The Assessor showed the board aerial pictures of the properties, letting them know that they were both vacant pieces of land.

The board suggested that the organization have the lot lines for 402 S New Street erased, as that parcel is not a buildable lot and seems to be part of 426 S New Street.

Mr. Mincey told the board that the organization is trying to sell 13 S New Street, but has not been successful in doing so.

Mr. Galvin suggested to get in touch with Habitat for Humanity or NCALL regarding this property.

Chairman Garfinkel asked if the organization was holding this property by way of investment?

Mr. Mincey explained that the organization is looking to sell the property but not for a profit.

He told the board that the organization has sold properties to both NCALL and the Habitat for Humanity in the past few years.

Mr. Kelly wanted to know why the organization purchased the property and was told by Mr. Mincey that the organization was part of Senator Carpers "Home Owners Initiative" and were trying to revitalize that part of the City, but have not been able to so with the current situation in that area.

Mr. Kelly asked if the organization owns more properties within the City of Dover which are also exempt. The Assessor told Mr. Kelly all the other properties within City of Dover city limits, owned by this organization, are tax exempt.

Mr. Galvin made the motion to grant the exempt request for 402 S New Street with the recommendation to have the lot lines removed. Mr. Kelly seconded the motion. Motion carried 3-0.

Mr. Kelly asked Mr. Mincey if he knew of a property Dover Housing Authority sold to another non-profit organization such as NCALL or Habitat for Humanity? Mr. Mincey told the board that the property located at 245 N West Street was just purchased by his organization for $20,000 and was just sold to NCALL for $15,000. Mr. Kelly wanted to make sure that the organization is not looking to make a profit on the property and would sell to any buyer who would be willing to build on the property for any offer.

Mr. Kelly told the board that he would be inclined to grant the exemption as the organization is not an investment corporation, but is working for the greater good of the city such as Habitat for Humanity and NCALL.

After further discussion, Mr. Kelly made the motion to accept the exempt request with the recommendation to reach out to NCALL and Central DE Habitat for Humanity regarding the property located at 13 S New Street to get the property in line with the purpose of the organization. Mr. Galvin seconded the motion. Motion carried 3-0.

Mrs. Bundek informed the appellant, that the City Council has the final decision and that a certified letter with the date of the Council Hearing would be mailed.

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

Mr. Anderson moved for acceptance of the Board of Assessment Appeals Exemption Report, seconded by Mr. Neil and unanimously carried.

COUNCIL COMMITTEE OF THE WHOLE REPORT - JUNE 13, 2017

The Council Committee of the Whole met on June 13, 2017 at 6:00 p.m., with Council President Slavin (departed at 6:54 p.m. and returned at 6:56 p.m.) presiding. Members of Council present were Mr. Anderson, Mr. Sudler, Mr. Neil, Mr. Lewis, Mr. Polce, and Mr. Lindell (departed at 7:14 p.m. and returned at 7:17 p.m.). Mr. Cole and Mr. Hare were absent. Mayor Christiansen (departed at 6:34 p.m. and returned at 7:05 p.m.) was also present. Civilian members present for their Committee meetings were Mr. Caldwell (*Parks, Recreation, and Community Enhancement*), and Mr. Shevock and Dr. Stewart (*Legislative, Finance, and Administration*). Mrs. Horsey (*Parks, Recreation, and Community Enhancement*) was absent.

PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE

The Parks, Recreation, and Community Enhancement Committee met with Chairman Sudler presiding.

Recommendations from Community Meeting of May 25, 2017

Mr. David Hugg, Acting Director of Planning and Community Development, estimated that there were more than 30 people in attendance at the community meeting of May 25, 2017. He stated that a lot of positive input was received from residents in the general area, as well as commitment to get involved in finding solutions for Dover Park. Mr. Hugg noted that there was also some discussion of Continental Park. He advised that recommendations included improving maintenance, addressing the general condition of some of the equipment and the pavement, and trying to find activities and create reasons for people to go to the park and participate in activities there. Mr. Hugg indicated that he advised meeting

participants that the City had submitted grant applications to the State for both a Master Plan and Phase 1, which would identify what kind of facility or building may be needed at Dover Park. He stated that it would not be known until the fall if these funds would be granted; however, the City would be in the funding queue, and he thought master planning would move forward quickly. Mr. Hugg explained that Mr. Sudler had led a walk-through of Dover Park on Saturday, May 27, 2017 and identified a number of issues. He noted that some of the local residents were involved in the walk-through, which was a good sign that people wanted to take back ownership of the park and make it serve their needs. Mr. Hugg advised that staff had a subsequent meeting to discuss the next steps, such as looking into what would be required to provide electricity to the pavilions, possible sponsorships for park benches and playground equipment, and fundraisers. He stated that a community event with games and activities was scheduled to be held at Dover Park on July 22, 2017. Mr. Hugg indicated that there had been significant progress regarding this park.

Mr. Sudler explained that the event on July 22, 2017 would be a community fundraiser for Dover Park and Continental Park, with half of the proceeds going to each of the parks. He informed members that there would be a "rib-off" contest, as well as other activities, from 7:00 a.m. to 7:00 p.m.

In regard to Continental Park, Mr. Hugg advised that a community workshop would be held on June 22, 2017 at 6:00 p.m. at the park site, or in the Dover Public Library in the event of rain. He explained that the purpose of the workshop was to get people to come out and talk about the parks, discuss what they would like to see at Continental Park, and develop a path forward.

Mrs. Donna Mitchell, Acting City Manager, stated that the Public Works Department had gone to Dover Park following the May 25, 2017 meeting and worked on many of the issues, including repainting the checkerboard tables. She noted that $80,000 had been earmarked in the Parkland Reserve Fund for Dover Park. She stated that $50,000 was included in the current budget and would carry forward into next year for the Dover Park Master Plan.

Mr. Sudler asked Mrs. Mitchell how she felt the community meeting went, and how the City would get in contact with Representative Andria Bennett in regard to her proposal to provide funding from the State Legislature. In response, Mrs. Mitchell stated that as soon as the City has identified and developed a project, Representative Bennett could be contacted through email regarding funding. Mrs. Mitchell indicated that she thought the meeting went very well, with a lot of conversation and participation, and the walk-through at the park was also very well attended.

Mr. Anderson stated that Kent County Levy Court Commissioners had offered to help match funding for Continental Park. He indicated that Kent County has a $600,000 source of funding in a park fund. Mr. Anderson advised that the City of Dover had a robust Park Reserve Fund at one time, and the Pitts Center was

completed using $3M in cash. He noted that the City currently had no funding mechanism for park reserves and asked what other communities were using as funding sources for their park reserves. Mr. Anderson indicated that he did not need this information immediately but would like to have it within a month's time. Responding, Mrs. Mitchell stated that she would look into that, noting that some of the $3M used to build the Pitts Center was received through donations and contributions; however, a lot of funding came from carry-forward balances in the General Fund that were moved to the Reserve Fund to build the Center. Mr. Anderson noted that the City's unfunded liabilities were now a huge problem, which was a definite priority for the carry-forward.

Responding to Mr. Neil, Mrs. Mitchell explained that money from fundraisers could be placed into the Parkland Reserve Fund, and there was no problem with the City accepting money for that purpose.

Ms. Frances Thomas, a resident, stated that there was a nice turnout for the walk-through; however, a lot of the members of the panel who attended the community meeting were not present, and she and others wondered why they were not there to represent the community in the area. She advised that many things could be done at Dover Park, noting that she was not familiar with Continental Park. Ms. Thomas indicated that many people had grown up with Dover Park and questioned why it was not being built up more, noting that Dover is the capital of the First State. She stated that it was a waste that soccer, basketball, softball, and tennis activities were not being held there. Ms. Thomas stated that the park was located in an area of poverty and help was needed with interactive activities for children, who should not have to go all the way to Schutte Park. She noted that some parents do not have vehicles and there are transportation issues. Ms. Thomas indicated that she was glad that meetings were being held to discuss this; however, more needed to be done.

Mayor Christiansen stated that a number of people had been vocal when the Dover Park building was taken down, and a promise was made that this side of the community would not be forgotten. He advised that he thought that there was still a commitment, if the funding was available, to eventually rebuild Dover Park to what it was before, noting that he had used it himself when he lived on Willis Road. Mayor Christiansen indicated that he had never agreed with the strategy to move everything to Schutte Park, he did not think that the rest of the members of Council had, and they were committed to making sure that Dover Park would return as a viable entity on the east side of the City.

Mr. Sudler reviewed a presentation entitled "Dover Park & Recreational Center's Status Report - Dialogue Presentation for Master Plan!", which he stated was presented during the May 25, 2017 community meeting.

Ms. Rozalyn Chandler, Manchester Square, advised that she was interested in helping on this project, had participated in the walk-through, and had not known the park was so big. She indicated that she was upset because some of those who stated that they

would come to the walk-through had not attended. Ms. Chandler stated that she had made a list of projects that could be done with children; however, no one had contacted her about it. She stated that some of the projects on her list were inexpensive and asked that someone contact her about them. Ms. Chandler stated that the more that could be done with the children, the fewer the problems would be in the community. She expressed concern about safety at her home, noting that she had called the police at 2:00 a.m. about drug interactions taking place at her front window, and there had also been people shooting at each other and running through her yard to the park to get away from police. Ms. Chandler advised that the City and the Dover Housing Authority should come together to do something about these problems. She indicated that she is living alone in fear and resides near the gate looking into Dover Park. Ms. Chandler asked for help before the summer begins, noting that she was unsure that the Dover Housing Authority would help.

Mr. Sudler noted that Councilman Neil was present and may be able to assist Ms. Chandler. He suggested that she obtain the contact information for the Third District City Councilmen for follow-up. Mayor Christiansen invited Ms. Chandler to the hall to discuss this matter further. Mr. Sudler advised that Council was aware of some of the issues taking place with the Dover Housing Authority, and Mayor Christiansen was working diligently to rectify them.

Mr. Lindell informed members that he recalled going to the Dover Park office previously while attending Wesley College as a student, and there had been problems with vandalism at that time. He noted that Ms. Chandler had spoken eloquently on this subject. Mr. Lindell stated that a beautiful park could be built at Dover Park; however, there must be a comprehensive plan or the City would be throwing money at fixing up a park that the City would continually have to rebuild. Mr. Lindell stated the need for a plan to deal with the other issues, along with the new park. Responding to Mr. Sudler, Mr. Lindell stated that he was referring to safety and drug issues, noting that 42% of the individuals surveyed cited the issue of safety. He questioned the sense of having a nice park if people were afraid to leave their homes or go to the park.

Responding to Mr. Neil, Mr. Sudler confirmed that Ms. Chandler resided in Dover Housing Authority housing. Mr. Neil advised that Mr. Sudler had been addressing problems with the Dover Housing Authority, and Mr. Neil had supported this. He stated that putting up the park would not resolve the massive problems related to the Dover Housing Authority, people who are looking for housing, and homeless people who are asking for the same kind of help. Mr. Neil indicated that safety in the community is the most important thing that the City can provide and that the park would not suddenly turn those who are running around with guns into nice citizens who will play competitive games. Mr. Neil advised that a comprehensive plan was needed for the entire City that fits parks within the overall program.

Mr. Sudler expressed his belief that Ms. Chandler was trying to convey that there is a correlation between drug, safety, and youth issues and the lack of something for

youth to do, and the park or new recreational facility could help to deter those issues. He noted that no one has the answer; however, something has to be put in motion.

Mr. Anderson indicated that he liked the idea of developing a master plan, noting that this plan would deal with safety and security because nothing else would work without security. He suggested starting with establishing security, which is vital; however, he stated that once this is established, there must be positive alternatives to fill the time. Mr. Anderson thanked Mr. Sudler for the work he had done on this matter, especially the community meeting and the walk-through, noting that he had been unable to attend the walk-through due to his work schedule. He stated that he was also impressed by the work staff had done to start moving in the right direction. Mr. Anderson informed members that the broken windows theory states that when things are kept up, the likelihood of vandalism decreases; however, neglect sends a message that a location can be a haven for bad activity because no one is watching. He indicated that upkeep, security cameras, and other measures to get security on the ground would help everything, noting that the Dover Housing Authority would also have to do its part since they are a major part of the issue.

Mr. Slavin advised that he was not surprised by the current status of Dover Park, expressing his opinion that a path of benign neglect began approximately five (5) years ago through decisions made at the staff level at that time, and not by Council. He explained that those decisions led to a decision about demolishing the building. Mr. Slavin stated that several members of Council at that time, including him, Representative Sean Lynn, who was a Councilman at that time, and Mr. Anderson had requested that the demolition of the building not be allowed until there was money to build something new, or the result would be a vacant lot.

Mr. Slavin asked Mr. Hugg to look into the concept of pop-up parks, where parks are taken to locations instead of building infrastructure, or while waiting for infrastructure to be built. He stated that the National Council on Agricultural Life and Labor Research (NCALL) had closed a portion of New Street for an evening last year to create a pop-up park. Mr. Slavin noted that a previous speaker had mentioned the need for things for kids to do at Manchester Square, and this program would be a perfect application for that. He explained that the activity would occupy a four-hour or six-hour window, and staff could obtain donations or he could help. He stated that this model had been used with some success, and Dr. Chanda Jackson, NCALL, had put this activity together.

Mr. Neil stated the need to work with the Capital School District, which has safe buildings and areas, many with gymnasiums and facilities that would be immediately available for activities. He indicated that the Police Athletic League (PAL) should be extended. Mr. Neil stated that the sooner the youth become excited about healthy sports and games that get them away from TVs, smart phones, and computers, the better off everyone would be. He noted that parents must become involved and help to lead this effort. Mr. Neil indicated that Towne Point/White Oak meetings are held in a school by special permission, and games and activities could also be held there.

He stated that nothing would have to be created specifically within the park now and outdoor activities could be transferred there. Mr. Neil indicated that part of the master plan should include determining if schools can be utilized and what the cost would be.

As a recent member of the Capital District School Board, Mr. Lindell noted that one (1) of the issues would be the costs of the building, such as running the air conditioning in the summer. He offered to reach out to the District, if Chairman Sudler desired. Mr. Sudler requested that Mr. Lindell contact the District to see if they could provide research, finances, or other assistance. Mr. Lindell indicated that he could inquire about their buildings, as well as programs that the Capital School District may have over the summer compared to what the City has in mind.

Responding to Mr. Sudler, Mr. Hugg stated that the Parks and Recreation, and Planning Staff had taken to heart the commitment to address the issues being discussed. He indicated that the focus of the City's park activities had been at Schutte Park and in facilities related to the Pitts Center; however, there had been discussion about activities that could be transposed or duplicated and offered on an ad-hoc basis. Mr. Hugg advised that some activities, such as Frisbee football, could be relocated to the Dover Park without spending a great deal of money, noting that there were facilities already at the park in many cases. He advised that there had been discussion about trying to find outside mentors or coaches to run a tennis clinic at Dover Park for a couple of hours and expressed the desire to bring opportunities to the park that would not put a burden on staff.

Mr. Sudler stated that some of the activities that were requested were currently being provided; however, he suggested that there may be a need for additional advertising and outreach to make this known. He also indicated that there may be a need to provide transportation to the site if this is an issue. Responding, Mr. Hugg stated his belief that there was an opportunity for a fresh start. He indicated that there was not much programming at other parks because staff was wrapped up in the day-to-day activities and no one had asked or thought about it. Mr. Hugg noted that some programs could easily be offered at alternative locations, and it would just be a matter of deciding to do it. He indicated that there was a real opportunity to get people involved and provide additional resources and activities that the City had not been able to provide in the past.

Mr. Lewis stated that earlier in the day he had provided Mr. Hugg with an email from the Delaware League of Local Governments (DLLG) regarding park and recreation grant opportunities. He noted that "Meet Me at the Park" play space grants could help to provide and purchase play equipment and park structures. Mr. Lewis advised that the application deadline for this opportunity was June 23, 2017. Mr. Hugg indicated that staff was working on this grant and would apply. In addition, he stated that a grant proposal had been submitted to develop some of the detailed cost estimates for Phase 1 at Schutte Park. Mr. Hugg advised that if the City was going to commit to doing a parks program, this should be done right, which would take

some work; however, staff members were eager for the opportunity to demonstrate that activities and better uses could be brought to the City's facilities.

Mr. Lewis noted that there were grant opportunities through the National Recreation and Park Association and it was just a matter of applying. Mr. Hugg indicated that there are numerous grants, including a Lowe's grant for park development, and the City must commit to submitting applications.

Mr. Neil stated the need for publicity and suggested using electric bills to spread the word about events, as well as issuing news releases and talking to the newspaper about developing features. He advised that information about activities could also be distributed through the school system. Mr. Neil stated the importance of publicity, explaining that people are not participating because they do not know that events exist.

Mr. Lewis concurred with Mr. Neil, noting that the Police Athletic League (PAL) and the Green Beret Program at the former Boys and Girls Club were good programs that were not being publicized. He explained that the Green Beret Program is a camp for kids that offers rigorous training through the coordination of law enforcement agencies, including the Federal Bureau of Investigation (FBI), Dover Police Department, and Delaware Department of Corrections. Mr. Lewis stated that PAL is an up and coming program that would be happy to accept donations because they do not have a facility and are using Central Middle School for basketball.

Mrs. Sharon Duca, Public Work Director, reviewed a memorandum dated June 13, 2017, entitled "Dover Park Update from the Department of Public Works (DPW) to the Parks, Recreation and Community Enhancement Committee," noting that 13 items had been identified. She advised that some of the items had been on staff's agenda, explaining that members of the mowing crew and a litter staff member go through the park on a regular basis. Mrs. Duca noted that staff had started repairs and staining work on the pavilion, and they hoped to complete both pavilions within the next few weeks. She indicated that, for the most part, staff was able to repair picnic tables in-house, and they were working on that. Mrs. Duca noted that staff was also redoing the checkerboard tables, with one (1) remaining to be completed. She stated that the seating around these tables must be modified since even a small child would have difficulty sitting at them. Mrs. Duca advised that the shuffleboard and hopscotch area had been cleaned, and staff was awaiting direction regarding a replacement selection for that location.

Mrs. Duca noted that the fence along the eastern property was of particular concern and had been assessed by the Grounds Crew, and work on the fence began earlier in the week. She explained that many of the trees that had fallen along this property line were from the Manchester Square side, so staff worked with that group in order to do the work. Mrs. Duca indicated that the desired end result for the park would determine whether some vegetation should remain on the property line. She advised

that pulling down all the vines would cause an issue with the fencing, and there would be a need to look at that expense further.

Mrs. Duca noted that the Grounds Crew and Streets Division would be repainting the gate at the entrance to the main drive, and had received offers from volunteer groups to assist in that area. Referring to the Storm Drain System Investigation, she advised members that the Streets Division had been aware of some of the storm drains; however, they were not properly located in Municipal Separate Storm Sewer System (MS4) documentation. Mrs. Duca indicated that this investigation would help the City with its permit obligations and noted the probable need to video the lines and put appropriate controls in place to keep the City out of violation.

In response to Mr. Sudler, Mrs. Duca explained that a checkerboard table had been redone by Mr. Jeff Kucek, Building Maintenance Craftsperson II, Public Works Department. She stated that she had initially hoped that staff could clean and work on the tables; however, Mr. Kucek refinished the table and reapplied the checkerboard. She indicated that this did not take an excessive amount of time because of Mr. Kucek's skill set, and it was something he wanted to do to make the area presentable. Mrs. Duca provided a photograph of the refinished checkerboard table at Dover Park.

Mr. Lindell advised that he took his daughter to Silver Lake Park last week and observed graffiti on one (1) of the signs listing playground rules. Responding, Mrs. Duca stated that staff would look into this matter.

Mr. Sudler thanked Mrs. Duca for staff's hard work. He advised members that, as the City moves forward with repairing and upgrading all of the parks, there would likely be a need for additional staff, explaining that the Director must have the proper staff in order to be successful. He noted that this may require a tax increase, which had been discussed in a meeting this week and would also be included in a survey.

Mr. Caldwell expressed his hope that the ideas presented during the meeting would be accomplished, noting that the older children in his neighborhood play basketball at William Henry Middle School, but the younger children play in the streets because they have nowhere else to go and do not have their own activities. He informed members that there had been shootings in his neighborhood, it is dangerous, and the problems in Manchester Square and around Dover Park exist all over the City, not just in one (1) community. Mr. Caldwell asked members to move forward with the good ideas that had been presented, including advertisement and publication to let people know about the activities that are available. He stated that schools would be closing for the summer, it would be hot, and there would be energy for undesirable activities in the community. Mr. Caldwell asked that something be done beyond the discussion in the Council Chambers. In response to Mr. Sudler, Mr. Caldwell advised that he lives in the Westwood area, which is connected to Lincoln Park. He reiterated that his community had the same activities and problems that others were going through, such as shootings, crime, drinking, and motorcycle activity.

Mr. Anderson suggested developing volunteer opportunities, investigating AmeriCorps, and taking advantage of programs such as the Retired Senior Volunteer Program (RSVP).

The Committee recommended acceptance of the recommendations of the community meeting of May 25, 2017.

Councilman Sudler, Chair of the Parks, Recreation, and Community Enhancement Committee, advised that there were a lot of recommendations, which they are currently compiling for a future meeting.

Mr. Neil complimented Councilman Sudler for the walk through and the work he has done. He expressed concern with moving forward before making a decision about the Parks and Recreation Department. Mr. Neil reminded members that the Acting Director of Planning and Community Development, Mr. Dave Hugg, has made a number of recommendations with a number of options. He also noted that money has not been set aside in the budget for a Director of Recreation. Mr. Neil stated that he would like to delay or table discussion of the parks.

Responding to Mr. Sudler, Mr. Hugg stated that he understood Councilman Neil's concerns and noted that it was incumbent upon members of Council to decide which way they want to go with Parks and Recreation in terms of a director or a manager. Mr. Hugg stated that he thought there was a great opportunity to make some significant park improvements. He advised members that they recently received an official letter advising them that they had $30,000 in State matching money for the Dover Park Master Plan, and $70,000 in City matching money to begin the improvements at Schutte Park. Mr. Hugg stated that the funding, coupled with the significant and very positive community input they received at Continental Park, indicate that their constituents want them to take some actions to address the park system and to bring them back to the quality that they were. He suggested that a lot could be done just by prioritizing some of the staff, noting that the City has a very dedicated Parks and Recreation Department. Mr. Hugg stated that he would hate to see the momentum that Councilman Sudler has built be slowed down by other considerations.

Responding to Mr. Sudler, Mrs. Donna Mitchell, Acting City Manager, stated that $80,000 was earmarked for an unspecified purpose for Dover Park. She noted that she agreed with Mr. Hugg's comment about the momentum that has been built and indicated that there had been a lot of public discourse and public participation about the parks. Mrs. Mitchell stated that she would like to see improvements made within the confines of the budget, even if it means that they might not be able to be aggressive when they start out with a plan. She noted that the matching funds will go a long way towards helping them.

Mr. Lewis asked Mr. Hugg how many grants had been applied for with respect to assisting in revamping Parks and Recreation. Responding, Mr. Hugg advised that they had applied for three (3) and had received notice that they were eligible to apply formally for two (2). He noted that, on Friday, they submitted a grant for a KidZone Trail project that is funded by the National Recreation and Parks Association and Disney. Mr. Hugg advised that they applied for $50,000 to match other monies for development of an innovative program and facility for young kids at Dover Park and he

thought they had a very good application. He complimented Carolyn Courtney of the Parks and Recreation Department who put most of the application together.

Mr. Neil advised that, based on the comments of the Acting Planning and Community Development Director and the Acting City Manager, he would withdraw his concerns.

Mr. Anderson moved for approval of the Committee's recommendation, seconded by Mr. Neil and unanimously carried.

Update - Bicentennial Village - Continental Park

During the Regular City Council Meeting of April 10, 2017, members approved the Council Committee of the Whole/Parks, Recreation, and Community Enhancement Committee's recommendation to refer the matter regarding Request for Benches - Continental Park to the Parks and Recreation Department to look at creating a playground.

Mr. David Hugg, Acting Director of Planning and Community Development, informed members that a number of discussions had been held with residents of the Bicentennial Village area, in part regarding a request for benches along Independence Boulevard. He explained that Continental Park is a triangular-shaped park approximately halfway through the development that is mostly wooded with some grassy fields, and an additional location had been identified to the east in the center of Bicentennial Village that may offer an opportunity for active playground areas. Mr. Hugg stated that there had been discussions with people who had expressed interest in the park, and a community workshop on this topic would be held on June 22, 2017 at 6:00 p.m. at the park site or in the Dover Public Library in the event of rain. He explained that a key question would be whether the grassy area should be used as a passive play area for children with parental supervision or have more active kinds of facilities.

Mr. Hugg indicated that the grassy area was very well maintained by the Public Works Department and is very attractive. He stated that the woodland area had a lot of invasive species and undergrowth and was not being managed well as a woodland, although it did provide a great deal of wooded cover for the part of the development backing up to it.

Mr. Neil stated his recollection that there had been young mothers who were excited about a possible playground for younger children at Continental Park, and he wanted to make sure that this message was not bypassed. Mr. Hugg advised that this had been stated during the community meeting related to Dover Park on May 25, 2017. He stated that there was a question regarding whether Continental Park was a safe location for a playground or if there was a more contained location owned by the City with less traffic that may lend itself to a more active park use. Mr. Hugg advised that Continental Park is a nice, placid area with the potential for the addition of benches or a table or two (2), so that individuals could sit and read or watch their children play on the grass. He expressed his hope that the community would come out to

discuss their needs and the focus would not be on a particular proposal or transportation solution.

Mr. Sudler reviewed the "City of Dover's Park and Recreational Enhancement Committee Chair's Assessment & Recommendations for Continental Park," dated June 8, 2017. He stated that Continental Park was very well maintained and impressive. He indicated that, as the Committee Chair, he plans to go to all the parks and take pictures so that he has a better understanding of the strengths, weaknesses, opportunities, and threats for each park as the City moves forward to upgrade them.

Mr. Lewis thanked Mr. Sudler for doing the walk-through and evaluating City parks, stating that it is important that the public is protected from safety issues. He noted that broken bottles had been found, and it would be a travesty if a child was hurt.

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

The Legislative, Finance, and Administration Committee met with Council President Slavin presiding in the absence of Chairman Hare.

Clarification - Request for Incentives - Nail Spa by TR

Mr. Slavin stated that this item had been brought forward a number of times. He stated that Chairman Hare was particularly interested in this matter and, since he was not present, suggested that it be deferred.

The Committee deferred this item.

Discussion - Fiscal Year 2017 Audit Program

Ms. Lori Peddicord, Assistant Controller/Treasurer, reviewed a presentation entitled "Auditor's Responsibility for Communicating with Audit Committee." She noted that the auditors, CliftonLarsonAllen, LLP would be doing preliminary testing in the field during the entire week of June 26, 2017. She advised that between this date and September 2017, when the auditors do their final field work, the Finance Department would be closing the books, reconciling accounts, and completing various reporting requirements.

The Committee recommended acceptance of the audit program, as recommended by staff.

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

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

RESOLUTION NO. 2017-08 APPROVING THE 2017 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ACTION PLAN

By consent agenda, Mr. Lewis moved for adoption of the proposed resolution, seconded by Mr. Neil and, by a unanimous roll call vote, Council adopted Resolution No. 2017-08, as follows:

A RESOLUTION APPROVING THE 2017 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ACTION PLAN

WHEREAS, the City of Dover is entitled to $230,289 through the United States Department of Housing and Urban Development Community Development Block Grant program; and

WHEREAS, the City of Dover has prepared the 2017 Action Plan, in accordance with the United States Department of Housing and Urban Development guidelines, that serve as the primary planning document for identifying and meeting the housing and community development needs for the low and moderate-income residents of Dover; and

WHEREAS, the City of Dover is in favor of utilizing the Community Development Block Grant funds for the community development purposes in accordance with the National Community Development objectives of benefiting low and moderate income families, eliminating slums and blight, and meeting other community development objectives; and

WHEREAS, the United States Department of Housing and Urban Development requires the City of Dover to submit a Consolidated Plan and an Action Plan for Application for Federal Assistance including the proposed use of funds and including certain certifications and policies to obtain its $230,289 entitlement; for eligible activities; and

NOW, THEREFORE BE IT RESOLVED THAT THE MAYOR AND COUNCIL OF THE CITY OF DOVER APPROVE THE 2017 Community Development Block Grant Action Plan and application for Federal Assistance included in the Action Plan, along with certifications and policies attached and authorize its forwarding to the United States Department of Housing and Urban Development for consideration.

ADOPTED: JUNE 26, 2017

REQUEST FOR QUOTES - PROJECT EG1701 - VANSANT MAJOR OVERHAUL

Due to the long lead time for the capital components for the VanSant major overhaul scheduled for the spring of 2018, the Facilities personnel requested quotes from five (5) vendors, including the original equipment manufacturer (OEM), General Electric. There were three (3) responses, with one vendor disqualified for not providing quotes in accordance with the items requested.

Staff recommended splitting the purchase of capital component items to support EG1701, VanSant Major Overhaul, between Turbo Parts Limited in the amount of $227,800 and Turbine Services, LTD in the amount of $117,000 for a total of $344,800.

Mr. Sudler moved for approval of Staff's recommendation. The motion was seconded by Mr. Neil and carried by a unanimous roll call vote.

APPOINTMENT RECOMMENDED BY COUNCIL PRESIDENT SLAVIN - DELAWARE CENTER FOR HEALTH INNOVATION (DCHI) DOVER/SMYRNA HEALTHY NEIGHBORHOODS COUNCIL - TANNER WM. POLCE - TWO-YEAR TERM TO EXPIRE JUNE 2019

Council President Slavin recommended the appointment of Councilman Tanner Wm. Polce to serve on the Delaware Center for Health Innovation (DCHI) Dover/Smyrna Healthy Neighborhoods Council for a two-year term to expire in June 2019.

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

APPOINTMENTS/REAPPOINTMENTS RECOMMENDED BY MAYOR CHRISTIANSEN

Mayor Christiansen recommended approval of the following appointments:

Construction and Property Maintenance Code Board of Appeals - One-Year Term to Expire May 27, 2018

Charles Martin, Representative of the Local Real Estate Industry Association

Ethics Commission - Five-Year Term to Expire July 2021

Robin F. Case (term expired in July 2016)

Historic District Commission - Three-Year Terms to Expire July 2020

Joseph McDaniel, Business Representative/Resident
Ann Baker Horsey, Professional/Resident

Planning Commission - Three-Year Terms to Expire June 1, 2020

Dr. Bobby Jones - At-Large
Deborah L. Edwards - First District

Public Advisory Committee of the Dover/Kent County MPO - Two-Year Terms to Expire July 2019

Jonathan Contant
Karen McGloughlin

By consent agenda, Mr. Lewis moved for approval of the appointments recommended by Mayor Christiansen. The motion was seconded by Mr. Neil and carried by a unanimous roll call vote.

2017/18 ANNUAL APPOINTMENTS RECOMMENDED BY COUNCIL PRESIDENT SLAVIN (Deferred During the Annual Meeting of May 8, 2017)

Council President Slavin recommended approval of the following appointments:

Economic Development Committee

Clayton E. Hammond II (Minority Voting Member)

General Employee Pension Plan Board
David L. Anderson
Brian E. Lewis

Other Post-Employment Benefits (OPEB) Board
Scott W. Cole
Matthew J. Lindell

Police Pension Plan - Retirement Committee
David L. Anderson
Brian E. Lewis

Central Delaware Chamber of Commerce (Liaison Members)
Mayor Robin R. Christiansen, Ex-Officio (Non-Voting member)
Kirby Hudson, Assistant City Manager (Non-Voting Guest)

City/County Committee (Liaison to Kent County)
Mayor Robin R. Christiansen
Council President Slavin
William F. Hare
Fred A. Neil
Tanner Wm. Polce
Donna S. Mitchell, Acting City Manager

Kent County Tourism Board of Directors (Voting Liaison Member)
Fred A. Neil

Kent Economic Partnership Board of Directors (Voting Liaison Member)
David L. Anderson

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

2017/18 ANNUAL APPOINTMENTS RECOMMENDED BY MAYOR CHRISTIANSEN (Deferred During the Annual Meeting of May 8, 2017)
Mayor Christiansen recommended approval of the following appointments:

Downtown Dover Partnership Board of Directors (City of Dover Government Appointments)
Acting City Manager, Donna S. Mitchell
Acting City Planner, David S. Hugg III
Councilman David L. Anderson
Councilman William F. Hare
Councilman Fred A. Neil
Mayor Robin R. Christiansen (Ex-Officio Member)

Election Board
Leland S. Berry - At-Large *
M. Milford Caldwell - Fourth District

By consent agenda, Mr. Lewis moved for approval of the appointments recommended by Mayor Christiansen. The motion was seconded by Mr. Neil and carried by a unanimous roll call vote. **(City Clerk's Office Note: Subsequent to the meeting, Leland S. Berry contacted the Clerk's Office to advise that he was not interested in serving on the Election Board.)*

FINAL READING - PROPOSED ORDINANCE #2017-07 AMENDING CHAPTER 46 - FIRE PREVENTION AND PROTECTION, ARTICLE II - FIRE DEPARTMENT, DIVISION 2 - OFFICERS, SECTION 46-77 (3) - ELECTION AND VOTING REGULATIONS FOR NOMINEES - ELIGIBLE VOTERS

The First Reading of the Proposed Ordinance was accomplished during the Council Meeting of June 12, 2017. Council President Slavin reminded members of the public that the ordinance was available at the entrance of the Council Chambers or on the City's website at www.cityofdover.com under "Government."

Mr. Lewis moved that the Final Reading of the proposed ordinance be acknowledged by title only, seconded by Mr. Neil and unanimously carried.

By motion of Mr. Hare, seconded by Mr. Neil, Council, by a unanimous roll call vote, adopted Ordinance #2017-07, as follows:

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

That Chapter 46 - Fire Prevention and Protection, Article II - Fire Department, Division 2 - Officers, Section 46-77 (3) - Election and Voting Regulations for Nominees - Eligible Voters of the Dover Code be amended to read as follows:

Sec. 46-77. - Election and voting regulations for nominees.

Each fire company shall conform to the following regulations for the conduct of nominee elections for fire department officers:

(1) *Membership list.* At least two days before the nominee election, each fire company shall send a list of its active members in good standing to the city council. These lists shall be certified by the president and secretary of each fire company, shall be under seal and shall be used by the judges of the nominee election to determine qualified voters.

(2) *Where and how election held.* The nominee election shall take place at a firehouse designated by the city council and shall be conducted by three judges appointed by the city council for that purpose.

(3) *Eligible voters.* The nominee election judges shall not permit anyone to vote whose name is not on one of the lists mentioned in subsection (1) of this section. If a member's name appears on the lists, but it is proven to the satisfaction of the judges that he does not meet the requirements of active membership, then that person shall cast a challenged ballot. The term "active membership," for the purposes of this section, shall mean a member who has responded to at least one hundred twenty-five (125) of the alarms, by way of attendance, during the year immediately preceding the certification of the voting list. This requirement is waived for any member who was on active duty in the military service during any portion of that year and who is otherwise in good standing with his individual fire company.

(4) *Secret ballot.* The nominee election shall be by secret ballot and each voter shall have only one vote for each of the open nominee positions.

(5) *When polls open.* Polls shall open at 7:00 p.m. and shall close at 9:00 p.m.

(6) *Absentee voting.* Absentee voting shall be permitted in accordance with the procedure adopted for absentee voting at regular municipal elections contained in chapter 34, article III.

ADOPTED: JUNE 26, 2017

FINAL READING - PROPOSED ORDINANCE #2017-08 2017/2018 CITY OF DOVER BUDGET ORDINANCES

The First Reading of the Proposed Ordinance was accomplished during the Council Meeting of June 12, 2017. Council President Slavin reminded members of the public that the ordinance was available at the entrance of the Council Chambers or on the City's website at www.cityofdover.com under "Government."

Mr. Lewis moved that the Final Reading of the proposed ordinance be acknowledged by title only, seconded by Mr. Neil and unanimously carried.

Mr. Lewis moved for adoption of Ordinance #2017-08 *(Exhibit #1)*, seconded by Mr. Neil, and carried by a unanimous roll call vote.

ACTING CITY MANAGER'S ANNOUNCEMENTS

Mrs. Donna Mitchell, Acting City Manager, reminded everyone of the Fourth of July celebration on Tuesday, July 4th. She noted that the activities will begin at 9:00 a.m., and the fireworks are due to take off about 9:20 at dusk. Mrs. Mitchell advised that the rain date is Saturday, July 8th.

COUNCIL MEMBERS' ANNOUNCEMENTS

Mr. Slavin announced that the July 10th Council meeting and the July 11th Council Committee of the Whole meeting have been canceled.

Mr. Slavin wished Councilman William Hare a Happy Birthday on July 6th.

Mr. Anderson announced that on June 29th at 6:30 p.m. at 1412 College Road, Grand East, there would be a meeting sponsored by the Central Delaware branch of the NAACP to welcome Police

Chief Mailey. He noted that the NAACP was supportive of the City's last police chief and will be supportive of the current Chief.

At the request of Mr. Sudler, Ms. Caroline Speakman of NCALL announced that their kick off program for Lights on Dover Strong would be held the following evening at 6:00 p.m. at the Solid Rock Community Center. She advised that they are providing dusk-to-dawn light bulbs for the front porch, as well as solar powered rear action lights and they are hoping to light up the downtown area. Ms. Speakman noted that those who participate have to agree to call the police when they see something suspicious. Mr. Sudler indicated that the two (2) streets were South Kirkwood Street and South State Street, or Division Street and encouraged Council members to attend.

Mr. Lewis advised that he, along with a few other members of Council, attended the African American Festival the previous Saturday and he had a phenomenal time. Mr. Sudler reminded his colleagues that, although they are all busy, it is important to show up at diverse events such as Dover Days and the African American Festival because it is aligned with their vision for the City that we value diversity.

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

Meeting adjourned at 8:01 p.m.

TRACI A. McDOWELL
CITY CLERK

All ordinances, resolutions, motions, and orders adopted by City Council during their Regular Meeting of June 26, 2017, are hereby approved.

ROBIN R. CHRISTIANSEN
MAYOR

/TM
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Exhibits
Exhibit #1 - Ordinance #2017-08 2017/2018 City of Dover Budget Ordinances

CITY OF DOVER ORDINANCE # 2017-08
2017-2018 BUDGET ORDINANCES

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:
The amount hereinafter named aggregating Forty Seven Million Five Hundred Twenty Eight Thousand One Hundred dollars ($47,528,100) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2017 and ending June 30, 2018:

GENERAL FUND
CASH RECEIPT SUMMARY FOR 2017-2018

		2017/18 BUDGET
BEGINNING BALANCE	**$**	**4,597,100**
RECEIPTS		
FINES AND POLICE REVENUE		746,600
LIBRARY REVENUES		100,000
KENT COUNTY BOOK REIMBURSEMENT		300,000
BUSINESS LICENSES		1,467,000
PERMITS AND OTHER FEES		1,956,000
MISCELLANEOUS CHARGES		57,000
POLICE EXTRA DUTY		500,000
PROPERTY TAXES		13,025,600
RECREATION REVENUE		150,000
FRANCHISE FEE		688,100
SANITATION FEES		3,080,400
RENT REVENUE - GARRISON FARM		96,900
COURT OF CHANCERY FEES		1,350,000
INVESTMENT INCOME		138,000
RECEIPTS SUBTOTAL		**23,655,600**
INTERFUND SERVICE RECEIPTS		
INTERFUND SERVICE RECEIPTS W/WW		1,716,100
INTERFUND SERVICE RECEIPTS ELECTRIC		3,660,100
INTERFUND SERVICE RECEIPTS SUBTOTAL		**5,376,200**
GRANTS:		
POLICE RELATED/EXTRA DUTY		60,000
POLICE PENSION GRANT		415,000
GREEN ENERGY GRANT		98,500
MISC GRANT REVENUE		25,000
HISTORIC DISTRICT GRANT		6,500
GRANTS SUBTOTAL		**605,000**
TRANSFERS FROM:		
TRANSFER TAX		1,209,300
MUNICIPAL STREET AID		673,100
CIVIL TRAFFIC PENALTIES		511,800
WATER/WASTEWATER		900,000
ELECTRIC		10,000,000
TRANSFERS FROM SUBTOTAL		**13,294,200**
TOTAL REVENUES		**42,931,000**
TOTAL BEGINNING BALANCE & REVENUE	**$**	**47,528,100**

2017-2018 BUDGET ORDINANCES

GENERAL FUND - EXPENDITURES AND BUDGET BALANCE FOR 2017-2018

DEPARTMENT EXPENSES		2017/18 BUDGET
CITY CLERK	$	436,700
COUNCIL		155,100
TAX ASSESSOR		238,500
FIRE		774,900
GROUNDS MAINTENANCE		1,142,000
LIBRARY		1,708,300
RECREATION		764,200
LIFE SAFETY		499,600
CODE ENFORCEMENT		449,700
PLANNING		563,400
INSPECTIONS		721,000
POLICE		16,483,900
POLICE EXTRA DUTY		560,000
STREETS		1,119,400
SANITATION		2,563,900
CITY MANAGER		751,500
INFORMATION TECHNOLOGY		777,400
FINANCE		1,038,900
PUBLIC WORKS - ADMINISTRATION		718,300
FACILITIES MANAGEMENT		629,700
PUBLIC WORKS - ENGINEERING		277,700
PROCUREMENT & INVENTORY		605,100
FLEET MAINTENANCE		838,200
CUSTOMER SERVICE		1,169,500
HUMAN RESOURCES		436,600
MAYOR		119,300
DEPARTMENT SUBTOTALS		**35,542,800**
OTHER EXPENSES		
DEBT SERVICE		443,100
CONTRIBUTION TO DDP		150,000
MISCELLANEOUS GRANT RELATED EXP		25,000
INSURANCE		735,000
RETIREES HEALTH CARE		2,063,000
OTHER EMPLOYMENT EXPENSES		367,500
BANK & CREDIT CARD FEES		21,000
UNCOLLECTIBLES - TRASH AND OTHER		100,000
STREET LIGHTS		810,000
OTHER EXPENSE SUBTOTAL		**4,714,600**
TRANSFERS		
TRANSFER TO CAPITAL FUND - PROJECTS		1,368,700
APPROP. TO THE POLICE PENSION FUND		761,500
APPROP. POLICE PENSION - STATE GRANT		415,000
APPROP. TO THE GENERAL PENSION FUND		48,400
TRANSFER TO INVENTORY WRITE-OFFS		10,000
TRANSFERS SUBTOTAL		**2,603,600**
TOTAL EXPENDITURES		**42,861,000**
CURRENT YEAR BALANCE		**4,667,100**
TOTALS	**$**	**47,528,100**

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

ADOPTED: JUNE 26, 2017

CITY OF DOVER ORDINANCE # 2017-08

GOVERNMENTAL CAPITAL PROJECTS FUND
REVENUES AND BUDGET FOR 2017-2018

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

The amount hereinafter named aggregating Two Million Four Hundred Forty Six Thousand Two Hundred dollars ($2,446,200) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2017 and ending June 30, 2018:

REVENUES

		2017/18 BUDGET
BEGINNING BALANCE - PROJECTS	**$**	**412,900**
REVENUES		
STATE GRANTS - Other		33,000
INTEREST EARNINGS		8,300
TRANSFER FROM GENERAL FUND		1,368,700
TRANSFER FROM PARKLAND RESERVE		205,000
TRANSFER FROM CAPITAL ASSET RESERVE		418,300
SUBTOTAL PROJECT RECEIPTS		**2,033,300**
TOTAL FUNDING SOURCES		**2,033,300**
TOTAL BEGINNING BALANCE AND REVENUES	**$**	**2,446,200**

EXPENSE SUMMARY

EXPENDITURES		2017/18 BUDGET
FIRE	$	145,700
GROUNDS		62,500
RECREATION		271,000
POLICE		379,900
STREETS		1,070,000
INFORMATION TECHNOLOGY		36,600
FACILITIES MANAGEMENT		25,100
DEPARTMENT SUBTOTAL		**1,990,800**
TOTAL EXPENDITURES		**1,990,800**
BUDGET BALANCE		455,400
TOTAL BUDGET BALANCE & EXPENDITURES	**$**	**2,446,200**

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

ADOPTED: JUNE 26, 2017

CITY OF DOVER ORDINANCE # 2017-08

GENERAL FUND CONTINGENCY
CASH RECEIPTS/REVENUES AND BUDGET FOR 2017-2018

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

The amount hereinafter named aggregating Seven Hundred Fifty Four Thousand Four Hundred dollars ($754,400) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2017 and ending June 30, 2018:

CASH RECEIPTS

		2017/18 BUDGET
BEGINNING BALANCE	**$**	**743,600**
INTEREST EARNED		10,800
TOTALS	**$**	**754,400**

EXPENSE SUMMARY

		2017/18 BUDGET
CARRY FORWARD TO NEXT YEAR	$	754,400
TOTALS	**$**	**754,400**

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

ADOPTED: JUNE 26, 2017

CITY OF DOVER ORDINANCE # 2017-08

GOVERNMENTAL CAPITAL ASSET RESERVE
CASH RECEIPTS/REVENUES AND BUDGET FOR 2017-2018

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

The amount hereinafter named aggregating One Million Five Hundred Forty Four Thousand Two Hundred dollars ($1,544,200) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2017 and ending June 30, 2018:

CASH RECEIPTS

		2017/18 BUDGET
BEGINNING BALANCE	**$**	**1,525,700**
RECEIPTS		
INTEREST EARNINGS		18,500
TOTAL RECEIPTS		**18,500**
TOTALS	**$**	**1,544,200**

EXPENSE SUMMARY

		2017/18 BUDGET
TRANSFER TO GOVERNMENTAL CAPITAL PROJECTS FUND	$	418,300
CARRY FORWARD TO NEXT YEAR		1,125,900
TOTALS	**$**	**1,544,200**

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

ADOPTED: JUNE 26, 2017

CITY OF DOVER ORDINANCE # 2017-08

PARKLAND/RECREATION RESERVE
CASH RECEIPTS/REVENUES AND BUDGET FOR 2017-2018

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

The amount hereinafter named aggregating Three Hundred Eighty One Thousand Two Hundred dollars ($381,200) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2017 and ending June 30, 2018:

OPERATING REVENUES

		2017/18 BUDGET
BEGINNING BALANCE	$	376,300
INTEREST INCOME		4,900
TOTALS	**$**	**381,200**

OPERATING EXPENSES

		2017/18 BUDGET
TRANSFER TO GOVERNMENTAL CAPITAL PROJECTS FUND	$	205,000
CURRENT YEAR BALANCE		176,200
TOTALS	**$**	**381,200**

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

ADOPTED: JUNE 26, 2017

CITY OF DOVER ORDINANCE # 2017-08

WATER/WASTEWATER FUND
REVENUES AND BUDGET FOR 2017-2018

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

The amount hereinafter named aggregating Seventeen Million Nine Hundred Thirty Six Thousand Seven Hundred dollars ($17,936,700) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2017 and ending June 30, 2018:

		2017/18 BUDGET
BEGINNING BALANCE - WATER	$	1,330,900
BEGINNING BALANCE - WASTEWATER		1,166,800
TOTAL BEGINNING BALANCES		**2,497,700**
BASE REVENUE		
WATER SERVICES		5,914,600
WASTEWATER SERVICES		3,768,000
WASTEWATER TREATMENT SERVICES		2,952,900
GROUNDWATER INFLOW ADJUSTMENT		1,899,700
WATER TANK SPACE LEASING		391,400
WATER IMPACT FEES		231,000
WASTEWATER IMPACT FEES		209,000
INTEREST - WATER		5,700
INTEREST - WASTEWATER		5,700
MISCELLANEOUS SERVICE FEE		61,000
TOTAL REVENUES		**15,439,000**
TOTAL BEGINNING BALANCES AND REVENUES	**$**	**17,936,700**

2017-2018 BUDGET ORDINANCES

WATER/WASTEWATER FUND - EXPENSES AND BUDGET BALANCE FOR 2017-2018

		2017/18 BUDGET
DIRECT EXPENSES		
ENGINEERING & INSPECTION	$	517,800
WATER DEPARTMENT		635,700
WASTEWATER DEPARTMENT		962,800
WATER TREATMENT PLANT		1,780,500
DIRECT EXPENDITURE SUBTOTAL		**3,896,800**
OTHER EXPENSES		
DEBT SERVICE - WATER		524,600
DEBT SERVICE - WASTEWATER		612,800
RETIREES HEALTH CARE		242,200
OTHER EMPLOYMENT EXPENSES		25,900
KENT COUNTY TREATMENT CHARGE		3,926,500
INTERFUND SERVICE FEES		1,716,100
BANK & CREDIT CARD FEES		26,000
BOND ISSUE COSTS		40,000
OTHER EXPENSES SUBTOTAL		**7,114,100**
TRANSFER TO:		
GENERAL FUND FROM WATER		500,000
GENERAL FUND FROM WASTEWATER		400,000
WATER IMP AND EXT		1,600,000
WASTEWATER IMP AND EXT		1,600,000
GENERAL EMPLOYEES PENSION		7,500
TRANSFER TO SUBTOTAL		**4,107,500**
TOTAL EXPENSES		**15,118,400**
BUDGET BALANCES		
BUDGET BALANCE WATER		1,575,600
BUDGET BALANCE WASTEWATER		1,242,700
BUDGET BALANCE SUBTOTALS		**2,818,300**
TOTAL CURRENT YEAR BALANCES AND EXPENSES	**$**	**17,936,700**

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

ADOPTED: JUNE 26, 2017

CITY OF DOVER ORDINANCE # 2017-08

WATER/WASTEWATER IMPROVEMENT & EXTENSION FUND
CASH RECEIPTS/REVENUES AND BUDGET FOR 2017-2018

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

The amount hereinafter named aggregating Six Million Five Hundred Thirty Thousand Three Hundred dollars ($6,530,300) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year begining July 1, 2017 and ending June 30, 2018:

CASH RECEIPTS

		2017/18 BUDGET
BEGINNING BALANCE - WATER	$	2,042,000
BEGINNING BALANCE - WASTEWATER		1,195,100
TOTAL BEGINNING BALANCES		**3,237,100**
REVENUES		
TRANS FR OPERATING FUND - WATER		1,600,000
TRANS FR OPERATING FUND - WW		1,600,000
INTEREST INCOME		93,200
TOTAL REVENUES		**3,293,200**
TOTAL BEGINNING BALANCES & REVENUES	**$**	**6,530,300**

EXPENSE SUMMARY

EXPENSES		2017/18 BUDGET
WATER	$	1,608,400
WASTEWATER		1,543,000
TOTAL EXPENSES		**3,151,400**
BUDGET BALANCE - WATER		2,080,200
BUDGET BALANCE - WASTEWATER		1,298,700
CURRENT YEAR BALANCE SUBTOTALS		**3,378,900**
TOTAL BUDGET BALANCES & EXPENSES	**$**	**6,530,300**

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

ADOPTED: JUNE 26, 2017

CITY OF DOVER ORDINANCE # 2017-08

WATER/WASTEWATER CAPITAL ASSET RESERVE
CASH RECEIPTS/REVENUES AND BUDGET FOR 2017-2018

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

The amount hereinafter named aggregating One Million Sixty Eight Thousand Five Hundred dollars ($1,068,500) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2017 and ending June 30, 2018:

CASH RECEIPTS

		2017/18 BUDGET
BEGINNING BALANCE - WATER	$	527,200
BEGINNING BALANCE - WASTEWATER		526,000
TOTAL BEGINNING BALANCES		**1,053,200**
RECEIPTS		
INTEREST EARNINGS - WATER		7,700
INTEREST EARNINGS - WASTEWATER		7,600
TOTAL RECEIPTS		15,300
TOTALS	**$**	**1,068,500**

EXPENSE SUMMARY

		2017/18 BUDGET
CURRENT YEAR BALANCE - WATER	$	534,900
CURRENT YEAR BALANCE - WASTEWATER		533,600
CURRENT YEAR BALANCE SUBTOTALS		**1,068,500**
TOTALS	**$**	**1,068,500**

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

ADOPTED: JUNE 26, 2017

CITY OF DOVER ORDINANCE # 2017-08

WATER/WASTEWATER IMPACT FEE RESERVE
CASH RECEIPTS/REVENUES AND BUDGET FOR 2017-2018

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

The amount hereinafter named aggregating Three Million Two Hundred Five Thousand Six Hundred dollars ($3,205,600) or so much thereof as may be necessary are hereby appropriated fromcurrent revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2017 and ending June 30, 2018:

CASH RECEIPTS

		2017/18 BUDGET
BEGINNING BALANCE - WATER	$	249,800
BEGINNING BALANCE - WASTEWATER		2,909,500
TOTAL BEGINNING BALANCES		**3,159,300**
RECEIPTS		
INTEREST EARNINGS - WATER		4,200
INTEREST EARNINGS - WASTEWATER		42,100
TOTAL RECEIPTS		**46,300**
TOTALS	**$**	**3,205,600**

EXPENSE SUMMARY

		2017/18 BUDGET
CURRENT YEAR BALANCE - WATER	$	254,000
CURRENT YEAR BALANCE - WASTEWATER		2,951,600
CURRENT YEAR BALANCE SUBTOTALS		**3,205,600**
TOTALS	**$**	**3,205,600**

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

ADOPTED: JUNE 26, 2017

CITY OF DOVER ORDINANCE # 2017-08

WATER/WASTEWATER CONTINGENCY RESERVE
CASH RECEIPTS/REVENUES AND BUDGET FOR 2017-2018

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

The amount hereinafter named aggregating Five Hundred Thirty Seven Thousand Four Hundred dollars ($537,400) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2017 and ending June 30, 2018:

CASH RECEIPTS

		2017/18 BUDGET
BEGINNING BALANCE - WATER	$	251,600
BEGINNING BALANCE - WASTEWATER		278,200
TOTAL BEGINNING BALANCES		**529,800**
RECEIPTS		
INTEREST EARNINGS - WATER		3,500
INTEREST EARNINGS - WASTEWATER		4,100
TOTAL RECEIPTS		**7,600**
TOTALS	**$**	**537,400**

BUDGET SUMMARY

		2017/18 BUDGET
CURRENT YEAR BALANCE - WATER	$	255,100
CURRENT YEAR BALANCE - WASTEWATER		282,300
CURRENT YEAR BALANCE SUBTOTALS		**537,400**
TOTAL EXPENSES AND CURRENT YEAR BALANCES	**$**	**537,400**

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

ADOPTED: JUNE 26, 2017

CITY OF DOVER ORDINANCE # 2017-08

ELECTRIC REVENUE FUND
REVENUES AND BUDGET FOR 2017-2018

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

The amount hereinafter named aggregating Ninety Five Million Nine Hundred Eighty Seven Thousand Seven Hundred dollars ($95,987,700) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2017 and ending June 30, 2018:

		2017/18 BUDGET
BEGINNING BALANCE	**$**	**20,290,200**
DISTRIBUTION OF EARNINGS - PCA CREDIT		(6,176,700)
BEGINNING BALANCE - ADJUSTED		**14,113,500**
BASE REVENUE		
DIRECT SALES TO CUSTOMER		79,656,000
UTILITY TAX		1,236,200
MISCELLANEOUS REVENUE		531,200
RENT REVENUE		104,500
GREEN ENERGY		130,000
INTEREST EARNINGS		216,300
TOTAL REVENUES		**81,874,200**
TOTAL BEGINNING BALANCE & REVENUES	**$**	**95,987,700**

2017-2018 BUDGET ORDINANCES

ELECTRIC REVENUE FUND EXPENSES AND BUDGET BALANCE FOR 2017-2018

EXPENSES		2017/18 BUDGET
POWER SUPPLY	$	22,807,900
SOLAR ENERGY		2,661,300
SOLAR RENEWAL ENERGY CREDITS		371,200
POWER SUPPLY MANAGEMENT		835,000
REC'S (Renewable Energy Credits)		578,300
RGGI (Regional Greenhouse Gas Init.)		64,000
PJM CHARGES - ENERGY		6,024,400
PJM CHARGES - TRANSMISSION & FEES		6,900,200
CAPACITY CHARGES		10,482,500
SUB-TOTAL POWER SUPPLY		**50,724,800**
PLANT OPERATIONS		6,146,500
GENERATIONS FUELS		817,400
PJM SPOT MARKET ENERGY		(958,100)
PJM CREDITS		(535,400)
CAPACITY CREDITS		(7,120,100)
GENERATION SUBTOTAL		**(1,649,700)**
POWER SUPPLY & GENERATION SUBTOTAL		**49,075,100**
DIRECT EXPENDITURES		
TRANSMISSION/DISTRIBUTION		3,599,600
ELECTRICAL ENGINEERING		1,226,400
ADMINISTRATION		797,000
METER READING		392,500
SYSTEMS OPERATIONS		644,700
DIRECT EXPENDITURE SUBTOTALS		**6,660,200**
OTHER EXPENSES:		
UTILITY TAX		1,236,200
ALLOW FOR UNCOLLECTIBLES		250,000
CONTRACTUAL SERVICES - RFP'S		100,000
LEGAL EXPENSES		25,000
RETIREES HEALTH CARE		820,300
OTHER EMPLOYMENT EXPENSES		105,200
PENSION UNFUNDED LIABILITY		1,000,000
OPEB UNFUNDED LIABILITY		1,000,000
GREEN ENERGY PAYMENT TO DEMEC		130,000
INTERFUND SERVICE FEES		3,660,100
INTEREST ON DEPOSITS		21,000
BANK & CREDIT CARD FEES		295,000
DEBT SERVICE		1,605,500
OTHER EXPENSES SUBTOTAL		**10,248,300**
TRANSFER TO:		
IMPROVEMENT & EXTENSION		5,000,000
GENERAL FUND		10,000,000
RATE STABILIZATION RESERVE		5,200,000
TRANSFER TO SUBTOTAL		**20,200,000**
TOTAL EXPENSES		**86,183,600**
BUDGET BALANCE - WORKING CAPITAL		**9,804,100**
TOTALS	**$**	**95,987,700**

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

ADOPTED: JUNE 26, 2017

CITY OF DOVER ORDINANCE # 2017-08

ELECTRIC UTILITY IMPROVEMENT AND EXTENSION FUND
CASH RECEIPTS/REVENUES AND BUDGET FOR 2017-2018

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:
The amount hereinafter named aggregating Twelve Million Eighty Thousand One Hundred dollars ($12,080,100) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2017 and ending June 30, 2018:

REVENUES

		2017/18 BUDGET
BEGINNING BALANCE	**$**	**6,600,300**
REVENUES		
TRANSFER FROM ELECTRIC		5,000,000
GENERAL SERVICE BILLING		370,000
INTEREST EARNINGS		109,800
TOTAL REVENUES		**5,479,800**
TOTALS	**$**	**12,080,100**

EXPENSE SUMMARY

EXPENSES		2017/18 BUDGET
ELECTRIC ADMINISTRATION	$	8,500
ELECTRIC GENERATION		2,328,000
TRANSMISSION AND DISTRIBUTION		1,725,500
ELECTRICAL ENGINEERING		1,315,000
ERP SYSTEM		1,500,000
TOTAL EXPENSES		**6,877,000**
BUDGET BALANCE		**5,203,100**
TOTAL BUDGET BALANCE & EXPENSES	**$**	**12,080,100**

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

ADOPTED: JUNE 26, 2017

CITY OF DOVER ORDINANCE # 2017-08

ELECTRIC UTILITY CONTINGENCY RESERVE
CASH RECEIPTS/REVENUES AND BUDGET FOR 2017-2018

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

The amount hereinafter named aggregating Eight Hundred Seventy Seven Thousand Three Hundred dollars ($877,300) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2017 and ending June 30, 2018:

CASH RECEIPTS

		2017/18 BUDGET
BEGINNING BALANCE	**$**	**863,500**
RECEIPTS		
INTEREST EARNINGS		13,800
TOTAL RECEIPTS		**13,800**
TOTALS	**$**	**877,300**

EXPENSE SUMMARY

		2017/18 BUDGET
CURRENT YEAR BALANCE	$	877,300
TOTALS	**$**	**877,300**

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

ADOPTED: JUNE 26, 2017

CITY OF DOVER ORDINANCE # 2017-08

ELECTRIC UTILITY DEPRECIATION RESERVE
SOURCES AND USE OF FUNDS FOR 2017-2018

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

The amount hereinafter named aggregating Thirteen Million Two Hundred Fifty One Thousand Five Hundred dollars ($13,251,500) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2017 and ending June 30, 2018:

CASH RECEIPTS

		2017/18 BUDGET
BEGINNING BALANCE	**$**	**13,042,800**
INTEREST EARNINGS		208,700
TOTALS	**$**	**13,251,500**

BUDGET SUMMARY

		2017/18 BUDGET
CURRENT YEAR BALANCE	$	13,251,500
TOTALS	**$**	**13,251,500**

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

ADOPTED: JUNE 26, 2017

CITY OF DOVER ORDINANCE # 2017-08

ELECTRIC UTILITY FUTURE CAPACITY RESERVE
SOURCES AND USE OF FUNDS FOR 2017-2018

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

The amount hereinafter named aggregating Thirteen Million Four Hundred Eight Thousand Nine Hundred dollars ($13,408,900) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2017 and ending June 30, 2018:

CASH RECEIPTS

		2017/18 BUDGET
BEGINNING BALANCE	**$**	**13,197,700**
INTEREST EARNINGS		211,200
TOTALS	**$**	**13,408,900**

BUDGET SUMMARY

		2017/18 BUDGET
CURRENT YEAR BALANCE	$	13,408,900
TOTALS	**$**	**13,408,900**

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

ADOPTED: JUNE 26, 2017

CITY OF DOVER ORDINANCE # 2017-08

ELECTRIC UTILITY INSURANCE STABLIZATION RESERVE
SOURCES AND USE OF FUNDS FOR 2017-2018

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

The amount hereinafter named aggregating Seven Hundred Eighty Eight Thousand Two Hundred dollars ($788,200) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2017 and ending June 30, 2018:

CASH RECEIPTS

		2017/18 BUDGET
BEGINNING BALANCE	**$**	**775,800**
INTEREST EARNINGS		12,400
TOTALS	**$**	**788,200**

BUDGET SUMMARY

		2017/18 BUDGET
CURRENT YEAR BALANCE	$	788,200
TOTALS	**$**	**788,200**

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

ADOPTED: JUNE 26, 2017

CITY OF DOVER ORDINANCE # 2017-08

ELECTRIC UTILITY RATE STABLIZATION RESERVE
SOURCES AND USE OF FUNDS FOR 2017-2018

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

The amount hereinafter named aggregating Sixteen Million Five Thousand Seven Hundred dollars ($16,005,700) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2017 and ending June 30, 2018:

CASH RECEIPTS

		2017/18 BUDGET
BEGINNING BALANCE	**$**	**10,635,500**
INTEREST EARNINGS		170,200
TRANSFER FROM ELECTRIC OPERATING FUND		5,200,000
TOTALS	**$**	**16,005,700**

BUDGET SUMMARY

		2017/18 BUDGET
CURRENT YEAR BALANCE	$	16,005,700
TOTALS	**$**	**16,005,700**

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

ADOPTED: JUNE 26, 2017

CITY OF DOVER ORDINANCE # 2017-08

MUNICIPAL STREET AID FUND
CASH RECEIPTS/REVENUES AND BUDGET FOR 2017-2018

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

The amount hereinafter named aggregating Six Hundred Seventy Three Thousand Two Hundred dollars ($673,200) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2017 and ending June 30, 2018:

CASH RECEIPTS

		2017/18 BUDGET
BEGINNING BALANCE	**$**	**100**
STATE GRANT		673,100
TOTALS	**$**	**673,200**

BUDGET SUMMARY

		2017/18 BUDGET
TRANSFER TO GENERAL FUND	$	673,100
CURRENT YEAR BALANCE		100
TOTALS	**$**	**673,200**

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

ADOPTED: JUNE 26, 2017

CITY OF DOVER ORDINANCE # 2017-08

ELECTRONIC RED LIGHT SAFETY PROGRAM
CASH RECEIPTS/REVENUES AND BUDGET FOR 2017-2018

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

The amount hereinafter named aggregating Five Hundred Eleven Thousand Nine Hundred dollars ($511,900) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2017 and ending June 30, 2018:

CASH RECEIPTS

		2017/18 BUDGET
BEGINNING BALANCE	**$**	**100**
POLICE FINES		511,800
TOTALS	**$**	**511,900**

BUDGET SUMMARY

		2017/18 BUDGET
TRANSFER TO GENERAL FUND	$	511,800
CURRENT YEAR BALANCE		100
TOTALS	**$**	**511,900**

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

ADOPTED: JUNE 26, 2017

CITY OF DOVER ORDINANCE # 2017-08

WORKERS COMPENSATION FUND
CASH RECEIPTS/REVENUES AND BUDGET FOR 2017-2018

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

The amount hereinafter named aggregating Two Million Four Hundred Fourteen Thousand Six Hundred dollars ($2,414,600) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2017 and ending June 30, 2018:

OPERATING REVENUES

		2017/18 BUDGET
BEGINNING BALANCE	**$**	**1,487,800**
INTEREST INCOME		22,500
PREMIUM FROM CITY		904,300
TOTALS	**$**	**2,414,600**

OPERATING EXPENSES

		2017/18 BUDGET
PROGRAM EXPENSES/SUPPLIES - CLAIMS	$	565,000
INSURANCE		110,800
STATE OF DEL - SELF INSURANCE TAX		39,000
CONTRACTUAL SERVICES		25,000
TOTAL EXPENSES		**739,800**
CURRENT YEAR BALANCE		1,674,800
TOTALS	**$**	**2,414,600**

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

ADOPTED: JUNE 26, 2017

CITY OF DOVER ORDINANCE # 2017-08

COMMUNITY TRANSPORTATION IMPROVEMENT FUND
CASH RECEIPTS/REVENUES AND BUDGET FOR 2017-2018

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

The amount hereinafter named aggregating Five Hundred Eighty Five Thousand Two Hundred dollars ($585,200) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2017 and ending June 30, 2018:

OPERATING REVENUES

		2017/18 BUDGET
PRIOR YEAR BALANCE	**$**	**85,200**
GRANTS REVENUE		500,000
TOTALS	**$**	**585,200**

OPERATING EXPENSES

		2017/18 BUDGET
PROGRAM EXP. GRANT RELATED	$	500,000
CURRENT YEAR BALANCE		85,200
TOTALS	**$**	**585,200**

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

ADOPTED: JUNE 26, 2017

CITY OF DOVER ORDINANCE # 2017-08

LIBRARY GRANT FUND
CASH RECEIPTS/REVENUES AND BUDGET FOR 2017-2018

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

The amount hereinafter named aggregating Two Hundred Eighty Four Thousand Two Hundred dollars ($284,200) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2017 and ending June 30, 2018:

OPERATING REVENUES

		2017/18 BUDGET
PRIOR YEAR BALANCE	**$**	**-**
STATE GRANT		281,700
FEDERAL GRANT		2,500
TOTALS	**$**	**284,200**

OPERATING EXPENSES

		2017/18 BUDGET
STATE GRANTS		
FURNITURE/FIXTURES	$	1,500
OFFICE SUPPLIES		30,000
PRINTING AND DUPLICATING		13,000
PROGRAM EXPENSES/SUPPLIES		23,500
BOOKS		126,400
COMPUTER SOFTWARE		2,100
COMPUTER HARDWARE		1,000
AUDIO VISUAL SUPPLIES		74,700
POSTAGE		100
TRAINING/CONF/FOOD/TRAV		2,500
OFF EQP/REPAIRS & MAINT		4,900
OTHER EQUIP - LEASE		2,000
SUBTOTAL EXPENSES STATE GRANTS		**281,700**
FEDERAL GRANTS		
PROGRAM EXPENSES/SUPPLIES		2,500
SUBTOTAL EXPENSES FEDERAL GRANTS		**2,500**
GRAND TOTAL EXPENSES		**284,200**
CURRENT YEAR BALANCE		-
TOTALS	**$**	**284,200**

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

ADOPTED: JUNE 26, 2017

CITY OF DOVER ORDINANCE # 2017-08

POLICE GRANTS FUND
CASH RECEIPTS/REVENUES AND BUDGET FOR 2017-2018

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

The amount hereinafter named aggregating Four Hundred Thirty Thousand Four Hundred dollars ($430,400) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2017 and ending June 30, 2018:

OPERATING REVENUES

		2017/18 BUDGET
PRIOR YEAR BALANCE	**$**	**72,400**
STATE AND FEDERAL GRANTS RECEIVED		358,000
TOTALS	**$**	**430,400**

OPERATING EXPENSES

		2017/18 BUDGET
EXPENDITURES		
PERSONNEL EXPENDITURES		
CADET PROGRAM SALARIES	$	11,900
CADET PROGRAM FICA		900
CADET PROGRAM W/COMP		700
MATERIALS AND SUPPLIES		
POLICE EQUIPT & PROG SUPP		312,000
ADMINISTRATIVE EXPENDITURES		
CELL PHONE CHARGES		20,000
TRAINING		15,000
AUDIT FEES		1,000
TOTAL EXPENDITURES		**361,500**
OTHER FINANCING USES		
OPERATING TRANSFERS-OUT		60,000
TOTAL FINANCING USES		**60,000**
CURRENT YEAR BALANCE		8,900
TOTALS	**$**	**430,400**

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

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

ADOPTED: JUNE 26, 2017

CITY OF DOVER ORDINANCE # 2017-08

CDBG GRANT FUND
CASH RECEIPTS/REVENUES AND BUDGET FOR 2017-2018

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

The amount hereinafter named aggregating Two Hundred Eighteen Thousand Eight Hundred dollars ($218,800) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2017 and ending June 30, 2018:

OPERATING REVENUES

		2017/18 BUDGET
PRIOR YEAR BALANCE	**$**	**2,100**
CDBG GRANTS RECEIVED		216,700
TOTALS	**$**	**218,800**

OPERATING EXPENSES

		2017/18 BUDGET
EXPENDITURES		
CURRENT YEAR CLOSING COST/DOWN PAYMENT PROGRAM	$	60,000
CURRENT YEAR CONNECTION SUPP PROGRAM		3,000
CURRENT YEAR DOVER INTERFAITH MINISTRY		24,000
CURRENT YEAR MHDC EMERGENCY HOME REPAIR		25,000
CURRENT YEAR HABITAT FOR HUMANITY		21,300
CURRENT YEAR MHDC HOMEOWNER REHAB.		40,000
CURRENT YEAR ADMIN EXPENSE		43,400
TOTAL EXPENDITURES		**216,700**
CURRENT YEAR BALANCE		2,100
TOTALS	**$**	**218,800**

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

ADOPTED: JUNE 26, 2017

CITY OF DOVER ORDINANCE # 2017-08

SUBSTANCE ABUSE GRANTS FUND
CASH RECEIPTS/REVENUES AND BUDGET FOR 2017-2018

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

The amount hereinafter named aggregating One Hundred Six Thousand Three Hundred dollars ($106,300) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2017 and ending June 30, 2018:

OPERATING REVENUES

		2017/18 BUDGET
PRIOR YEAR BALANCE	**$**	**45,300**
STATE GRANTS RECEIVED		28,000
RECREATION REVENUE		33,000
TOTALS	**$**	**106,300**

OPERATING EXPENSES

		2017/18 BUDGET
EXPENDITURES		
TEMPORARY HELP/BENEFITS	$	67,700
PROGRAM EXPENSES/SUPPLIES		35,000
TOTAL EXPENDITURES		**102,700**
CURRENT YEAR BALANCE		3,600
TOTALS	**$**	**106,300**

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

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

ADOPTED: JUNE 26, 2017

CITY OF DOVER ORDINANCE # 2017-08

REALTY TRANSFER TAX FUND
CASH RECEIPTS/REVENUES AND BUDGET FOR 2017-2018

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

The amount hereinafter named aggregating One Million Two Hundred Nine Thousand Three Hundred dollars ($1,209,300) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2017 and ending June 30, 2018:

CASH RECEIPTS

		2017/18 BUDGET
BEGINNING BALANCE	**$**	**-**
REALTY TRANSFER TAXES		1,209,300
TOTALS	**$**	**1,209,300**

BUDGET SUMMARY

		2017/18 BUDGET
TRANSFER TO GENERAL FUND	$	1,209,300
CURRENT YEAR BALANCE		-
TOTALS	**$**	**1,209,300**

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

ADOPTED: JUNE 26, 2017

Certificate of Congratulations

presented to

The Dover High School Boys Track and Field Team

for scoring 121 points and capturing the Division I Delaware Interscholastic Athletic Association (DIAA) Track and Field Team Championship on May 19 - 20, 2017. The team has been a perennial power in the Henlopen Conference and the State of Delaware. The following student-athletes are commended for their outstanding performance:

Jaden Adkins
Coleman Akers
Hezakiah Ali-Bentley
Joshua August
Dion Baker
Keith Bessicks
Micah Bowen
Abdul-Rahim Bracey
Eric Brandon
Isreal Brown-Foster
Jacob Casey
Brendan Cook
Carter Crumpler
Gabriel Evans
Marquis Garrison
Roshon Gladney
Eric Glass
Jaylyn Johnson
Ric Johnson
Donyé Judd
Ishmael Kaba
Jhalil Mosley
Chidi Nwogbaga
Javon Peace
Travon Robinson
Donovon Rogers
Sean Saxton
Zachary Schmiedlin
Tymere Solomon
Tyrone Stanley
Courtland Suggs
Kwama Veal
Tahj Ward
Jonathan Waters
David Wheat
Terrance Whitfield

Special recognition is given to the following team members, who were named State Champions in one or more events:

Dalonzo Bouges (4x100, 4x200, and 4x400)
John Rodel Castro (4x100 and 4x200)
Tayshaun Chisholm (110 High Hurdles, 300 Intermediate Hurdles, and 4x400)
Nyjal Drayton (4x400 and 4x800)
Nathanael Guy (4x800)
DeShon Harriford (4x100 and 4x200)
Jakari Long (4x100 and 4x200)
Kyron Roberts (4x400 and 4x800)
Gavin Williams (4x800)

The entire team and Coaches James Solomon (2017 State of Delaware Track and Field Coach of the Year), Roger Lilly (2017 State of Delaware Assistant Track and Field Coach of the Year), Michael Denny, James Kilby, Jr., Vincent Terenik, Dr. Harry Williams, and Dwayne Wilson are applauded for their remarkable achievement.

The City of Dover extends its sincere congratulations.

July 24, 2017

ROBIN R. CHRISTIANSEN
MAYOR

TIMOTHY A. SLAVIN
COUNCIL PRESIDENT



DOVER COMIC CON 2017



DOVER
COMIC
CON2017

Dover Comic Con So Far

2014
- 8 artists
- 4 panels
- 5 vendors
- 4 crafts

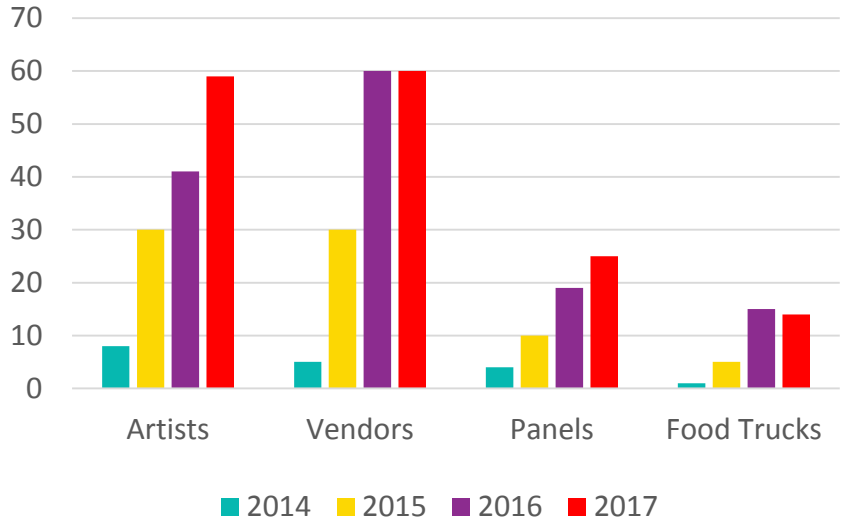
2015
- 30 artists
- 30 vendors
- Several Fan Groups and Costume Clubs
- Costume & Cosplay Contests
- 10 panels
- Several crafts and activities

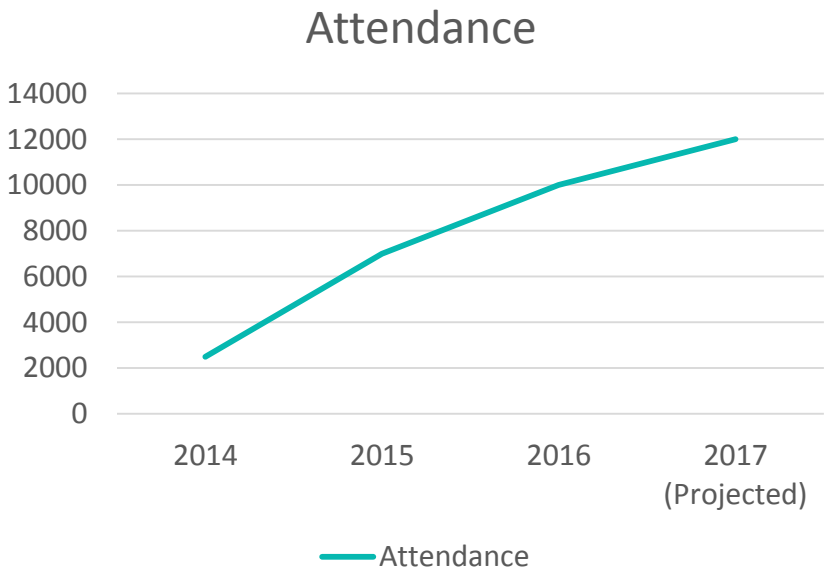
2016
- 41 artists
- 12 artisans
- 13 authors
- 3 small press groups
- 6 fan groups & costume clubs
- 2 cars
- 2 LARPing Groups
- Bubble Soccer
- 15 Food Trucks
- 19 Panels
- Cosplay Contest
- Kids Costume Contest
- Different media outlets on site



DOVER COMIC CON2017

Dover Comic Con Growth





DOVER COMIC CON2017



DOVER
COMIC
CON2017

Dover Comic Con 2017

2017

- 45 artists
- 4 artisans
- 9 authors
- 2 small press groups
- 12 fan groups, costume clubs & cosplayers
- 2 cars
- 2 LARPing Groups
- Bubble Soccer
- 14 food trucks
- 25 panels
- Cosplay Contest
- Kids Costume Contest
- Different media outlets on site



DOVER
COMIC
CON2017

New This Year

- Featured Guests:
  - Voice actors from the Pokemon cartoon, Michele Knotz & James Carter Cathcart
  - They voice Jessie, James and Meowth from Team Rocket as well as voicing other Pokemon, anime & video game characters
- Inflatables
- Trackless Train
- Ghost Base Rebel Legion
- Capital City Jedi Knights
- Mobile Cloud Video Game Party video gaming schedule
- Scheduled Fandom Meet-ups and Photo-Ops,
  - We are inviting people who are fans of particular things (Star Wars, Doctor Who, Pokémon, etc.) to meet up at schedule times for great group photos and meet people who share their love of a particular show, comic, or video game.





DOVER
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CON2017

DOVER HUMAN RELATIONS COMMISSION WORKSHOP

The Dover Human Relations Commission (DHRC) Workshop was held on May 25, 2017 at 6:03 p.m. with Chairman Henderson presiding. Members present were Mr. Fleming, Mr. Gaddis, Ms. Mullen, Reverend Paige, and Mrs. Herbert. Staff members present were City Solicitor Rodriguez (departed at 6:49 p.m.) and Mrs. Stein.

AGENDA ADDITIONS/DELETIONS

Mr. Gaddis moved for approval of the agenda, seconded by Mr. Fleming and unanimously carried.

Welcome - Explanation of Purpose of Workshop (Henderson)

Mr. Henderson welcomed members to the DHRC Workshop.

DHRC Authority and Holding of Meetings (Nicholas Rodriguez, City Solicitor)

Mr. Nicholas Rodriguez, City Solicitor, advised members that the DHRC was formed in 2001, consisted of 15 members at that time, and currently had nine (9) members. He explained that the DHRC is an advisory commission and is to provide advice based upon the jurisdiction of the Commission as stated in the Code. Mr. Rodriguez indicated that the DHRC is similar to the State Human Relations Commission (SHRC), which is also an advisory commission and reports directly to the General Assembly and the Governor. He noted that neither the DHRC nor the SHRC is a decision-making body. Mr. Rodriguez stated that two (2) members of the DHRC are appointed to each of the four (4) City election districts and one (1) serves at large, and appointments are made by the Council President and approved by Council. He indicated that members are appointed for three-year staggered terms, and five (5) members constitute a quorum, which enables the Commission to do business. He indicated that DHRC meetings are to be held at City Hall on a quarterly basis and the Commission is to submit quarterly reports, as well as an annual report at the end of the year. Mr. Rodriguez advised that the DHRC is guided by the Freedom of Information Act (FOIA) and the City Clerk's Office helps with notice of meetings. He explained that there are no restrictions on reappointment; therefore, members can serve consecutive terms.

Mr. Rodriguez reviewed several of the questions that had come up in the past regarding whether or not the DHRC had jurisdiction. He stated that a question had arisen about whether the DHRC could investigate a bill being decided by the General Assembly, noting that senators or representatives had asked the DHRC about this. Mr. Rodriguez stated that DHRC should not become involved in politics at all; however, if a bill arose dealing with civility or affecting the DHRC's jurisdiction, the Commission could report this to Council.

Mrs. Herbert advised that she had attended an SHRC meeting this month when a bill on homelessness was considered. She explained that those presenting the bill were trying to get the SHRC to make a statement about it; however, the SHRC was only comfortable stating that homeless people have rights. Mr. Rodriguez indicated that this matter would come under the DHRC's jurisdiction on an advisory basis, but they should not become involved in supporting a bill. Mrs. Herbert stated that this is what the SHRC decided. Mr. Rodriguez advised members in this type of situation to notify the Council President that there is a bill that affects the jurisdiction.

Reverend Paige questioned, for example, if she could speak out against the death penalty. In response, Mr. Rodriguez explained that she could do this as an individual but not as a member of the Commission.

Mr. Rodriguez cited a situation when a Commissioner had missed a number of meetings and it was questioned if the DHRC could remove that Commissioner. He explained that the Commission could not do this and that removal could only be done at the recommendation of the Council President and with the concurrence of Council for substantial neglect of duty or gross misconduct in office, noting that missing a number of meetings would be considered substantial neglect of duty.

Mr. Rodriguez indicated that when the DHRC's structure had included 15 members, they were unable to obtain that number of Commissioners and wanted to run an ad in local newspapers to find people interested in serving. He advised that advertising was acceptable if it was paid for individually out of pocket. Mr. Henderson asked if such advertising could be paid out of the DHRC's budget, and Mr. Rodriguez indicated that it could probably be; however, there may not have been money available in that particular case. He noted that the advertising strategy had worked well and resulted in a number of names that were submitted to the Council President and reviewed by Council. *(City Clerk's Office Note: In a legal opinion dated July 30, 2008, Mr. Rodriguez advised that ". . . the Commission itself has no power or authority to appoint or recruit new members. This is left completely up to the Mayor and Council. Newspaper advertising by the Commission for new members I think not only tends to invade the power and authority of the Mayor and Council but is not a necessary expense or expenditure, assuming that the newspaper advertisements are paid for out of funds budgeted for the Commission. . . .")*

Referring to Section 58-33(e) Functions limited of the Dover Code, Mr. Rodriguez explained that the DHRC has no jurisdiction over matters that are assigned by law or decree to other governmental bodies. He noted that previously a complaint was received from an employee of Delaware State University (DSU) who indicated that they had been terminated based on race, which was a private matter between the employee and the University over which the DHRC had no jurisdiction. Mr. Rodriguez advised that this was also true of matters that must go through the court system or other governmental bodies. He stated that there had also been complaints about an employee of the City of Dover who was terminated, and this had to be handled through the City's grievance procedure.

Mrs. Herbert stated that the National Council on Life and Labor Research (NCALL) was trying to bring different groups together and had just held a "Bridge the Divide Community Café" at Wesley College that included the SHRC, Wesley College, and DSU. She stated that the DHRC had been left out of the forum and asked if the Commission could participate in such community events, noting that another forum was coming up. Mr. Rodriguez stated that this would not be a problem.

Mr. Rodriguez informed members that there had also been a complaint about a termination in the private sector, and the DHRC had no jurisdiction over this. He stated that the individual would have to go to court and sue the employer if they thought this was necessary. Mr. Rodriguez explained that

another individual had not liked the assessment placed against her home, which she stated was based on race. He noted that she had the right to appeal the assessment through the City's Board of Assessment Appeals. Mr. Rodriguez indicated that this individual complained that her car was damaged by the City when painting in the area and that this was systematic abuse of police power and discrimination based on national origin. He explained that it was up to this individual or her husband to sue the City for damage to her vehicle.

Mr. Rodriguez advised that there had been an assault involving the Police Department, and this was something to be handled by the Police Department and not the DHRC. He indicated that there had been an attempted murder, three (3) different people had claimed that they had been threatened to be killed, and this had to be handled by the Police Department or Attorney General's Office.

Mr. Gaddis asked what Commissioners should do if a complaint is brought to one (1) of them. Responding, Mr. Rodriguez stated his belief that members would have a duty to give the complaint to the Commission to make a decision whether or not it was within the DHRC's jurisdiction, and he offered to provide a legal opinion if they had a question. He noted that in a situation where members know definitely that a complaint is beyond their jurisdiction, such as a murder, they could state that the DHRC is an advisory board and this does not fall within their jurisdiction.

Mr. Henderson noted that he, like Reverend Paige, is a pastor and would act as a citizen in a critical situation, such as a murder or something that is life threatening. He noted that he is associated with the Interdenominational Ministerial Alliance (IMA), which was involved in a number of social action initiatives relating to things like fair employment and the hiring of the City of Dover Police Chief. Mr. Henderson stated that he did not feel that he was "frozen" from acting. He indicated that he considered serving on the DHRC as an additional responsibility for which he would have to go through channels.

Mrs. Herbert advised that she was new to the Commission. Referring to Section C.2 of the City of Dover Human Relations Strategic Plan - 2015-2018, she noted that this goal was to "Develop an understanding with the State Human Relations Commission that will delineate the roles and procedures of the two Commissions in the solution of alleged discrimination complaints which fall within the jurisdiction of the State Human Relations Commission and identify and maintain specific ways the two Commissions will work together." She expressed confusion, stating that it seemed that the DHRC was to advise the SHRC if an issue arose; however, it sounded to her that most things should go to City Council, and she noted that she had gotten two (2) kinds of answers to this question when she spoke to members of the SHRC. Mrs. Herbert asked if the DHRC is supposed to advise the State Commission of problems the DHRC is experiencing, since the DHRC Strategic Plan indicated that the two (2) Commissions were supposed to work together. She advised that she was obtaining the names and phone numbers of people with whom she could talk regarding setting up sharing with the SHRC but did not wish to do this if the DHRC was not supposed to do so.

Mr. Rodriguez noted that the SHRC is an advisory commission, as the DHRC is.

Mrs. Herbert stated that it sounded as if the DHRC was supposed to advise Council, who would then decide who has jurisdiction. Responding, Mr. Rodriguez advised that he did not think this was necessary. He stated that if members were dealing with an issue that was beyond the DHRC's jurisdiction or had questions that they felt must be answered by the State, members could bring them up with the SHRC. He provided a handout regarding State legislation relating to the creation of the SHRC and describing its jurisdiction ***(Attachment #1)***.

Reverend Paige stated that the SHRC can investigate complaints of discrimination, which the DHRC cannot do. Mr. Rodriguez advised that the SHRC was given subpoena power; therefore, if they want to hear from witnesses in regard to complaints, they have the right to subpoena individuals to come before them to give testimony. He stated that subpoena power for the DHRC was previously brought up and Council decided that it was not necessary. Mr. Rodriguez indicated that members may want to bring this issue up again; otherwise, if they were investigating a matter and asked a private person to come voluntarily, this person would not have to do so. He noted that, if the DHRC had subpoena power, individuals would be required to come before the Commission. Mr. Rodriguez stated that he did not know Council's thoughts on this, but subpoena power was probably something that members ought to have, and they could make that request to the Council President if they wanted to do so. He noted that they could utilize the fact that the SHRC has this power, stating that this was the only way the DHRC could fully develop an investigation.

Mrs. Herbert stated her understanding that a lack of resources for the DHRC had been mentioned. Mr. Rodriguez indicated that this may be so; however, he stated that Commissioners' positions were becoming more important all the time. He stated that the current times were more troubling than any he had ever seen, which made the DHRC's position more important in trying to solve the problems.

Reverend Paige expressed her belief that the missions of the SHRC and DHRC should walk together, noting that the SHRC has jurisdiction over the State and the DHRC over the corporate City. Responding, Mr. Rodriguez indicated that this was well put and that the commissions' jurisdictions were the same, except that DHRC's powers were limited to the City of Dover and the SHRC covers the State of Delaware. He stated that he thought the two (2) commissions were basically the same in their purpose and jurisdictions and both were advisory boards, with the SHRC advising the General Assembly and Governor and the DHRC advising the Council and Mayor.

Mrs. Herbert asked if everything in the Strategic Plan had to stay in there, stating that there were several things that did not seem to make sense. She noted if that if the SHRC and DHRC were working separately, she could see why they would communicate, but if they were performing the same functions, with one (1) covering Dover and the other covering the whole State, she stated that they would not really be interacting.

Mr. Rodriguez expressed his belief that Mrs. Herbert was right, stating that there had been occasions in the past when the DHRC wanted to ask the SHRC how they thought the DHRC should act. He indicated that the Commission could do this because the SHRC's jurisdiction is Statewide, which would cover the City of Dover.

Mr. Rodriguez stated that Councilman Sudler had previously served as Chair of the DHRC, did a fantastic job, and in 2012 held public meetings that covered two (2) critical topics: decreasing hate crimes in Dover and gang violence and organizations. He explained that Mr. Sudler had set up public meetings that were advertised and had knowledgeable speakers come, which Mr. Rodriguez stated was a very good thing to do. Mr. Rodriguez suggested that members read the 2012 DHRC Annual Report to City Council ***(Attachment #2)***, which was very comprehensive.

Mr. Henderson asked if it was important for Commissioners to have a closer relationship with Council, and Mr. Rodriguez stated that he thought this would be good.

Mr. Rodriguez advised that if members had any questions or matters to discuss, he would be happy to come to future meetings.

Mr. Henderson asked what goes through the minds of City Council members when selecting a DHRC Commissioner. Responding, Mr. Rodriguez noted that factors are included in Chapter 58 - Human Relations Commission, of the Dover Code. Mr. Henderson pointed out that Sections 58-32(b) and (c) include provisions, and Mr. Fleming noted that Section 58-31. Purpose states that the DHRC is "to include members who are broadly representative of the entire community and who are committed to a philosophy of inclusion, intergroup cooperation, and fair treatment that will effectively help the city."

Mr. Fleming noted that Section 58-33(c) spoke to meetings of the DHRC and referenced five (5) meetings per year. He asked what procedure members would follow if they agreed to request that this section be changed, noting that this had not been discussed by members. Mr. Fleming suggested a possible change to state, "The Commission will hold as many meetings as is necessary to conduct the business of the Commission. Special meetings may be called by the chairman or three members of the commission. No fewer than five meetings per year. Meetings shall be held at City Hall and other places in the community in accordance with the laws of Delaware regarding the Freedom of Information Act (FOIA) and City of Dover procedures. The Commission will distribute its agenda and minutes through the City Clerk's Office." Mr. Fleming noted that when he had previously served on the DHRC, members were able to have meetings outside of City Hall. He stated that people had come to City Hall for meetings; however, the DHRC had also gone to other agencies or community associations within the City. Mr. Fleming noted that members were now prohibited from doing this. Responding, Mr. Rodriguez stated that the DHRC could request this to be changed by writing out suggested wording for amending the code and submitting it directly to the Council President, noting that the code could be revised through adoption of an ordinance by Council. He indicated that members could do this at the same time they submit any other changes they think necessary, such as the subpoena recommendation. Mr. Rodriguez indicated that he was unsure why members were restricted to meeting at City Hall; however, he stated that he thought locations should be limited to within the City of Dover. Mrs. Jody Stein, Administrative Assistant, City Clerk's Office stated that this provision may be due to the fact that meetings are recorded. Mr. Henderson noted that recording and staffing by the Clerk's Office could be a challenge.

Reverend Paige asked why the DHRC was restricted from meeting outside City Hall and if other commissions, such as the Planning Commission fall under the same rules. She also questioned the rules regarding a gathering of more than a quorum of members. Reverend Paige asked if two (2) or three (3) members must keep DHRC business out of their conversation if they are having a casual dinner together because this would be considered a meeting. She indicated that she felt this restriction was a violation of free speech. In response, Mr. Rodriguez stated the need to be very careful, noting that it could be considered a violation of the Freedom of Information Act (FOIA) if more than three (3) or four (4) members met, even if there was less than a quorum of members present. Reverend Paige stated that she was having trouble understanding this, noting that she may have dinner with a member or run into a member, and she asked if they were prohibited from mentioning DHRC topics in a casual dinner setting. In response, Mr. Rodriguez stated that he did not believe it would be a problem if a topic came up while members were socializing. He advised that the rules of public notice would be violated if there was a planned meeting for several members to discuss business that would come before the Commission. In response to Mr. Henderson, Mr. Rodriguez advised that Council was under the same restrictions and must comply with the Freedom of Information Act.

Mrs. Herbert asked how meetings are announced, stating that she had not seen an announcement in the newspaper. Responding, Mr. Rodriguez advised that DHRC meetings are set up with the Chairman. Mrs. Herbert questioned how citizens are publicly notified of DHRC meetings. Responding, Mrs. Stein explained that meeting agendas are posted on the City of Dover website. Mrs. Herbert advised that meetings of some other organizations are advertised in the paper. She noted that some people do not have computers and some who might be interested are not involved because announcements are not put into some other form of media.

Mr. Gaddis questioned how many citizens of Dover know there is a DHRC and expressed the need to publicize the Commission's existence and its meetings, and Mr. Henderson indicated that this would be discussed later in the evening.

Mrs. Herbert moved to recess, seconded by Reverend Paige and unanimously carried.

Meeting recessed at 6:49 p.m.

Mr. Fleming moved to reconvene, seconded by Mr. Gaddis and unanimously carried.

The meeting reconvened at 7:00 p.m.

Mr. Henderson stated that he liked the idea of revisiting subpoena power for the DHRC and the information that Council could change the frequency of meetings. Mrs. Herbert stated that the code change that Mr. Fleming had suggested would give the DHRC more freedom. She noted the problem with recording meetings but indicated that she did not know why this could not happen in another location.

Mr. Henderson advised that the DHRC had held more than five (5) meetings per year since he had been a member. He noted that members had come and gone and stated that, for the sake of the continuity of the Commission, he had suggested having meetings once per month.

Review of DHRC Strategic Plan 2015-2018 Long-Term Objectives and Development of Work Plans

Mr. Anderson reviewed the Long-Term Objectives for the DHRC, as stated in the DHRC Strategic Plan 2015-2018, noting that objectives A.1, A.2, C.3, and C.4 applied to the Government Policy, Programs, and Practices Committee, chaired by Mr. Gaddis; objectives B.1, B.2, B.3 applied to the Community Engagement Committee, chaired by Ms. Mullen; objectives B.4 and D.3 applied to the Education Committee, on which Mr. Fleming was serving; and objectives D.1, and D.2 applied to the Communications Committee, chaired by Reverend Paige. He noted that objective D.2 regarding improving community awareness of the Commission and a better understanding of its role would also fall within the scope of Ms. Mullen and the Community Engagement Committee. He stated that long-term objectives that applied to the Commission as a whole were objectives C.1, C.2, D.4, and D.5.

In regard to objective A.2 "Building on its partnership with the Dover Police Department, identify additional human relations approaches and lessons that can be integrated into the Dover Police Department's ongoing Community Relations strategy," Mr. Henderson suggested getting in touch with the new City of Dover Police Chief and possibly having him come and speak to the Commission.

In regard to objective C.1, "Define when a diversity, inclusion and or a human relations issue exists and specify the types of these issues that will be accepted by the Commission; and, identify and implement a process for receiving and responding to such issues by taking action to correct or improve the situation," Mr. Henderson advised that all members were responsible for this objective. Mrs. Herbert asked how this would be done by all members. Responding, Mr. Henderson stated that the problem would first have to be identified and members would come together to discuss it in a meeting setting.

Mr. Henderson referred to objective C.2, "Develop an understanding with the State Human Relations Commission that will delineate the roles and procedures of the two Commissions in the solution of alleged discrimination complaints which fall within the jurisdiction of the State Human Relations Commission and identify and maintain specific ways the two Commissions will work together." Mrs. Herbert stated that someone needed to liaison with the SHRC to accomplish this goal, noting that it is hard to find the right person to talk to and she did not see this as a group activity, unless subjects are identified for the group to deal with.

Mr. Henderson indicated that Mrs. Herbert had recently attended an SHRC meeting, and he was very impressed with the input she provided regarding this event. He suggested that she would be an excellent liaison. Mrs. Herbert stated she could do this and Mr. Henderson offered to attend meetings with her.

Responding to Mr. Henderson, Mrs. Stein stated that typically the items identified for action during workshops are placed on subsequent meeting agendas for consideration.

Mr. Henderson offered to attend SHRC meetings with Mrs. Herbert. She stated that she hoped to be able to sit down with someone from the SHRC, noting that the people in charge appeared to be in Wilmington, rather than Dover, although she noted that Councilman Sudler was serving on the SHRC. Mrs. Herbert advised that Mr. Calvin Christopher, Chair, SHRC, is a volunteer. She indicated that if the DHRC would be referring items to the SHRC or if SHRC would be looking at the DHRC's actions because the DHRC is in the State, it would be nice to know that the DHRC is doing things correctly. She requested that consideration of a DHRC liaison to the SHRC be placed on the next DHRC agenda, and Mr. Henderson agreed.

Mr. Henderson referred to objective D.5, "Identify and seek funding from other governmental, philanthropic, or private organizations to more effectively carry out its responsibilities." Mrs. Herbert indicated that she was not sure about fundraising as an objective, stating that the DHRC would not be writing grants and was not keeping numbers regarding referrals. She stated that the DHRC may know what the issues are in the community; however, empirical data would be needed to obtain funding. Mrs. Herbert stated that, in her opinion, this objective should not be in the Strategic Plan. Reverend Paige asked if this provision of the Plan was new. Responding, Mr. Fleming stated that he did not recall this provision during his past service.

Mrs. Herbert stated that the Commission had enough to do without trying to raise funds, and Reverend Paige indicated that she did not feel that this objective was needed. Mr. Henderson asked if this provision in the Strategic Plan could be amended. Responding, Mrs. Stein advised that if members wished to make changes to the strategic plan, they may want to consider this as a future agenda item, gather all of their recommendations, and then submit them to Council.

Mrs. Herbert noted that there were three (3) potential changes to consider, including subpoena power, Mr. Fleming's suggestion about expanding Council meetings, and the elimination of long-term objective D.5 in the Strategic Plan regarding fundraising.

In regard to the Community Engagement Committee, Mrs. Mullen stated that a DHRC brochure that included bullet points regarding the Commission's functions would be helpful in achieving her goals and objectives. Mr. Fleming noted the Commission had previously had a brochure, and Mrs. Stein noted that it had been attached to previous Commission minutes.

Mrs. Herbert advised that those who attended the Community Café Event at Wesley College had not known that the DHRC existed. Responding, Mr. Henderson indicated that DHRC members had been coming and going since he had been on the Commission and that membership had been affected by Section 58-32(d) of the code, which states that no member of the Commission shall hold any elected or appointed position.

Mr. Gaddis moved to recess, seconded by Mr. Fleming.

Meeting recessed at 7:28 p.m.

Reverend Paige moved to reconvene, seconded by Mr. Fleming.

Meeting reconvened at 7:34 p.m.

Mr. Henderson noted the desire to establish goals for the DHRC Committees and for the DHRC as a whole.

In regard to the Government Policies, Programs, and Practices (GPPP) Committee, Mr. Gaddis stated a goal of finding outside people to serve on the Committee. He advised that he would be unable to accomplish the goals by himself and thought this applied to all of the committees. Mr. Gaddis indicated that an additional goal was to be formally introduced to the City Manager, Human Resources Director, Police Chief, and union representatives, stating the desire to meet both management and labor.

In response to Mr. Gaddis regarding where to access the City's Code of Ordinances, Mrs. Stein explained that there was a link to the City's municipal code on the home page of the City of Dover website.

Mr. Gaddis referred to objective C.4, "In cooperation and partnership with community organizations and public and private mediation services, assist in developing plans for monitoring sources of intergroup conflict and for responding to and managing community conflicts and disruptions in Dover; and participate in managing community conflicts in accordance with these plans." He indicated that, in order to accomplish this, he needed to know what formal organizations are known to the City of Dover. Mr. Gaddis stated that he was aware of the Sankofa African Dance Company and several churches that were community organizations but was unsure about others. Mrs. Herbert suggested that the newspaper may be helpful.

Ms. Mullen asked if Mr. Gaddis was thinking of Masonic lodges, etc. Responding, Mr. Gaddis indicated that he was thinking of lodges, as well as Asian-American and Hispanic organizations. He noted that there is an African American Festival in the City but was unsure if there was an Asian or Hispanic festival and questioned whom he should contact. Responding, Mr. Henderson advised that this goal applied to several of the committees, noting that members should help and communicate with each other. He explained that Reverend Paige is a fellow member of the clergy and that he and Reverend Paige serve on numerous commissions, including the very active Interdenominational Ministerial Alliance (IMA). Mr. Henderson advised that Reverend Paige is very involved in the community, as are her sister, Dr. Wilma Mishoe, and her nephew, Councilman Sudler. He indicated that members could find this information on their own and share it with each other.

Ms. Mullen informed members that she had an opportunity to participate in a radio talk show segment and asked if this would be permissible. Responding, Mrs. Stein indicated that this could be placed on a meeting agenda for members' consideration and, if they chose, this could be recommended to Council.

Mr. Henderson cautioned members to be careful with social media, such as tweets. He advised that a previous commissioner had issued a politically slanted social media message, which caused problems; however, he stated that he did not have a problem with Ms. Mullen's proposal.

Ms. Mullen stated that one (1) of her goals was to increase awareness within the community through radio, brochures, and literature, and she indicated that this would overlap with Reverend Paige's goals for the Communications Committee. Mr. Fleming advised that this goal would also overlap with the Education Committee's goals.

Reverend Paige advised that the Communications Committee would be involved with every committee, because they would each have information to disseminate and the Communications Committee could help with this. Referring to Commissioner Mullen's idea about a brochure, she explained that all members would work together to promote this. Reverend Paige stated the need to be careful with social media; however, she noted that it could be a valuable tool. She indicated that an expungement clinic had recently been held that serviced more than 100 people, and most of the participants found out about it on social media through flyers that were posted on a Facebook page. Reverend Paige explained that the IMA has a social action page that she updates when there are events. She stated the need to use social media for informational purposes, such as advertising, and not for editorials.

Mr. Fleming stated that members' new business cards would also help to increase awareness.

Ms. Mullen stated the goal to educate the Dover community concerning the purpose and mission of the Commission. She noted that there is an African American Festival in Dover and suggested the possibility of holding a Unity Day to bridge the community. Mr. Henderson suggested that Ms. Mullen contact Mr. George Bailey, who works at Sam's Club, in this regard, stating that Mr. Bailey has information about various observances and could be a resource for the Community Engagement Committee. Ms. Mullen indicated that this type of event would benefit the City as an attempt to alleviate discrimination by acknowledging the differences that make people unique. She suggested naming the event "Diversity Day," and Mrs. Herbert stated that she had been thinking about "Unity Day," but also liked "Diversity Day." Reverend Paige indicated that she liked "Unity Day."

In regard to goals for the Education Committee, Mr. Fleming stated that he thought handing out members' new business cards to different groups and individuals would help to get the news out to a degree. He noted that he also liked the brochures that the DHRC had previously distributed, noting that members could set up a table outside of Walmart or Sam's Club to distribute brochures and answer questions. He asked if the Commission had a budget to print in the newspaper the fact that there is a DHRC, who the members are, and their numbers.

Mr. Fleming asked if people from the community had come to the Commission in last six (6) months or year stating that they had a problem or concerns relating to diversity, inclusion, or prejudicial treatment. Mrs. Herbert stated that the DHRC should put out something stating that they exist; however, she was concerned that people would then begin to come to the DHRC, and she expressed

the need for liaison with the SHRC. In response, Mr. Fleming advised that, during his prior service, the DHRC did not deal much with the SHRC. He explained that the SHRC was not unwilling to help, but they had other matters to attend to and the DHRC was dealing with Dover concerns. He noted that when people raised concerns about having to pay too much for their gas bills, the DHRC had a seminar where individuals from Chesapeake Utilities explained how to save money for heating and oil. Mr. Fleming indicated that people must be from Dover in order for their DHRC to hear their complaints or concerns.

Mr. Fleming indicated that he was developing goals for the Education Committee but was open to suggestion. Mr. Henderson suggested that all members publicize any symposiums, studies, or programs offered by the University of Delaware or DSU about diversity, Hispanic appreciation, African-American history, etc. He noted that the Dover Public Library might be another good resource for the Education Committee, noting that they are in touch with various commissions and programs. Mr. Henderson advised that the DHRC had helped to sponsor a "Cracking the Code" film through the library and suggested that the library be asked what opportunities they may have relating to the DHRC's goals.

Mr. Fleming noted that he had taught as an adjunct at Wilmington University in multicultural education for people going through the career and technical degree program. In addition, he indicated that he and would not object to talking with the Capital School District to see if there was something Mr. Fleming could do or some medium that the District could use to get the word out about the DHRC.

Mr. Henderson noted that he serves as the current President-Elect of the rotary, and that Mr. Dan Shelton, Capital School District Superintendent, is also a member and wants to work with the DHRC. Mr. Henderson invited each member of the DHRC to attend a rotary meeting as his personal guest, noting that the Mayor, City Councilmen, lawyers, doctors, etc., attend these meetings. He advised that meetings are held at Maple Dale Country Club at noon on Thursdays and that this would be another way to engage and educate others.

Mrs. Herbert noted that Mr. Henderson had mentioned putting out information regarding diversity, etc., and asked how this would be done. She asked if the DHRC had a website. Responding, Mrs. Stein explained that the DHRC has a webpage on the City of Dover website and could post content through the City Clerk's Office.

Mr. Fleming pointed out that the website was listed on members' business cards; however, a great many people do not use website intel.

Mr. Gaddis asked if website content would have to be discussed in a meeting, voted on, and approved by Council. He noted that this would involve a series of steps, and it may take a while for information to be posted if there was not a Council meeting at the right time. Responding, Mrs. Stein stated that she was unsure if this would be required for the posting of events, since the webpage had not been utilized for this purpose. She suggested that members agree on an overall vision of how they would like the webpage to look, noting that this information would be forwarded

to Council with the Commission's minutes. Mrs. Stein stated that it may then be possible to just update information that has been posted. Mrs. Herbert stated the desire to cover all things and be inclusive with content.

In regard to goals for the Communications Committee, Reverend Paige indicated that she saw her position as working with the other committees and promoting them by helping them to get the word out. She stated that the DHRC's mission should be on the website, as well as upcoming activities. Reverend Paige also suggested including information to help residents, noting that the first thing that occurred to her was how to apply for housing.

Mr. Fleming suggested submitting a picture of the Commission, including their members' names, in *The Dover Post* or *Delaware State News* and inviting people to come to a meeting. He indicated that the DHRC could have a booth at the Dover Days festival and pass out business cards and brochures, noting that this would be expensive. Reverend Paige indicated that Restoring Central Dover's Community Day would have been a good opportunity for a DHRC table.

Mr. Henderson asked if members had held a workshop before. Responding, Mr. Fleming indicated that this had not occurred during his prior service, and Mr. Henderson stated that this had not occurred during his service either.

Mr. Henderson stated the desire for members to support and encourage each other as they pursue goals. He noted that having subpoena power would be powerful. Reverend Paige expressed her opinion that things must be worked in gradually and suggested making small changes and doing this well, before asking for something else. She suggested allowing Council to see the benefits and advantages of granting DHRC requests, noting that the DHRC may be rejected if they ask for everything at once. Mr. Fleming concurred, stating that if subpoena power was requested, Council would ask members whom they wanted to subpoena, and he did not think subpoena power was needed now. Mrs. Herbert noted that when it is found that the DHRC has subpoena power, members would be seen as those who pull people in and subpoena them, rather than being there to help people.

Mrs. Herbert referred to Mr. Fleming's comment about a presentation that had previously been given regarding home heating. She indicated that she liked the idea of networking in this way and having presentations that helped to connect people with resources, such as the "Bridge the Divide Community Café" at Wesley College, where professionals in separate rooms had discussed topics and answered questions for those who were interested. She noted that, during the first portion of the event, there was also discussion about what people saw as creating a divide as opposed to bridging it. In response to Mr. Henderson regarding contact information for those involved in the event, she stated that she was awaiting information from the event and would provide it to members. She noted those who attended included individuals from the SHRC, community police officers, and individuals from the Department of Housing and Urban Development, Dover High School, and DSU, and Reverend Will Grimes from NCALL.

Reverend Paige suggested that members work during the next six (6) months on workshops and awareness programs, by either inviting people in or going to them, or perhaps doing a combination.

She indicated that this would be a good way to start getting the DHRC's name out and show what they are doing. Reverend Paige advised that this would impress Council, and the DHRC could then move on to the next items that members want to get done. She suggested having someone come to talk about landlord/tenant issues or discuss the landlord/tenant code. Reverend Paige indicated that residents are supposed to receive a copy of this code when they pay their deposit and sign their agreements; however, many landlords do not provide it.

Responding to Mr. Henderson regarding the possibility of setting a goal to sponsor these types of symposiums or educational experiences, Mrs. Stein expressed her opinion that this is what the Commission was all about. Mrs. Herbert asked if it was desired to get involved with those who sponsored the Community Café, and Mr. Henderson indicated that it was.

Mr. Gaddis expressed the need for members to sell the DHRC to Council, stating that he was unsure if Council thought they were of any importance, and Mr. Henderson concurred. Mr. Henderson stated the desire for Council to recognize the DHRC as a significant committee working toward its goals and the good of the community.

Mrs. Mullen stated that she had formulated relationships with Councilmen Cole and Neil and the Mayor, and had recently done this with Councilman Sudler. She indicated that it had taken action on her part to do some engaging, and they had gotten to know her and what part she was playing in the community. Ms. Mullen indicated that her neighborhood association board had met at City Hall with the Mayor and Police Chief and noted that these individuals will engage. Mrs. Herbert advised that the Representative Sean Lynn comes to many events as well.

Reverend Paige indicated that if the DHRC was involved in these kinds of activities they would be able to show Council exactly what they are engaged in rather than telling them.

Mr. Henderson noted the importance of putting information on the website, online, and in the newspapers so that the DHRC will be recognized in the community. He stated the desire to accomplish what the Commission was charged to do and for members to feel empowered.

Reverend Paige suggested prioritizing by picking three (3) or four (4) things and doing them well, rather than having members overextend themselves.

Mrs. Herbert suggested that Unity Day be a goal that members would work toward in the future. She indicated that this should be a cumulative goal following the first year or year-and-a half.

Reverend Paige and Mrs. Herbert suggested that all members obtain Commission shirts, and Mrs. Herbert suggested that members wear them in a parade, such as a Christmas parade. Mrs. Stein explained that former Commissioner Bogle arranged to have City of Dover shirts embroidered for members through Dover High School and asked if another member would be willing to take on this task. Responding, Mr. Henderson indicated that he would be willing to do so.

Mr. Henderson thanked Mrs. Stein for her efforts in support of the Commission. He noted that he would be helping all of the committees. Mr. Henderson advised that three (3) vacancies remained on the Commission, in the First, Second, and Fourth Districts, and stated that he would encourage Council to appoint more members.

Mr. Henderson asked if members wanted to continue meeting on a monthly basis or take a summer break. After discussion, members agreed to schedule their next meeting for June 22, 2016.

Public Comment
There were no members of the public present wishing to comment.

Mr. Gaddis moved for adjournment, seconded by Mrs. Herbert and unanimously carried.

Meeting adjourned at 8:30 p.m.

Theodore A. Henderson
Chair

TAH/JS/dd
S:\AGENDAS-MINUTES-PACKETS-PRESENTATIONS-ATT&EXH\Misc-Minutes\HUMAN RELATIONS COMMISSION\2017\05-25-2017 DHRC Workshop Minutes.wpd

Attachments
Attachment #1 - Handout - State Legislation Regarding the Creation and Jurisdiction of the State Human Relations Commission provided by Mr. Nicholas Rodriguez, City Solicitor
Attachment #2 - 2012 DHRC Annual Report to City Council

STATE HUMAN RELATIONS COMMISSION

This Commission is created under 31 Del. C. §3001 and consists of 28 Members with powers and duties to cooperate with the Governor, the General Assembly, public agencies, civil groups, *etc*. To this end, the Commission may act as a conciliator in matters involving race, age, marital status, color, sex, disability, creed, national origin or ancestry, provided that they comply with the provisions of the Freedom of Information Act. They may make investigations, surveys, and studies as are permitted in the performance of its duties, to make recommendations to the Governor and General Assembly concerning needed legislation. So, really, the State Human Relations Commission is also an advisory group; although, in investigating cases within their jurisdiction to give advisory recommendations, they have the subpoena power to get witnesses to testify before the Commission. At one point, a motion was made to give the Dover Commission the subpoena power. This was never implemented by Council.

File Copy

DHRC 2012

ANNUAL REPORT

Presented by: Roy Sudler, Jr.
Title: Chairman
Date: March 25, 2013

Contents of Presentation

1. Origin of the Commission
2. Enabling Legislative Powers and Duties
3. Operating Procedural Flowchart
4. Intake Forms Reported
5. Complaint Against DHRC
6. DHRC Concerns and Recommendations
7. Certificates of Training
8. Special Forum on How to Report Hate Crimes
9. Proposed Resolution and Funding
10. Questions

Origin of the Commission

2001 - Controversial Death of Dover Resident Reginald Hannah vs. Dover Police Department

A). Death Threats and shots fired towards Dover Police Officers

B). Racial Tension Between the African and Caucasian American Community

Enabling Legislative Powers & Duties

1. **Pursuant to Chapter 2** – Administrative, Article I, Division **6**, Section **2 – 21** and Article II Section **58 – 31** Titled: Human Relations Commission's Purpose;

2. **<u>DHRC – Commissioners:</u>**

Dr. Kim Warfield, Dr. Phyllis Edamatsu, Dr. Linda Hackett, Mrs. Faye D. White, Ms. Justina Brewington, Mr. Thomas Steele, Mrs. Ellen O. Wasfi, Vice – Chair Dawn Allen Pyne and Chairman DHRC Roy Sudler, Jr.

DHRC - Active Committees;

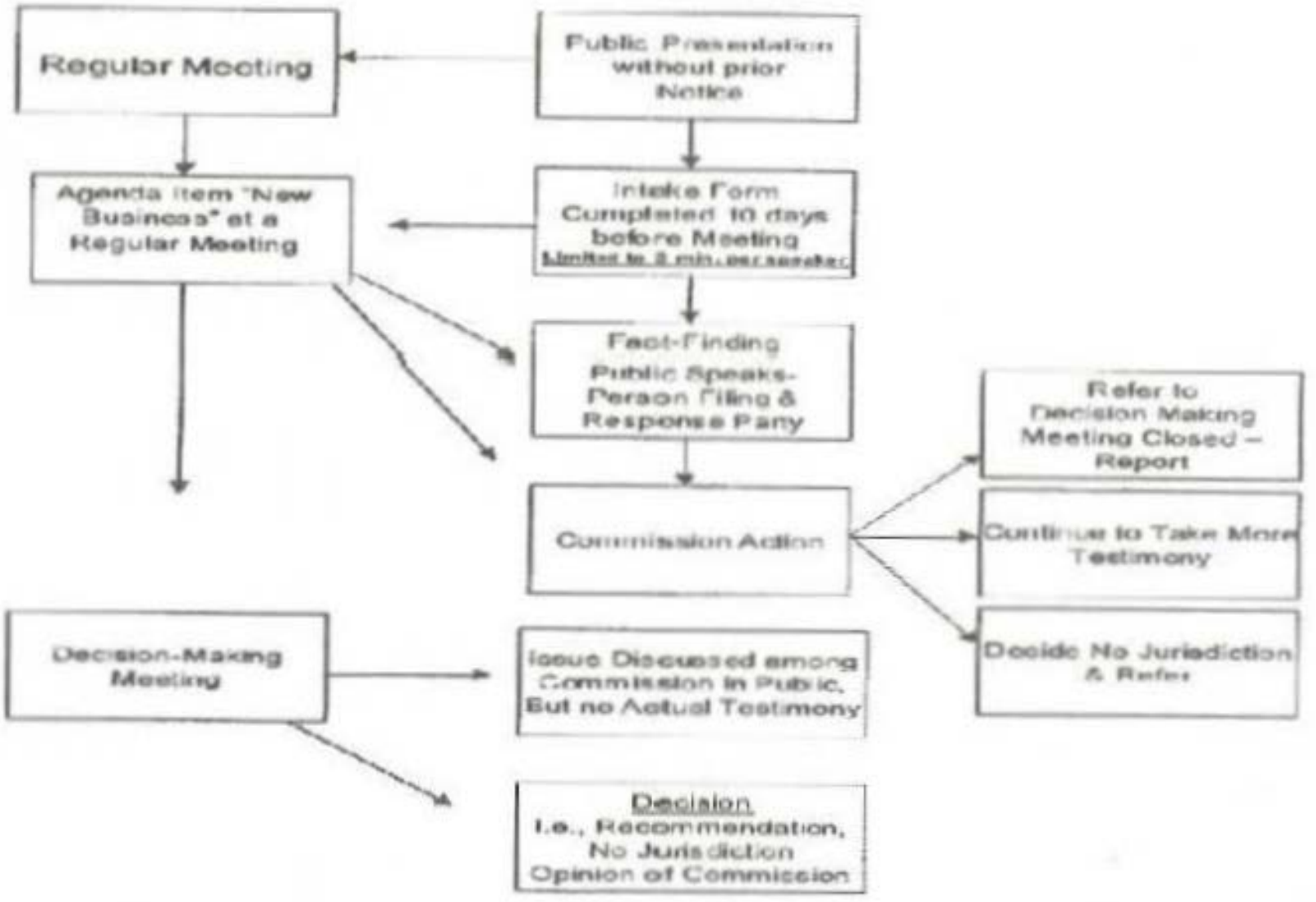
Intake Screening Committee Chair [**Dr. Kim Warfield**]
School Programs Chair [**Ellen O. Wasfi**]
Assessment Chair [**Dr. Phyllis Edamatsu**]
Community Programs Chair [**Vice Chair -Dawn Allen Pyne**]

Fiduciary Duties of DHRC Commissioners:

Each Commission Member has a *fiduciary duty* to be non-bias in investigating and resolving case disputes. Commission Member's exemplify unique professional and personal characteristics, that are imperative for allowing the commission to properly carry out and effectively accomplish the objectives, functions, and services contemplated by **Division 6, Section 2-21 of the Dover Code.**

D. Commission Meeting Flowchart

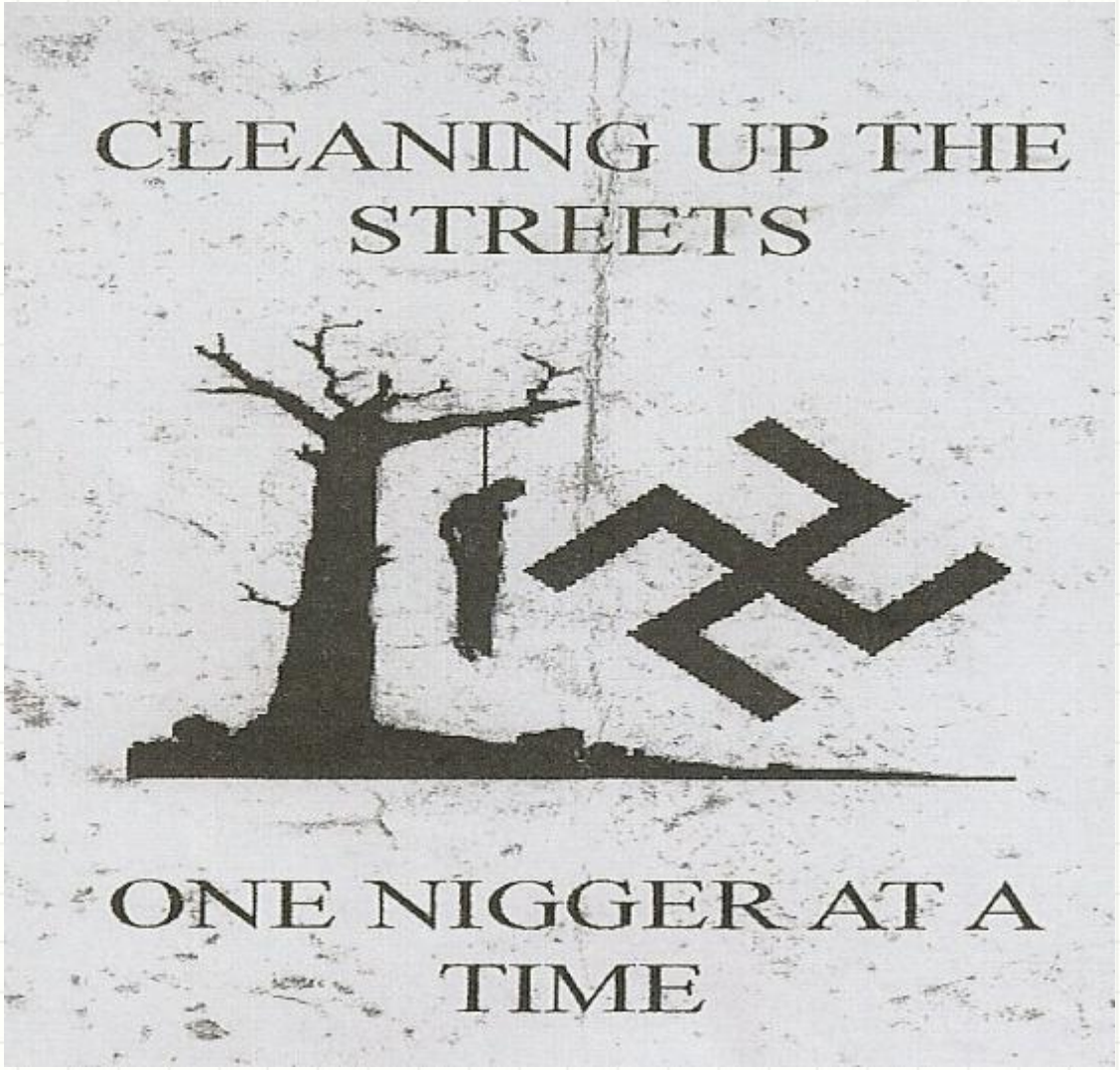
Meeting Procedural Flowchart



DHRC Intake Forms Reported

1. 3/5 Index Cards Promoting Racial Tension
2. Alleged Police Brutality Complaint against Dover Police Department
3. Henry Fordham's Alleged Lynching and Hate Crime Complaint [pg. 29 – 35]

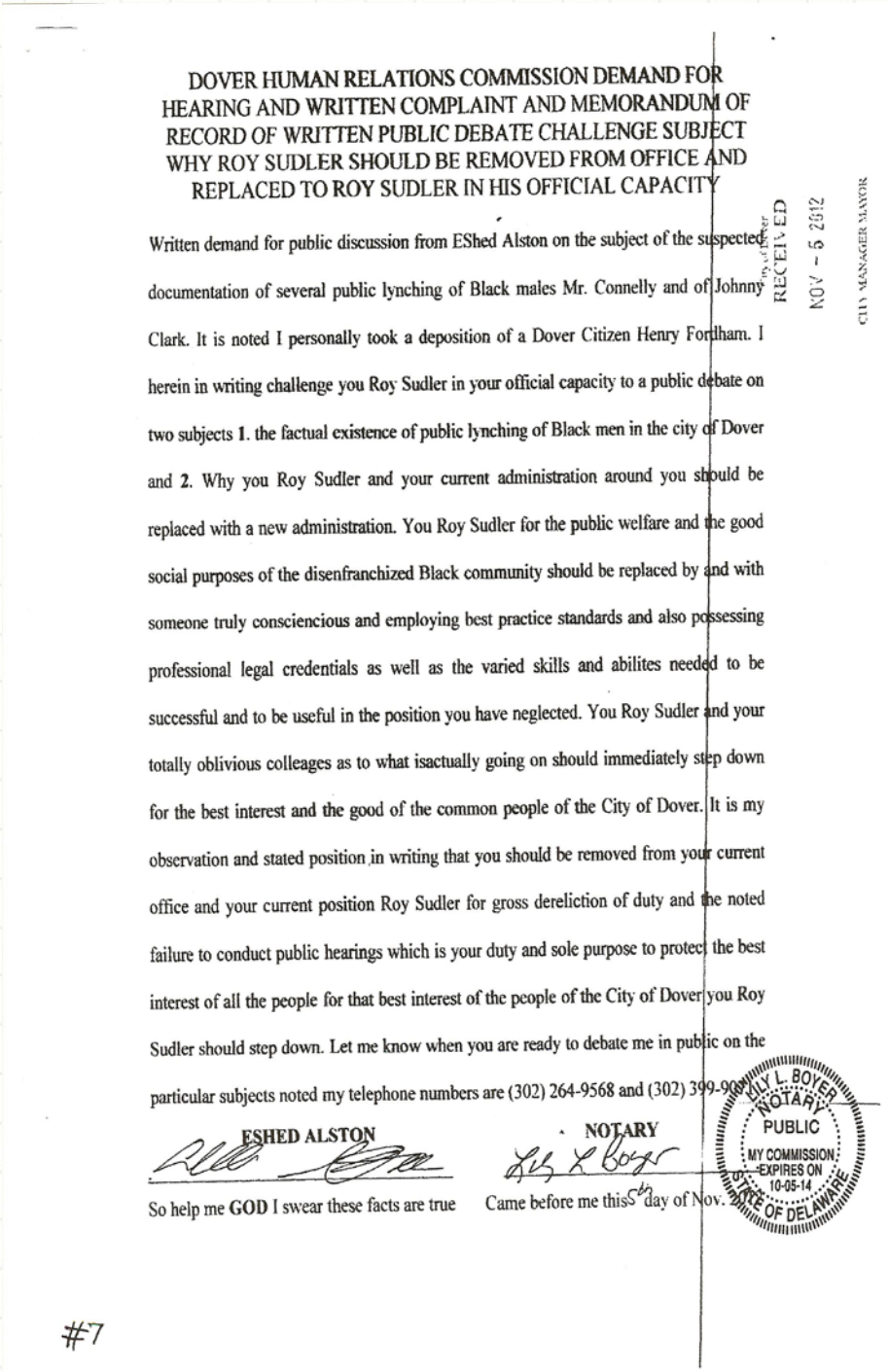
3/5 Index Cards Promoting Racial Tension



Complaint Filed against the Dover Human Relations Commission

Filed with the City Clerk's Office by Mr. Eshed Alston of Dover, Delaware.

(Review Page 33)



DOVER HUMAN RELATIONS COMMISSION DEMAND FOR HEARING AND WRITTEN COMPLAINT AND MEMORANDUM OF RECORD OF WRITTEN PUBLIC DEBATE CHALLENGE SUBJECT WHY ROY SUDLER SHOULD BE REMOVED FROM OFFICE AND REPLACED TO ROY SUDLER IN HIS OFFICIAL CAPACITY

RECEIVED
NOV - 5 2012
CITY MANAGER MAYOR

Written demand for public discussion from EShed Alston on the subject of the suspected documentation of several public lynching of Black males Mr. Connelly and of Johnny Clark. It is noted I personally took a deposition of a Dover Citizen Henry Fordham. I herein in writing challenge you Roy Sudler in your official capacity to a public debate on two subjects **1**. the factual existence of public lynching of Black men in the city of Dover and **2**. Why you Roy Sudler and your current administration around you should be replaced with a new administration. You Roy Sudler for the public welfare and the good social purposes of the disenfranchized Black community should be replaced by and with someone truly consciencious and employing best practice standards and also possessing professional legal credentials as well as the varied skills and abilites needed to be successful and to be useful in the position you have neglected. You Roy Sudler and your totally oblivious colleages as to what isactually going on should immediately step down for the best interest and the good of the common people of the City of Dover. It is my observation and stated position in writing that you should be removed from your current office and your current position Roy Sudler for gross dereliction of duty and the noted failure to conduct public hearings which is your duty and sole purpose to protect the best interest of all the people for that best interest of the people of the City of Dover you Roy Sudler should step down. Let me know when you are ready to debate me in public on the particular subjects noted my telephone numbers are (302) 264-9568 and (302) 399-90

ESHED ALSTON

So help me **GOD** I swear these facts are true

NOTARY

Came before me this 5th day of Nov.

LILY L. BOYER NOTARY PUBLIC MY COMMISSION EXPIRES ON 10-05-14 STATE OF DELAWARE

#7

DHRC – Concerns

1. **Flowchart** being adhered to pursuant to the City of Dover's By-Laws for the Dover Human Relations Commission

Article IV- Commission Intake, Notice and Meeting Procedures

Section : 1 **[Bringing Forth Matters]**

VII. Forms

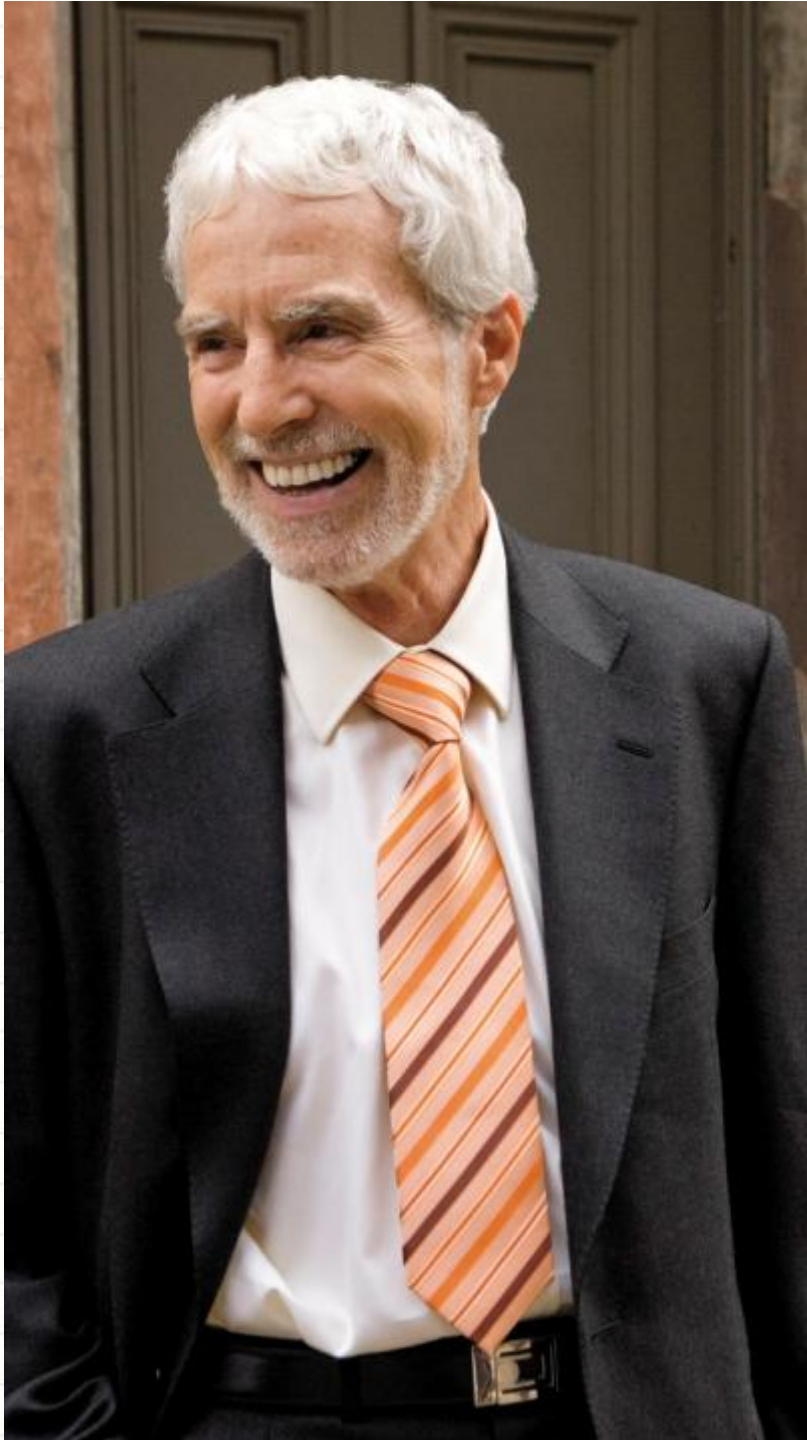
2. **Article II Section 58-33.** Organization; quorum; meetings; rules of procedure; limitation of functions; agreements; compensation; legal counsel; reports.

(e) **Limited functions of the commission**

Landlord/Tenant Training 2012

Presented by the Law Office of Michael P. Morton, PA.

mmorton@michaelpmorton.com
(302) 426.1313



INVESTIGATING AND PROSECUTING HATE CRIMES

Delaware State University
Martin Luther King, Jr. Student Service Center
1200 N. DuPont Highway
Dover, Delaware

April 27, 2012

8:00 – 9:00 a.m.	**REGISTRATION**
9:00 – 9:30 a.m.	**OPENING REMARKS** Charles M. Oberly, III, United States Attorney, District of Delaware Matt Nosanchuk, Senior Counselor, Civil Rights Division, USDOJ Delaware State University Representative
9:30 – 10:15 a.m.	**LEGAL OVERVIEW OF FEDERAL HATE CRIMES LAW** Myesha Braden, Trial Attorney, USDOJ Civil Rights Division
10:15 – 10:45 a.m.	**FBI Briefing – FBI's Role in the Investigation of Hate Crimes** Drew Watts, Supervisory Special Agent, FBI HQ
10:45 – 11:00	**BREAK**
11:00 – 12:00 p.m.	**HATE CRIME CASE STUDY** *Shenandoah Hate Crime* Myesha Braden, Trial Attorney, USDOJ Civil Rights Division FBI Special Agent Alan Jones
12:00 – 1:15 p.m.	**LUNCH BREAK** (on your own)
1:15 - 2:45 p.m.	**SPECIAL GUEST SPEAKERS** Sheriff Dave O'Malley - former Chief of Police, Laramie, Wyoming Judy Shepard – Mother Matthew Shepard
2:45 – 3:00 p.m.	**BREAK**
3:00 – 3:45 p.m.	**TOWN HALL: FOSTERING COOPERATION BETWEEN LAW ENFORCEMENT and the COMMUNITY**
Moderator:	Charles M. Oberly, III, United States Attorney, District of Delaware
Panelists:	Tricia Gibbs, Supervisory Special Agent, FBI, Delaware Harpreet Singh Mokha, Regional Director, Community Relations Service Romona S. Fullman, Director, Delaware Office of Human Relations Ken Haltom, Chief Prosecutor, Kent County, DE Department of Justice
3:45 – 4:00 p.m.	**CLOSING REMARKS**

****

COMMUNIITY & STUDENT INVOLVEMENT IN RESOLVING RACE HATE CRIMES IN COMMUNITIES & HIGHER LEARNING INSTITUTIONS

****

PARTNERSHIP:

DE – Department of Justice
House of Representatives – 31st District
SHRC – Human Relations Commission
DSU – Police Department
DSU- Counseling Department
DSU- Freshman Student
Dover Community Leaders

[Pg. 18 – 29]



Private Sector – Salisbury Rd.





Private Sector
South DuPont Highway



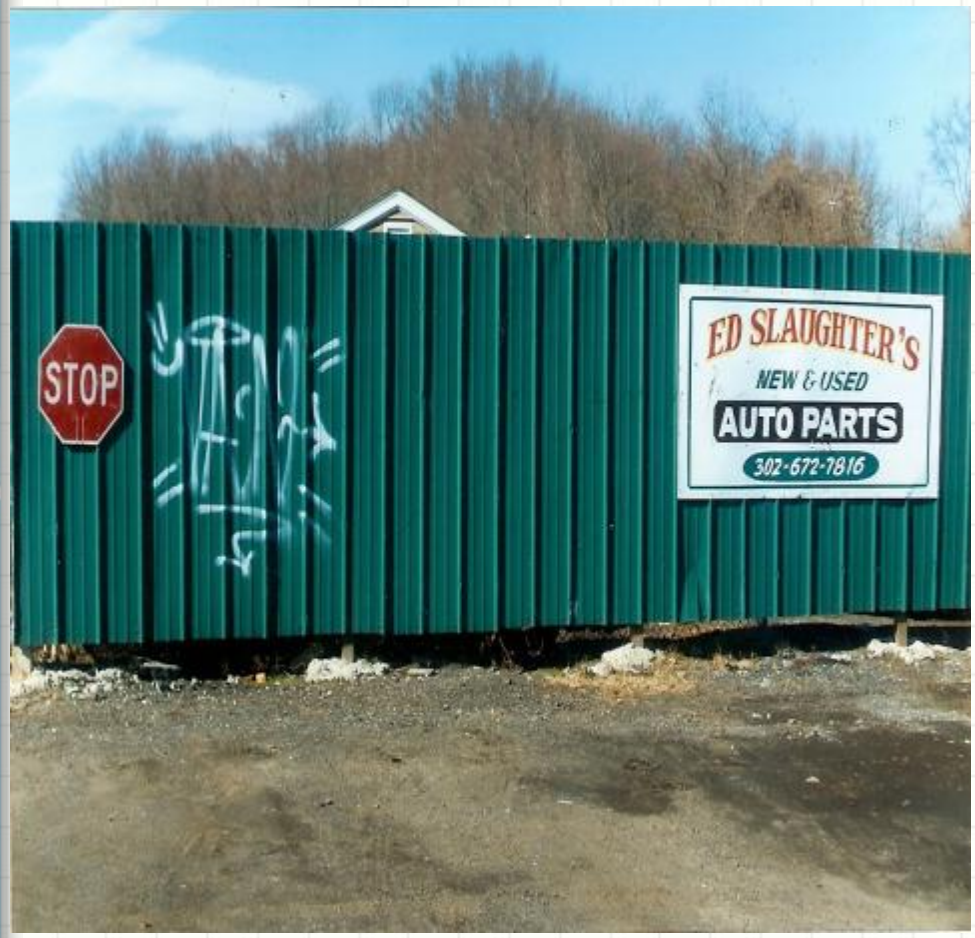


Downtown Dover





Private Sector
North DuPont Highway





Private Sector
South Little Creek Rd.





RESOLUTION: CESSATION OF ILLEGAL GANG FORMATION IN DOVER, DELAWARE

****

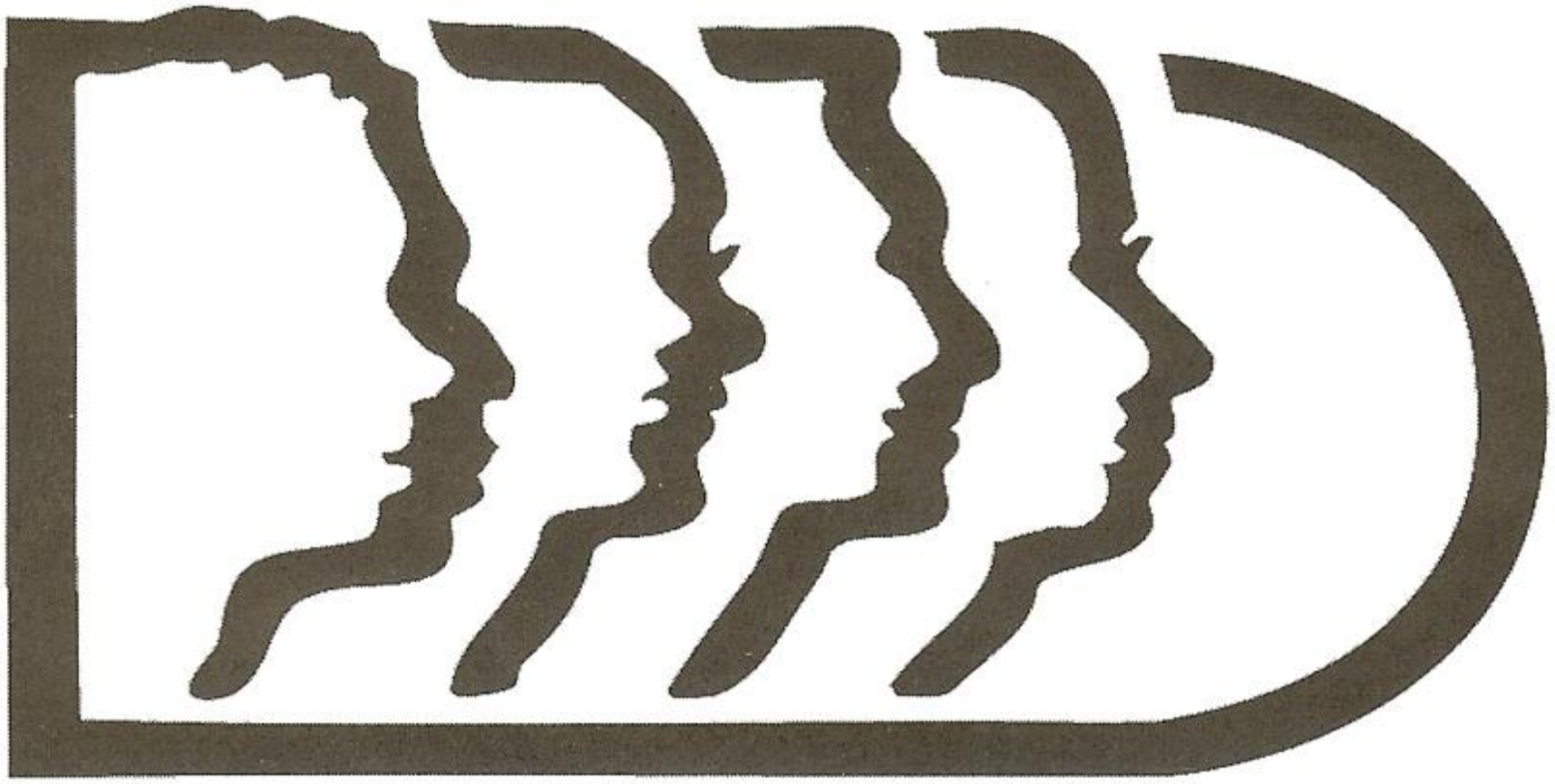
Whereas; The City of Dover, the State Capital, strives to be a model for all Cities in Delaware and the United State.

Whereas; The Mayor and City Council have granted Powers and Duties to the Dover Human Relations Commission, **Pursuant to Article II. Sec. 58-31.**

OJJDP FY 2012 Defending Childhood Resource Center:

- **Improving the Nation's Response to Children Expose to Violence.**

That Concludes the Dover Human Relations Commission's Annual Report



QUESTIONS ?

DHRC 2012

ANNUAL

REPORT

SUBMITTED BY: CHAIRMAN ROY SUDLER, JR.

DATE: 2 / 27 / 2013

ANNUAL REPORT 2012

INTRODUCTION:

The Dover Human Relation Commission [**DHRC**] is an advisory body created by the Mayor and City Council in the year 2001. The Commission's charge is to focus on helping to decreasing racial tension and discrimination throughout the City of Dover.

Pursuant to Chapter 2 – Administrative, Article I, Division 6, Section 2 – 21 of the Dover Code; The Commission has been granted the powers and duties to investigate claims of unfair treatment and develop ways to monitor intergroup conflict among all segments of the City of Dover.

The purpose of the Dover Human Relations Commission is to serve as the focal point for monitoring amicable relations between diverse races in the City of Dover.

The goal of the commission is to increase the quality of living for all constituents of Dover by reviewing city programs, activities, functions and ordinance to enhance communication and encourage cooperation among all residents of Dover.

The Commission consists of members appointed by 15; Mayor: 5 Members; Council President based upon recommendations of Council: 10 Members/Confirmed by Council that reside in the Dover for a three year term, which commissioners serve without monetary compensation.

The current members of the Dover Human Relations Commission include Mr. Roy Sudler, Jr. – Chairman, Mrs. Dawn Allen Pyne – Vice Chairwomen, Dr. Kim Warfield, Dr. Phyllis Edamatsu, Dr. Linda Hackett, Mrs. Fay D. White and Ms. Justina Brewington and Ellen O. Wasfi.

All Commission Members have experienced the long term demands often requiring considerable time, extended periods and dedication to addressing multi – faceted unfair treatment claims and racial tension in the City of Dover. The Commission's efforts are aimed at those who are suffering from discrimination and racial tension in the City of Dover.

Each Commissioner has a fiduciary duty to be non-bias in resolving case disputes and suggest alternative dispute resolutions between all parties. Commissioners have unique professional and personal characteristics that are imperative for allowing the commission to properly carry out and accomplish effectively the objectives, functions, and services contemplated by **Division 6, Section 2-21 of the Dover Code.**

The Commission has four active committees;

1. Intake Screening Committee Chair [Dr. Kim Warfield]
2. School Programs Chair [Ellen O. Wasfi]
3. Assessment Chair [Dr. Phyllis Edamatsu]
4. Community Programs Chair [Vice Chair -Dawn Allen Pyne]

The Commission's enabling legislation powers and duties are pursuant to code –section 58 31– 33, which states the following:

ARTICLE II. HUMAN RELATIONS COMMISSION
Sec. 58-31. Purpose.

The city council has deemed it to be in the best interest of the city to establish a human relations commission to include members who are broadly representative of the entire community and who are committed to a philosophy of inclusion, intergroup cooperation, and fair
treatment that will effectively help the city meet the following needs:
(1) *Fairness, respect.* Promote and develop an environment of fairness and respect among its citizens;
(2) *Monitoring.* Develop ways to measure and monitor community relations, particularly those that are sources of intergroup conflict;
(3) *Intergroup relations.* Involve all segments of the community in understanding and appreciating the benefits of positive intergroup relations;
(4) *Issues.* Offer a range of programs and services that will help its residents and neighborhoods prevent and resolve issues of human relations; and
(5) *Intergroup conflict.* Develop ways of anticipating, preparing for, and relieving community tensions arising from intergroup conflict.
(Code 1981, § 2-16; Ord. of 2-11-2002)

Sec. 58-32. Established; composition; appointment; representation; holding
other office; removal from office; terms of office; vacancies; reappointments.

(a) *Established.* There is hereby established an advisory commission to be known as the "City of Dover Human Relations Commission," to carry out the objectives as described in this article.
(b) *Composition; appointment.* The commission shall consist of 15 members, all residents of
the city. Five of these members shall be appointed by the mayor and confirmed by the city council. Ten of these members shall be appointed by the president of the council, based upon recommendations from the council and confirmed by the council.
(c) *Representation.* In selecting the membership of the commission, the mayor and president of the council and the council shall take particular care to ensure that the commission is broadly representative of racial, religious, gender and ethnic groups residing in the city.

(d) *Holding other office; removal.* No member of the commission shall hold any elected or
appointed office under the government of the United States or the state, county, or city, or be a candidate for any such office. The mayor or the city council president may remove members of the commission, with the concurrence of the city council, for substantial neglect of duty, or gross misconduct in office.
(e) *Terms of office; vacancies.* A member of the commission shall be appointed for a term of
office of three years and until his successor has been appointed and has qualified. The appointees shall be appointed for staggered terms of office. When a vacancy occurs in the membership of the commission, it shall be filled by appointment for the unexpired portion of the term in the same manner as the original appointment.
(f) *Reappointments.* Members may be reappointed.
(Code 1981, § 2-17; Ord. of 2-11-2002)

Sec. 58-33. Organization; quorum; meetings; rules of procedure; limitation of functions; agreements; compensation; legal counsel; reports.

(a) *Organization.* The human relations commission shall annually elect its own chairperson
to preside over its meetings and may create and fill such other offices and committees among its members as may be found necessary and proper for its effective organization.
(b) *Quorum.* A majority of the membership of the commission shall constitute a quorum and,
if a quorum is present, a vacancy on the commission shall not impair the right of the remaining members to exercise all the powers of the commission.
(c) *Meetings.* The commission shall hold such meetings as may be deemed necessary for
the completion of its purposes, responsibilities and functions. Regular meetings shall be held at least once per month unless there is no business to be considered by the commission. Special meetings may be called by the chairperson or three members of the commission.
(d) *Rules of procedure.* The commission is also authorized to adopt rules of procedure for
the conduct of its meetings.
(e) *Functions limited.* The commission shall not involve itself in activities or functions already
assigned by law or decree to other governmental bodies.
(f) *Agreements.* The commission may enter into agreements and build partnerships with other entities and organizations for the purpose of more efficiently and effectively carrying out its responsibilities.
(g) *Compensation.* Members of the commission shall receive no compensation.
(h) *Legal counsel.* The city solicitor shall provide legal counsel to the commission and shall
be the legal representative of the commission in connection with its duties hereunder, on a case-by-case basis, or determine that outside counsel is needed and obtain such outside counsel for a particular matter.

(i) *Reports.* The commission shall make such reports to the mayor and city council as shall

be periodically necessary. An annual report of its accomplishments and a summary of its recommendations, as appropriate, shall be sent to the mayor and the city council. (Code 1981, § 2-18; Ord. of 2-11-2002)

On **January 3, 2012, @ approximately 3:44 p.m.,** Dr. Joe Burden Jr. called the Dover Human Relations Commission Chair to discuss a **3/5** Index Card that was found on his property by one of his residents. The Index Card displayed an image of a person of color hanging from a tree by a rope tied to his neck. After listening to his concerns, I advised him to submit the Index Card to the Human Resource Department or City Clerk's Office for review.

On **January 16, 2012, @ approximately 7:00 a.m.,** The Commission attended the **29th Annual Martin Luther King Jr. Payer Breakfast**, which was highly attended and outstanding. The **Alpha Phi Alpha Fraternity Inc. Zeta Rho Lambda Chapter** did an excellent job. For our own Vice Chair Willie Jones was the MC of the Prayer Breakfast.

On **January 18, 2012,** Chair Sudler received an **E-Mail** from the City of Dover's Human Resource Department indicating that both Intake Forms were sent to the City Solicitor's Office for review. **The City Solicitor advised the City Clerk's Office to remove both intake forms from tonight's agenda**. It was decided that the intake forms and concerns should be forwarded to Chief James E. Hosfelt Jr.

On **January 25, 2012,** Chair Sudler called Council President Tom Leary to schedule an appointment to discuss recommendation number 1 on Chair's Self Review of the DHRC.

On **January 26, 2012, @ approximately 3:30 p.m**. Council President Tom Leary and Chairman Roy Sudler, Jr. met to discuss a possible date and time for the DHRC and City Council to sit down together and review the purpose, functions, and responsibilities of the DHRC in accordance with the Powers and Duties Granted by the Mayor and City Council for clearer detailed guidelines.

The meeting went well and I am looking forward to establishing a healthier relationship between the Mayor, City Council and the Dover Human Relations Commission.

February 2012 Meeting was cancelled

On **March 3, 2012 @ approximately 2 p.m.** at Wilmington University's Duberstein Admissions Center; 320 North Dupont Highway Newcastle, Delaware, Chair Sudler attended a theatrical play called **"GIVE ME THE BALLOT... MY VOICE MATTERS"**

Featuring the life-story of Fannie Lou Hamer
Performed by: Mzuri Moyo and Healing Through Sound Music, Inc.
The life-story of Fannie Lou Hamer focused on slavery, the importance of a good education.

On **March 3, 2012 @ approximately 7 p.m. @** Central Middle School located in Dover, Delaware, Chair Sudler and Commissioner Dr. Kim Warfeild attended the Theatre Play "Torn Between Two Fathers", which elaborated on a Social Problem that most of our youth and capital school district students face when their mother does not disclose the truth about their child's biological father.

On **March 7, 2012, @ approximately 9:16 a.m**. Chair Sudler left a voicemail message for Chief Harry Downs of the Delaware State University Police Department to offer him the opportunity to express exactly how imperative it is to cooperate with law enforcement agencies when helping to resolve race hate crimes and other related incidents.

On **March 12, 2012 @ approximately 11:45 a.m.,** Chair Sudler spoke with Curtis Coleman who retired from the Capital School District as a Counselor for Dover High School 1980 – 90 in regards to remedies for dealing with emotional and social challenges after being a victim of a race hate crime. Mr. Coleman said that "he would be more than willing to present on that topic".

On **March 12, 2012 @ approximately 4:03 p.m**., Chair Sudler visited Delaware State University's Counseling and Public Safety Division see if they would be willing to partner with the City of Dover's DPD & DHRC to discuss the value of Community and Student Involvement when helping Law Enforcement Agencies in resolving race hate crimes and other related incidents.

On **March 12, 2012 @ approximately 7:00 p.m**. Chair Sudler and Commissioner Fay D. White attended the City of Dover's Council Meeting. Some of the issues discussed were

1. Housing for Sex Offenders and Zoned Areas being viewed as Concentration Camps
2. Request for Extensions on Time Allotted to Cure City Housing Violation Codes

On **March 28, 2012, @ approximately 9:24 p.m.,** the DHRC voted to partner with the Social Action Commission of Mt. Zion A.M.E. Church, Outreach Ministries and the Dover Police Department in an effort to discuss implementing strategies and programs for Residents of Dover to "Stop the Violence and Turn In Unregistered Firearms" to the Dover Police Department without any repercussions for Offenders and Non – Offenders of the Law.

On **April 27, 2012, @ 8:00 a.m. – 4:00 p.m.,** Chair Sudler participated in a free training seminar on Investigating & Prosecuting Hate Crimes. The training was excellent and very informative.

The training covered an array of topics such as the need for Non-Governmental Organizations to be more involved and aware of the statutes and laws involving hate crimes. [Please review attachment for training outline]

INVESTIGATING AND PROSECUTING HATE CRIMES

Delaware State University
Martin Luther King, Jr. Student Service Center
1200 N. DuPont Highway
Dover, Delaware

April 27, 2012

8:00 – 9:00 a.m.	**REGISTRATION**
9:00 – 9:30 a.m.	**OPENING REMARKS** Charles M. Oberly, III, United States Attorney, District of Delaware Matt Nosanchuk, Senior Counselor, Civil Rights Division, USDOJ Delaware State University Representative
9:30 – 10:15 a.m.	**LEGAL OVERVIEW OF FEDERAL HATE CRIMES LAW** Myesha Braden, Trial Attorney, USDOJ Civil Rights Division
10:15 – 10:45 a.m.	**FBI Briefing – FBI's Role in the Investigation of Hate Crimes** Drew Watts, Supervisory Special Agent, FBI HQ
10:45 – 11:00	**BREAK**
11:00 – 12:00 p.m.	**HATE CRIME CASE STUDY** *Shenandoah Hate Crime* Myesha Braden, Trial Attorney, USDOJ Civil Rights Division FBI Special Agent Alan Jones
12:00 – 1:15 p.m.	**LUNCH BREAK** (on your own)
1:15 - 2:45 p.m.	**SPECIAL GUEST SPEAKERS** Sheriff Dave O'Malley - former Chief of Police, Laramie, Wyoming Judy Shepard – Mother Matthew Shepard
2:45 – 3:00 p.m.	**BREAK**
3:00 – 3:45 p.m.	**TOWN HALL: FOSTERING COOPERATION BETWEEN LAW ENFORCEMENT and the COMMUNITY** Moderator: Charles M. Oberly, III, United States Attorney, District of Delaware Panelists: Tricia Gibbs, Supervisory Special Agent, FBI, Delaware Harpreet Singh Mokha, Regional Director, Community Relations Service Romona S. Fullman, Director, Delaware Office of Human Relations Ken Haltom, Chief Prosecutor, Kent County, DE Department of Justice
3:45 – 4:00 p.m.	**CLOSING REMARKS**



Certificate of Training

Awarded to

Roy Sudler, Jr.

For Having Participated in the

"Investigating and Prosecuting Hate Crimes"

April 27, 2012
Date

Charles M. Oberly, III, U.S. Attorney

On **May 14, 2012, @ 6:00 p.m. - 6:45 p.m.**, Chair Sudler was invited by 4th District Councilman David Anderson to attended a press release meeting that focused on a free drug prescription card that provides additional healthcare services at a discounted rate for not only residents of Dover, DE but also, surrounding areas.
[Please review attachment for further information]

DOVER PRESCRIPTION CARD
Frequently Asked Questions

What is the Dover Prescription Card?

Dover Prescription Card is a FREE statewide discount prescription assistance program. The program was launched to help uninsured and underinsured residents afford their prescriptions.

Who is eligible to participate in the Dover Prescription Card program?

Every resident of Dover is eligible to receive a FREE prescription drug card.

How do Dover residents get a Dover Prescription Card?

Dover residents can download a FREE card, search drug pricing, and locate participating pharmacies by visiting www.cityofdover.com . Anyone not able to access the website, or otherwise obtain a member card, can visit City Hall or call the City Manager's Office at 302-736-7005. Residents can also obtain cards at various health centers, hospitals, clinics, businesses, and other card distribution sites that are being set up across the state. The card are accepted at more than 58,000 pharmacies across the country.

How can the Dover Prescription Card Program provide free cards to residents?

This statewide prescription assistance program is made possible and funded through the support of pharmacies and pharmaceutical companies.

What makes Dover Prescription Card different from other prescription programs?

- No enrollment forms
- No restrictions to participate
- No eligibility or income requirements/limitations
- No waiting periods
- No age restrictions
- No exclusions
- Includes pre-existing conditions
- No claim forms to file
- No annual or lifetime limits
- Open formulary so that both brand and generic medications are eligible for discounts
- Confidentiality: No personal information will be sold, shared, or distributed.

Can this program be used by people who have insurance with prescription benefits

This program was launched to help the uninsured people of Dover afford their prescriptions. However, people with insurance can also use Dover Prescription Card to get a discount on medications not covered by their insurance (non-covered drugs).

On **May 14, 2012, @ 7:30 p.m. – 9:30 p.m.,** Chair Sudler, and Commissioner Fay D. White attended the City Council Meeting to witness and congratulate the new and re-elected council persons for the City of Dover's 2012 Council. **31st** District House of Representatives – **Daryl Scott** was present as well.

On **May 15, 2012, @ 6:00 p.m. – 8:30 p.m., @ Dover Downs 4th Floor;** Chair Sudler, attended an award banquet and appreciation gathering for various interfaith and outreach ministries that have made a significant impact on the lives of homeless people and the less fortunate in the Dover Community. One of the recipients was Dr. Kim Warfield of the Dover Human Relations Commission.

On **May 19, 2012, @ 12:00 – 4:00 p.m.,** Chair Sudler, Commissioner Dr. Hackett and Commissioner Justina Brewington all participated in the "**March for Jesus Christ" which was an excellent well organized event that exemplified diverse religions and people interacting with each other in peace and harmony;** it was an excellent event well-orchestrated.

On **June 18, 2012, @ approximately 8:05 a.m.,** Chair Sudler received confirmation from Ken Halton Esq. that he would be more than willing to be a panelist and partner with the DHRC at our special forum on sexual orientation, race, and other related incidents of hate crimes.

On **June 19, 2012, @ approximately 12:23 p.m.,** The Commission sent out letters to the final three candidates for part-time contractual assistant [See Next Page for Example]

June 1, 2012

Dover Human Relations Commission [(302) 736.7008]

15 North Plaza City Hall

Dover, DE **19904**

??????????????? [(302) -]

309 Julia Way

Smyrna, DE **19977**

RE: Part – Time Contractual Assistant - DHRC

Dear ??????????:

Please be advised that your resume for Contractual Assistant for the Dover Human Relations Commission has been selected as one of the final three applicants approved.

The final three applicants will be required to observe a DHRC meeting and submit their example of minutes to the Commission.

The commission will review all applicants' demonstration of minute taking and make a final selection by July 9, 2012, by 8:00 p.m.

Upon your earliest convenience, please contact the City Clerk's Office to confirm that you're still interested in providing your contractual assistant services.

Thank You

Respectfully,

Roy Sudler, Jr.

DHRC – Chairman 2012

On **June 27, 2012, @ approximately 8:12 p.m.,** The Commission approved the final draft for Cessation of Illegal Gang Formation Resolution

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DHRC – 2012 PROPOSED RESOLUTION & FUNDING

A. RESOLUTION: CESSATION OF ILLEGAL GANG FORMATION IN DOVER, DELAWARE

****

Whereas; The City of Dover, the State Capital, strives to be a model for all cities in Delaware and the United State.

Whereas; The Mayor and City Council have granted Powers and Duties to the Dover Human Relations Commission, **Pursuant to Article II. Sec. 58-31.**

Whereas; Article II Sec. 58-31 titles (2), (4) and (5) charges the DHRC with developing ways to measure and monitor community relations and offer a range of programs and services that will help Dover residents identify and resolve issues of human relations; anticipating, preparing for, and relieving community tensions arising from intergroup conflict.(Code 1981, § 2-16; Ord. of 2-11-2002)

Whereas; The Dover Human Relations Commission through open discussion with members of the community and the knowledge of local events has found that gun possession and illegal gang activity is at an all-time high.

Whereas; Illegal gangs are a group of individuals consisting of three or more persons whose demoralizing influence, common interest, attitude and graffiti signs significantly contribute to the commission of disruptive behavior and criminal enterprises in the City of Dover.

Whereas; The number of illegal gang organizations in Dover and Kent County has increased over the last few years, cultivating an environment of psychic imprisonment, mistrust and fear among citizens of Dover.

Whereas; Illegal gang culture and activities have played a significant role in student dropout rates, drug activity and random acts of violence, often leaving innocent bystanders paralyzed and traumatized for life.

Whereas; Illegal gang graffiti promoting hate, fear and danger has defaced public and private sector facilities, impeding home and business owner's rights to market or enjoy their property, without unwelcomed and unauthorized graffiti signs.

Therefore, Be it Resolved; That the Residents of Dover, Delaware, the Mayor, City Council, Dover Police Department, Delaware Department of Justice and the Dover Human Relations Commission have observed with dismay the escalation of gang growth and development in our communities and will merge resources and efforts to intensify the pursuit of eliminating illegal gang formation, activities, and communication, including the display of graffiti signs in Dover, Delaware.

Be it Further Resolved; That we will accomplish this goal and establish a New Community and Family Involvement Paradigm for Cessation of Illegal Gang Formation by

1. Cleaning up our streets together, showing resistance to illegal gang formation and unwelcomed graffiti signs through unity and clear purpose;
2. Increasing individual's awareness and accountability for reporting known illegal gang activity and \ or formation in your community.
3. Strengthening parent and family involvement in the childrearing and educational process
4. Implementing and supporting additional intervention and summer programs; and

5. Providing additional funding to the Dover Police Department through grants and other resources to establish additional police stations in areas with high volumes of crime to protect Dover residents from being a target of bias-motivated violence in the City of Dover.

B). Grant Sample: 

OJJDP FY 2012 Defending Childhood Resource Center: Improving the Nation's Response to Children Exposed to Violence.

On **July 9, 2012 @ approximately 7:30 p.m.,** Chair Sudler and Commissioner Fay D. White attended the City of Dover's Council Meeting. During the meeting, there were a few presentations discussed which consisted of the following:

1. Presentation - Lutheran Senior Services of Dover, Inc. - Payment in Lieu of Taxes (PILOT)
2. Legislative, Finance, and Administration Committee Report - **June 25, 2012**
3. Review and Recommendation - Filling Critical Positions - Library
4. FY 2013 Hiring Freeze and Recruitments and
5. Reduced Rates for All-Electric Homes in December, January, and February
(Committee Recommended That the Proposal to Reduce Electric Rates for All-electric Homes Be Referred to Staff for Cost Analysis and Review

On **July 9, 2012, @ approximately 3:10 p.m.,** Natalie Way contacted the DHRC in regards to a presentation about their Mentor & Leadership Program, which she would like the DHRC to consider partnering with them in the near future.

On **July 11, 2012, @ approximately 6:00 p.m.** Chair Sudler attended the Joint Legislative, Finance, and Administration Committee and Election Board Meeting to hear the following proposals

A. Results of **NAACP Review of Proposed Council District Boundaries** and

B. Review of **Revised Proposed Reapportionments of Council District Boundaries**

On **July 21, 2012, @ approximately 5 p.m.,** Commission members attended the Barbeque & Bonfire Event for Jesus Christ sponsored by **Mt. Zion A.M.E. Church of Dover, DE [Men's Day Committee 2012]**, "The event was outstanding," said Willie Jones, former Acting Chair &Vice- Chairman for the **DHRC** also, in attendance was **Senator Brain Bushweller of Delaware and Daryl Scott of the 31st District House of Representatives for Delaware.**

This event promoted inclusiveness and fellowship among various interfaith agencies and community leaders. For it was a unique and refreshing event to attend. Also, Mt. Zion's Men's Day Committee gave a special thanks to the **City of Dover's Fire Marshal Division and DNREC** for authorizing the bonfire activity segment of the celebration.

On **July 24, 2012, @ approximately 8:30 a.m.,** Chair Sudler attended a training session on **Title 25 Pursuant to the State of Delaware's Landlord / Tenant Code.** Presented by the Law Office of Michael P. Morton, PA **mmorton@michaelpmorton.com** (302) - 426.1313

Some of the issues that were highlighted consist of the following:

1. Landlords Remedies for Filing Civil Suit against Tenants Who Have Filed Bankruptcy
2. Landlord's Illegal Ouster of Residents / Tenants from Rental Unit
3. Human Relations Concerns [Race & Handicap Discrimination in Fair Housing Process]
4. Zero-Tolerance Rules & Regulations for Subsidy Housing [HUD]
5. Manufactured Home Requirements and Specifications for the State of Delaware
6. Landlords Remedies for Residents Behavior Deemed Undesirable & Harmful to Community and Unit; and
7. Residents Remedies for Landlord's Failure to Correct Defective Conditions in the Unit

I asked Mr. Morton [Trainer] if he would be willing to partner with the DHRC and conduct a workshop on housing issues and common violations; his response was "yes!"

On **August 9, 2012, @ approximately 7:10 p.m.** a special meeting titled Community and Student Involvement in Resolving Racial and Sexual Orientation Hate Crimes in Communities and Educational Institutions was conducted by the DHRC and went well. For those individuals who did not have an opportunity to attend, there will be a part two of the special forum forthcoming in 2013.

COMMUNITY LEADERS & STUDENTS DISCUSSING NEW PARADYMS FOR REPORTING AND DECREASING HATE CRIMES IN DOVER, DELAWARE AND SURROUNDING AREAS



Chair Sudler's Special Forum Opening Statement:

The Dover Human Relations Commission is an advisory body to the **Mayor** and **City Council of Dover, Delaware**.

The Commission is **empowered** to monitor community relations and measure inter-group conflict. The Commission has a fiduciary duty to be non-bias when seeking conflict remedies for resolving disputes.

The Commission's **Powers** and **Duties** are granted by the Mayor and City Council Members pursuant to **Chapter 2-Administration, Article 1, Division 6, Section 2-21 of the Dover Code:**

- Tonight's Special Forum is called according to

ARTICLE II.

Sec. 58-31.

(1) *To* promote and develop an environment of fairness and respect among its citizens; and

(4) *To o*ffer a range of programs and services that will help its residents and neighborhoods prevent and resolve issues of human relations

(Code 1981, § 2-16; Ord. of 2-11-2002)

The focus of this special forum is to raise the awareness and involvement in resolving and reporting racial and sexual orientation hate crimes in Dover and the State of Delaware. In addition, to review ethical remedies for dealing with emotional, spiritual, and social challenges for victims of bias-motivated violence.

The goal of the Dover Human Relations Commission tonight is to help generate new paradigms and methods for eradicating hate crimes through none-controversial and

constructive dialogue that stimulates the community, students and law enforcement agencies to build a closer relationship with one another.

Please be advised that this special forum is not a debate over the concepts and ideas of same sex marriages or pending cases involving racial tension, but an educational enrichment forum that highlights how to properly disagree with one's race or sexual orientation without offending or violating another person's human and constitutional rights.

Each presenter will be asked a series of questions by the Chair of the Commission and after all presentations; the forum will be open to the audience for discussion at that time.

The Ground rules for this forum are as follows;

1). Audience Members will have **3** minutes to voice their concerns during question \ answer period

2). Citizens who contacted the City Clerk's Office will speak first

3). All questionnaires and written testimonies are to be submitted to the commission

4). Please reframe from side conversations when citizens are speaking

5). No Pending Cases will be discussed

6). Adjournment @ 9:00 p.m.

After the ground rules were read, chair Sudler began with presenter number one, **Chief Prosecutor Kent County, DE Ken Haltom Esq. Department of Justice** and asked him to briefly define the following topics:

1. Hate Crime Prevention Act – Shepard's Law?
2. Hate Crime Case Study – Shenandoah [Women being torched for being gay]
3. **42 U.S.C. Code 3631** [Threatened to use force because of race, color etc…]
4. In your opinion, what area of communication is most essential for enhancing the relationship and trust between law enforcement agencies and non-government organizations

Chief Prosecutor Kent County, DE Ken Haltom Esq. Department of Justice Response ® to questionnaire:

R1). Chief Haltom spoke about how Mathew Shepard was tortured for being gay, which according to Delaware Criminal and Traffic Law Manual Title 11 Code 1304 Section (a) (2) select a victim because of his/her sexual orientation. This misfortunate incident was the reason why it's called Shepard's Law

R2). Chief Haltom wasn't to familiar with the case study of Shenandoah, who was also tortured for being gay, so he elaborated on the need for students in schools and community members to report hate crime offenders and incidents to the local law enforcement agencies, and or, city and state officials.

R3). Chief Haltom explained Title 42 U.S.C. Code 3631 as a hate crime covered under the State of Delaware's Title 11 Code 1304 Section (a) (2), selection of victim due to race, which is a hate crime offense. In closing of Chief Haltom's response to the questions by the chair, a final question was asked, Chief Haltom, in your opinion, what area of communication is most essential for enhancing the relationship and trust between law enforcement agencies and non-government organizations?

R4). Chief Haltom acknowledged that there are different avenues to help promote better communication and stronger alliance between law enforcement agencies and the community. He suggested that we work together to break down the barriers that keep individuals from reporting these hate crimes and he encouraged audience members to contact him personally if they were not satisfied with how an investigation was conducted.

Chief Haltom stated that he knows that hate crimes occur more often then what is being reported and he feels and understands the frustration that a person can experience, but he believes that forums such as this one would help to promote dialogue and change. In closing, Chief Haltom shared with the commission that out of 15 years of practicing law, this forum was the first of its kind, which he feels is a big change for him, one which he embrace and is eager to be a big part of.

The second presenter Chief Harry Downs Jr. of the Delaware State University Police Department was asked the following questions:

1. How does DSU'S Police Department investigate hate crimes?
2. Are students briefed about different hate crimes or other related incidents in freshman orientation?
3. What are some of the consequences and penalties for students who have been involved in hate crime activity on campus?

4. In your opinion, how can students and their peers help to eradicate hate crimes on higher education institutions?

Chief Harry Downs Jr. Delaware State University Police Department

Response ® to questionnaire:

R1). Chief Downs indicated that their police department investigates hate crimes the same way any other police department. In incidents such as hate crimes and other related incidents, the student is prosecuted through the university judicial system as well as DSU – Police Department

R2). Chief Downs stated that although they don't cover hate crimes in freshmen orientation they do advocate the need for tolerance and respect among all students regardless of race, religion, color, sexual orientation, national origin, ancestry or disability.

R3). Chief Downs indicated that some of the penalties for being convicted for a hate crime at the university included termination of enrollment at DSU, criminal charges, and DSU- judicial charges. Chief Downs also, expressed how appreciative he was to have a great relationship with Dover Police Chief and Delaware State Police Department.

R4). Chief Downs believes that students can help their peers after being a victim of a hate crime by encouraging them to seek counseling at DSU Counseling Division or talk with Student Government Body (SGA) to help raise awareness of what could happen to other students on campus.

Presenter number four commissioner **Vincent A. Petroff, MHR Human Relations Supervisor Division of Human Relations was asked these series of questions:**

1. How often does race or sexual orientation impede upon one's opportunity to get fair housing in the State of Delaware?
2. How does the state human relations commission investigate hate crimes in housing and workplace environment?
3. In your opinion, what strategies or methods could be used to help community leaders and student government bodies identify and prevent potential hate crime activities in communities and higher education institutions

Vincent A. Petroff, MHR Human Relations Supervisor Division of Human Relations SHRC

Response ® to questionnaire:

R1). Commissioner Petroff, explained the state human relations procedure for investigating fair housing violations according to title 6 chapter 4601 (a) of the Fair Housing Codes for the State of Delaware, outlines the policy and jurisdiction of their commission. Commissioner Petroff stated that between 2010 to 2012, there has been 24 fair housing violations, 0 – sexual orientation discrimination claims and 6 hate crime housing incidents.

R2). Commissioner Petroff said that in an investigation process for the state human relations commission, there are certain elements of the crime that must be present to determine the identity and severity of the housing violation, so in an effort to prevent potential discrimination in housing they have testers to go out to different communities to see if the potential landlords are exercising discriminatory practices on prospect applicants.

For example; if a potential resident decides to look at a neighborhood which they are interested in renting or buying and a current resident states to them that, they may have problems if they move into that neighborhood!, then that statement could be considered an intimidation tactic to deter them from moving in that community. This would be covered under fair housing law title 6 chapter 4619 Prohibition of Intimidation

R3). Commissioner Petroff, believes that there should always be a healthy dialogue and relationship between the police community and neighbors to help address and pinpoint concerns and issues through forums and community meetings. Also, he recommended the mediation process to help reflect all party's issues in a particular situation as a great strategy to diffuse hate crime incidents.

Commissioner Petroff, emphasized on students addressing their problems head on and utilizing Law Enforcement Agencies, the Department of Labor and or the State Human Relations Commission @ 1-877-54-Human for additional guidance and support.

That concludes segment 1 of the special forum

Segment two of the special forum focused on Counselor's Remedies for Victims of Race and Sexual Orientation Hate Crimes in Dover, Delaware

Since two out of the three counselors were unavailable to attend this form, Chair Sudler asked Mr. Ralph Robinson Director of DSU Counseling Division the following questions:

1). How students and community members can positively deal with social and emotional anguish, after encountering or witnessing a race hate incident

2). What are the first components of identifying when you have an emotional problem, who and when to contact them?

3). How can students and family members assist a love one or peer after discovering that they have been a victim of a race hate crime or other related incidents

R1). Mr. Robinson started his response to question number one by first thanking the Dover Human Relations commission for inviting him to the forum and acknowledged that sometimes it's a difficult task to help students deal with emotional and social anguish after being a victim of a race or sexual orientation hate crime and encourages students to talk to someone who will listen to the victim without judging or blaming them for the incident.

R2). Mr. Robinson expressed that one of the first components of identifying when you have an emotional problem is when you find yourself overwhelmed with thoughts of revenge or constant obsession over the matter, which interferes with your normal daily function throughout the day. These signs are often followed by physical signs as well, such as headaches, backaches and stomach pains, which are advance signs of severe emotional distress. Mr. Robinson pointed out that there are a multitude of mental health agencies throughout the state of Delaware that can assist students and non-students with dealing with stress anxiety and depression. He also expressed that students should report incidents to the DSU – Police Department and or, the Counseling Division, so that they can vent and receive support with managing their anger in a positive, rational and respectful way, "for it is okay to be upset, but not okay to behave irrational" said Mr. Robinson

R3). Mr. Robinson reinforced the important of love ones or peers taking the time out to allow the victim to vent without placing blame on the victim, for they need to know that you value their thoughts about the situation and are listening intensely to what they have to say for their emotional well-being.

After the completion of questions being asked and answered by DSU- Director of Counseling Division, Ralph Robinson, the chair introduced to the audience members and panel Mr. Gerald Rocha Community Leader, United Way Employee and Emeritus President of Zeta Rho Lambda Chapter of Alpha Phi Alpha Fraternity Incorporated 1906.

Mr. Rocha elaborated on the alarming amount of suicides at Polytech High School and the enormous amount of bullying issues among the Lesbian, Gay, Bisexual and Transgender Community. Mr. Rocha highlighted how imperative it is to develop a gay and straight alliance throughout all schools districts to help students understand and identify the various sexual orientation communities.

He also, asked Chief Prosecutor for Kent County Department of Justice Ken Haltom Esq. if the lesbian, gay, bisexual and transgender community was protected under title 11 code 1304 (a) (2) of the Delaware State Criminal and Law Traffic Manual, which Chief Haltom said according to his interpretation of the law, it was covered under the Hate Crime Law. After Chief Haltom answered Mr. Rocha's question, then chair Sudler asked Mr. Rocha if there have been any students who have exhibit characteristics in their personality that could be viewed as a potential hate crime offender in the future and how does united way address that issue?

Mr. Rocha expressed that the faculty as well as the kids may have a hard time identifying hate crime scenarios because of the lack of training they have received in that area, but united way is currently seeking additional training in the near future to help eradicate bullying and hate crimes among all students said Mr. Rocha.

After Mr. Rocha's answer, Chair Sudler introduced to the panel and audience members Mr. Mark Steven Wright Jr. who is currently enrolled at Delaware State University as a freshman. Mr. Wright expressed that he was assaulted by an older Caucasian neighbor who was four years older than he, because his neighbor's girlfriend commented to him that Mark was a cute guy to be black / African American. Out of anger, the neighbor assaulted him and until this day, Mark believes that the initial investigation of the incident should have been dealt with as a hate crime and not just an offensive touching and assault incident.

Also, Mr. Wright shared with the commission that he witnessed an illegal search by a ____ Police Officer, who allegedly searched his father's vehicle after being told that he did not have permission to search his vehicle. After witnessing that situation, he stated that he feels that law enforcement officials should have harsher penalties for misuse of authority because the general public trust and depends on law enforcement officers to uphold the law and be a positive role model for the community to look up to and not mistrust them.

According to Mr. Wright, as a student at DSU he has not personally experienced characteristics that define or identify hate crime activity, but he stated that he wish there was counseling sessions that he could have taken advantage of to help him deal with his frustration and emotions, for he said, "after being a victim of a hate crime at an early age, it has changed him to the point that he has become more alert and quicker to defend himself then before the incident occurred".

After Hearing from Mr. Wright, Chair Sudler thanked Mr. Wright and the entire panelist for taking the time out to come and share with the community and commission imperative knowledge and information that is very relevant to our student government body and our community today.

Presentations and Comments from Community Members:

At **8:23 p.m**. Chair Sudler opened the special forum for discussion between the panelist and audience members. Chair Sudler called on Mr. Cecil Wilson, who contacted the City Clerk's Office to speak on tonight's topic, but he was not present. Chair Sudler, then asked other audience members if they were interested in bringing forth any concerns or issues by first stating your name and address for the record.

1). Bill Washington from 8 Mishoe Street Dover, Delaware 19904, thanked 31st District House of Representatives Darryl Scott for helping him with a dilemma he had over a year ago concerning a public works issue in the City of Dover, then he proceeded to brought forth his concern about young adults loitering during late night into the early morning throughout the week and weekend.

He believes that the police department should walk through the community sometimes rather than just ridding bye one's community. For he feels that, the police officers may be able to reach out to the youth and assess the needs of that community more effectively if their presents was more visible on foot then riding by in a police patrol vehicle.

2). Judy Blue of Dover, Delaware asked a question addressed to Mr. Ralph Robinson Director of DSU Counseling Division, in regards to why the campus faculty and staff members of DSU were not reporting any negative changes in the environment on campus? Mr. Robinson's response indicated that there are faculty members who often call his division to notify them of disruptive behavior or emotional distress displayed buy students on the campus. He said, "That sometimes faculty members just takes a student by the hand and leads them to the counseling division, rather than advising and sending them on there way to seek counseling".

3). Fred Robinson of Dover, Delaware asked the panel if anyone knew the percentage of progress made 10 years ago in comparison to 2012, has it increased or decreased in the Dover community concerning hate crimes? Chief Prosecutor Ken Haltom responded to the question by saying, "It's not a crime that is being reported", then Mr. Fred Robinson asked about the hate crime literature that was disseminated on DSU campus and Chief Haltom indicated that he was unable to discuss that case due to the fact that the case was still under investigation, therefore, he could not comment on the question and continued to reinforce the need for citizens to come out and report these hate crimes for he knows it happens more then what's being reported!

Mr. Robinson ended his questions by stating that he feels that the relationship between city officials, community leaders, and community is very poor in comparison to places he has

been, he believes that the city officials need to be more hands on when it comes to their constituents. Mr. Robinson asked, how can we make progress when the community and law enforcement agencies are frustrated with each other?

Mr. Rocha responded to Mr. Robinson's question by stating that he believes that the reason why hate crimes are not being reported is because, whenever someone tries to report a crime as a hate crime, no one wants to deal with the element aspect of the hate crime or its just

intentionally overlooked, he feels that we need to continue to keep having forums such as this special forum in order to bring everyone to the table especially, law enforcement agencies in order to orchestrate a positive resolution in the City of Dover.

Commission Hackett asked Chief Haltom, what are the outcomes of the cases that have been reported in the City of Dover? Chief Haltom expressed that a lot of times the crime doesn't have all of the elements in the case to consider it a hate crime. Also, they do additional research in their investigation such as looking at Facebook or twitter to determine if there are elements to help define that crime as a hate crime.

Mr. Rocha asked Chief Haltom if they did find something on Facebook or twitter, if that would be a felony or misdemeanor. Chief Haltom responded a misdemeanor!

Commissioner Edamatsu asked Chief Haltom, if you have issues such as police bullying during traffic violations is that a hate crime? Chief Haltom response was No! but if a police officer has in his computer data base that a person's license has been suspended, then they are supposed to arrest that individual and take them to jail. For he knows that sometimes Delaware Motor Vehicle Department may not have changed the information or drop the suspended license notice within a certain time period, which could lead to an arrest, but the Department of Justice is aware of those problems and is sensitive to that situation.

Commissioner White expressed that she knows that the Delaware Criminal Codes are often changed on a monthly or annual basis and what she wants to know is, how often is the public made aware of these changes and how are they being notified? Chief Haltom response was these changes are often posted on line for the public's review.

Representative Darryl Scott commented on the fact that there are representatives that monitor the process of passing the law and sometimes may not do as an effective job communicating that to the public, but that is something that they are currently trying to improve.

Commissioner White expressed that DSU is in the Dover community and she feels that constituents of Dover should be allowed to speak and express any and all concerns that they may have in regards to their safety and their love one's safety.

Commissioner Warfeild asked Chief Haltom, How quickly are they changing the Delaware Criminal Codes once they have been passed?

Chief Haltom stated that the law is in effect upon the governor signing of the law. He feels that a good way to monitor that process is through your local representatives and special forums such as this one, where you learn more about upcoming changes and understand how to follow these changes through the General Assembly Web-Site.

Mr. Robinson was called back to the podium to express that for the record, he is not hear to be controversial but to be a part of a positive change and dialogue that is much needed in the City of Dover.

Commissioner Hackett stated that she would like to see a better and closer relationship between the public and the police officers, because some people don't get there mail all the time and are unaware that they are in noncompliance of the Delaware Motor Vehicle Code.

Chief Haltom reinforced to Commissioner Hackett that they are aware of that and often try to work with them as much as legally possible.

31st District Representative Darryl Scott asked DSU – Police Chief Harry Downs Jr. how they investigate similar offenses? Chief Downs indicated that they deal with cases on an individual basis, and if someone feels as though they have been treated unfairly, then strongly recommends that they seek additional help from a higher level of command.

Chief Downs also expressed that he agrees with Chief Haltom that the public needs to help report and resolve hate crimes in their community, because usually, the public has more information about the incident then the police department has, for recommends that the community work closer with the police in quest of strengthening our community, reporting and eradicating not just hate crimes, but all forms of crime in one's community.

Commissioner Dawn Allen-Pyne expressed that the Police Department needs to reach out to the community and let them know what kind of steps have been taken to strengthen their relationship and trust factor between both parties.

Commissioner Hackett stated that we need to make sure that all communities are given the same respect and policed the same way or it could be perceived as discrimination based on neglect.

Commissioner Edamatsu feels that we all have to do a better job in understanding, communicating and working together to make our Dover community a better place for people to reside.

Chair Sudler asked the panel if there has been any talk about requiring hate crime offenders to register like sex offenders with the police department, so that community members would be made aware of individuals who are members of hate crime organizations in their community.

The response from Chief Haltom was no!

In closing of the forum, Chair Sudler thanked the Department of Justice for the State of Delaware, the State Human Relations Commission, Delaware State University's Police Department, Delaware State University's Counseling Division, Students and Community

Leaders for participating in tonight's special forum and encouraged them to come back for part two of the forum, which is forthcoming in 2013.

On **September 27, 2012, @ approximately 7:00 p.m.** The Commission conducted an Outreach Meeting under the leadership of Community Program's Chair and Vice-Chair of the DHRC, Dawn Allen Pyne and also Fay D. White who helped secure and coordinate the outreach meeting.

On **September 27, 2012, @ approximately 9:30 p.m.** Chair Sudler was contacted by Vice-Chair Dawn Allen Pyne and complaintee **Mr. Henry Fordham,** in regards to the events that led up to an attempted murder and castration by hanging at Silver-lake Recreational Park located in Dover, Delaware.

On September 28, 2012, Chair Sudler scheduled a Roundtable Meeting for **October 5, 2012**, with Henry Fordham, State Human Relations Commission, Mayor, City Council President, 4th District Councilmen, 31st District House of Representative the Department of Justice and Dover Human Relations Commission to hear the events that allegedly took place on September 21, 2012. **[Please see roundtable agenda and city solicitor's opinion]**

DOVER HUMAN RELATIONS COMMISSION
ROUNDTABLE MEETING
OCTOBER 5, 2012
CITY HALL CONFERENCE ROOM
****

Agenda

1. Call to Order
2. Prayer
3. Purpose of Roundtable
4. Goal of Roundtable
5. Introduction of Officials
6. Summary of Resident's Statement to DHRC
7. Mr. Henry Fordham's Testimony
8. Review of Alleged Criminal Elements
9. Roundtable Discussion
10. Adjournment

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3. Purpose of Roundtable:

The purpose of the Dover Human Relations Commission's Roundtable is to establish an environment conducive for residents and community leaders to report sever acts of undesirable behavior and customer service that may place extreme emotional distress on residents of Dover, without fear of retaliatory acts exercised upon them.

4. Goal of Roundtable:

The goal of the roundtable is to provide residents and community leaders with an opportunity to voice their emergency concerns to city, state or federal officials in an effort to help eradicate distress and tension between two or more opposing parties. We will meet this goal by providing resources and information that will contribute to decreasing racial tension and emotional distress after being a victim of bias-motivated acts of violence. In addition, to simply advocate a higher quality of living and communication between the City of Dover officials and all constituents of Dover, Delaware.

5. Introduction of Officials:

6. Resident's Statement:

On September 27, 2012, @ 9:17 p.m., Mr. Henry Fordham reported to the Dover Human Relations Commission's Chair [**Roy Sudler, Jr.]** that on **September 21, 2012,** he was approached by two Caucasian males who befriended him earlier that day through a general conversation about the origin and practices of Muslim Religion. Later on that evening, Mr. Fordham met with the two Caucasian males to continue their conversation. After getting into the vehicle of the two Caucasian males, he then was held gun-point and taken to Silver Lake Recreational Park located in Dover, Delaware. During the time he was unlawfully held captive against his will; Mr. Fordham experienced derogatory racial slurs, being pistol-whipped, hung and attempted murder and castration and survived.

Mr. Fordham stated that, "He tried to report the incident to various law enforcement agencies and was denied the opportunity to make an official hate crime complaint". In addition, according to Mr. Fordham, he was advised by more than one law enforcement agencies, that he would be arrested for false report if he continued to pursue filing an incident report of this nature".

The Dover Human Relations Commission has been requested by Mr. Fordham to be a catalyst \ mediator in the process of helping him to file an official complaint with the proper law enforcement agency without fear of retaliatory acts or undue distress sanctioned upon him.

Mr. Fordham, brought forth his concern to the Dover Human Relations Commission in an effort to make sure that his human and civil rights were not being violated and to simply give testimony as to the events that led up to his abduction on **September 21, 2012**.

8. Alleged Elements in Mr. Henry Fordham's Claim Pursuant to Delaware's Criminal & Traffic Manual

****

Title 11 Sections:

513. Conspiracy in the first degree; class E felony.

604. Reckless endangerment in the first degree; class E felony.

782. Unlawful imprisonment in the first degree; class G felony.

783A. (**4**) Kidnapping in the first degree; class B felony.

1244. (**a**) - (**4**) Hindering prosecution; class A misdemeanor.

1245. Falsely reporting an incident; class A misdemeanor.

1301. (**1**) (**a**) Disorderly conduct; unclassified misdemeanor.

1304. (**a**) (**1-2**) Hate Crimes; class G felony.

1447. Possession of a deadly weapon during commission of a felony; class B felony.

Recommendation from Chair of DHRC as of 9/27/2012 to Mr. Henry Fordham:

1. Seek counseling immediately for emotional distress and thoughts of irrational retaliatory behavior
2. Speak with designated District City Council Representative
3. Document the events that took place in sequence as quickly as possible
4. Roundtable / Testimony

On November 5, 2012, the Commission received a complaint from Mr. Eshed Alston, in reference to the Chair of DHRC not doing enough to address the concerns of the community in regards to the alleged Dover lynching claim and other issues concerning minorities

[Please see complaint document]

DOVER HUMAN RELATIONS COMMISSION DEMAND FOR HEARING AND WRITTEN COMPLAINT AND MEMORANDUM OF RECORD OF WRITTEN PUBLIC DEBATE CHALLENGE SUBJECT WHY ROY SUDLER SHOULD BE REMOVED FROM OFFICE AND REPLACED TO ROY SUDLER IN HIS OFFICIAL CAPACITY

RECEIVED
NOV - 5 2012
City of Dover
CITY MANAGER MAYOR

Written demand for public discussion from EShed Alston on the subject of the suspected documentation of several public lynching of Black males Mr. Connelly and of Johnny Clark. It is noted I personally took a deposition of a Dover Citizen Henry Fortlham. I herein in writing challenge you Roy Sudler in your official capacity to a public debate on two subjects **1**. the factual existence of public lynching of Black men in the city of Dover and **2**. Why you Roy Sudler and your current administration around you should be replaced with a new administration. You Roy Sudler for the public welfare and the good social purposes of the disenfranchized Black community should be replaced by and with someone truly consciencious and employing best practice standards and also possessing professional legal credentials as well as the varied skills and abilites needed to be successful and to be useful in the position you have neglected. You Roy Sudler and your totally oblivious colleages as to what isactually going on should immediately step down for the best interest and the good of the common people of the City of Dover. It is my observation and stated position in writing that you should be removed from your current office and your current position Roy Sudler for gross dereliction of duty and the noted failure to conduct public hearings which is your duty and sole purpose to protect the best interest of all the people for that best interest of the people of the City of Dover you Roy Sudler should step down. Let me know when you are ready to debate me in public on the particular subjects noted my telephone numbers are (302) 264-9568 and (302) 399-90[illegible]

ESHED ALSTON

So help me **GOD** I swear these facts are true

NOTARY

Came before me this 5th day of Nov.

LILY L. BOYER NOTARY PUBLIC MY COMMISSION EXPIRES ON 10-05-14 STATE OF DELAWARE

#7

On November 16, 2012, Chair Sudler attended a roundtable discussion with 4th District Candidate Bernhard A. Greenfield in reference to constituent's concerns and issues at Mishoe Towers, Inc. located in Dover, Delaware

On November 17, 2012, Chair Sudler attended a roundtable discussion in regards to the 4th District Candidate Rev. Wallace Dixon position concerning constituent's concerns and issues for the 4th District at Mishoe Towers, Inc. located in Dover, Delaware

On November 26, 2012 @ 10:55 a.m., Chair Sudler received an E-mail from Councilmen David Anderson of the 4th District, which reference his opinion about the status of Mr. Henry Fordham's claim. **[Please see E-mail]**

FW: Dover Human Relations Commission - Intake Form and Meeting to Discuss

Sent By: Traci McDowell **On:** Oct 10/03/12 8:32 AM

To: roysudlerjr@comcast.net

Cc: "Thomas J. Leary" <councilmanleary@comcast.net>; "Carey Sr., Carleton" <ccarey@dover.de.us>; "Bill Hare" <billh2323@comcast.net>; "David Anderson" <davidlevianderson@gmail.com>; "James Hosfelt" <james.hosfelt@cj.state.de.us>; "Kim Warfield (apostlekim1@verizon.net)" <apostlekim1@verizon.net>; "City Clerks Office" <CityClerk@dover.de.us>; Hollie Ford

Chairman Mr. Sudler:

Please see City Solicitor Rodriguez' opinion below regarding the Roundtable discussion. In light of the opinion, Mr. Leary has advised that the scheduling of this meeting should not proceed.

City Solicitor Rodriguez has suggested that the complainant be directed to speak with the State Human Relations Commission or the Attorney General's Office.

Please feel free to contact me if you have any questions or concerns.

Thank you,
Traci A. McDowell, CMC
City Clerk

-----Original Message-----
From: Nick Rodriguez [mailto:nrodriguez@schmittrod.com]
Sent: Tuesday, October 02, 2012 5:28 PM
To: Stein, Jody
Cc: William Pepper
Subject: Re: Dover Human Relations Commission - Intake Form and Meeting to Discuss

Jody, We recommend that the City and DHRC stay out of this matter completely. This is a criminal accusation and may result in criminal charges. Secondly the City could be sued for inadequate security in a civil lawsuit. Further would be criminal concerns of false complaints. This is our recommendation based upon the very limited information that has been submitted to us at the present time. Nick Rodriguez On Oct 2, 2012, at 1:55 PM, Stein, Jody wrote:

Sent By: **davidlevianderson@gmail.com** **On:** Nov 11/26/12 10:55 AM
To: "Tom Leary" <tlau72@yahoo.com>; "Sean Lynn" <slynn@delawarelaw.com>; "Kim Warfield" <apostlekim1@verizon.net>; "Roy Sudler" <roysudlerjr@comcast.net>; "Roxie Smiley-" <rs82067@gmail.com>; "Gregory Gordon" <revgegordon@yahoo.com>; "Jeannie Anderson" <jeannielynna@msn.com>; ccarey@dover.de.us; Traci McDowell

http://waronthehorizon.com/site/?p=3836 [Review Website]

No wonder, the one gentleman was concerned. Dr. Issa is traveling in radical company. Combine this with private conversations in which he accused me of selling out to the white power establishment for saying a suicide is sometimes just a suicide. I am seeing a picture that I think is dangerous.

It was a huge mistake to prevent the Human Relations commission roundtable with the families. Intentions were pure, but it was the outcome most needed by the radicals who are exploiting then exaggerating legitimate concerns.

We do need to think about addressing this insidious issue without fueling it.

Sent from my HTC One™ S on T-Mobile. America's First Nationwide 4G Network.

The December 2012 meeting was cancelled

In conclusion of the year 2012, the Dover Human Relations Commission has received a total of three intake forms, which the intake form according to City Solicitor Nick Rodriguez and the City of Dover's Clerk Office are not the purview of the DHRC. Therefore, the Commission was instructed to refer these Intake Forms to other agencies for investigation:

DHRC - INTAKE FORM TOPICS:

1. **3/5 Index Cards** that were disseminated on the streets of Down - Town Dover and Delaware State University's Campus, which displayed an image of a person of color hanging by a rope tied to his or her's neck from a tree with a racial slur statement saying,
   "Cleaning Up New Street One Nigger at a Time" [**January 2012**]

2. **Alleged Police Brutality Complaint** against the **Dover Police Department** involving a shooting / homicide that took place on New Street of Dover, Delaware and one of the investigating officers allegedly exercised unnecessary force by punching a citizen of Dover in the face repeatedly during the process of investigating a shooting that was called in by the alleged victim and his mother who witnessed the crime and the shooter and ended up being arrested themselves". The witness to the alleged police brutality assault feared for his or her's safety and chose not to report the incident to Industrial Affairs of Dover Police Department and decided to report the incident to the Dover Human Relations Commission out of concern for retaliatory actions by officers of the Dover Police Department, who allegedly committed this violent offense against a citizen of Dover. [**January 2012**]

3. **Silver-Lake Recreational Park in Dover, DE [Alleged Lynching Report]**
On September 27, 2012, @ 9:17 p.m., Mr. Henry Fordham reported to the Dover Human Relations Commission's Chair [**Roy Sudler, Jr.]** that on **September 21, 2012,** he was approached by two Caucasian males who befriended him earlier that day through

a general conversation about the origin and practices of Muslim Religion. Later on that evening, Mr. Fordham met with the two Caucasian males to continue their conversation. After getting into the vehicle of the two Caucasian males, he then was held gun-point and taken to Silver Lake Recreational Park located in Dover, Delaware. During the time he was unlawfully held captive against his will; Mr. Fordham experienced derogatory racial slurs, being pistol-whipped, hung and attempted murder and castration and survived. Mr. Fordham stated that, "He tried to report the incident to various law enforcement agencies and was denied the opportunity to make an official hate crime complaint". In addition, according to Mr. Fordham, he was advised by more than one law enforcement agencies, that he would be arrested for false report if he continued to pursue filing an incident report of this nature". The Dover Human Relations Commission has been requested by Mr. Fordham to be a catalyst \ mediator in the process of helping him to file an official complaint with the proper law enforcement agency without fear of retaliatory acts or undue distress sanctioned upon him.
Mr. Fordham, brought forth his concern to the Dover Human Relations Commission in an effort to make sure that his human and civil rights were not being violated and to simply give testimony as to the events that led up to his abduction on
September 21, 2012.

DHRC - CONCERNS:

The **Dover Human Relations Commission** is very concerned about the amount of intake forms that indicate racial tension in the City of Dover being deferred out to other agencies for investigation. **Pursuant to Chapter 2 – Administrative, Article I, Division 6, Section 2 – 21 and Article II Section 58 – 31 Titled Human Relations Commission's Purpose; t**he Commission has been granted the Powers and Duties to investigate claims of unfair treatment and develop ways to monitor intergroup conflict among all segments of the City of Dover. The ambiguity of our purpose and constant deferrals of intake complaint forms followed by constant ostracism from constituents of Dover regarding the Commission's lack of investigating official intake complaint forms have unfortunately, contributed significantly to the resignation of current and previous commission members, especially after hearing the nature and

urgency of resident's concerns and not being able to investigate the merit of the complaint.

DHRC - CHAIR'S RECOMMENDATION:

In an effort to avoid further resignations of current and future Commission Members, it is my recommendation, as Chairman of the Dover Human Relations Commission, that the Mayor and City Council of Dover, Delaware, conduct a special meeting with the Dover Human Relations Commission to interpret **Chapter 2 – Administrative, Article I, Division 6, Section 2 – 21 of the Dover Code and Article II. Human Relations Commission, Sec. 58-31. Purpose: to mitigate or eradicate current and future Commission Member's concerns and feelings of not fulfilling their duties as Commissioners who advocate Human and Civil Rights for all segments of Dover, Delaware.**

As the year **2013** approaches, the Dover Human Relations Commission looks forward to continuing to help eradicate **racial tension, unfair-treatment, and intergroup conflict**, while advocating the philosophy of inclusiveness among all segments of Dover, Delaware. On behalf of the Dover Human Relations Commission, we thank the Mayor and Dover City Council Members for appointing each and every one of us to serve the Dover Community in such an imperative and essential way.

Dated: _____

Submitted By: _____

Mr. Roy Sudler, Jr. – Chairman Dover Human Relations Commission

Carvel Building
820 N. French Street
Wilmington, Delaware



Wilmington: (302) 577-5050
Dover: (302) 739-4567
Georgetown: (302) 856-5331

State of Delaware
Human Relations Commission

MEETING AGENDA
"Community Harmony"

TUESDAY, MAY 15, 2001

U. OF D. PARADEE BLDG, DOVER, DE

I. Open Prayer/Silent Meditation

II. Introduction

III. Purpose of Meeting
- Begin a dialog and develop objectives to restore and rebuild our community together with all of you and the citizens of Dover

IV. Highlights of May 1st Meeting

V. Strategies and Objectives

VI. Plan of Action
- Steps and Timeframes

VII. Closing
- Follow-up Meetings

DOVER COMMUNITY MEETING MINUTES

The Delaware Human Relations Commission held a meeting on June 6, 2001 at the University of Delaware, Paradee Building, Route 113 and Bay Road, Dover, Delaware. The meeting was called to order by the Director of the Division of Human Relations, Juana Fuentes-Bowles. Commissioner David Hill was unable to attend the meeting due to illness.

Those present: Director of the Division of Human Relations, Juana Fuentes-Bowles, Mayor James Hutchinson, Lt. Keith O'Connell, Roy Sudler, Jr. Evangelist Shirley Caldwell, Pastor Richard Avant, Bishop Marion Lott, Pastor William Fitzhugh, Councilpersons, John Pitts and Gene Ruane, Elder W.R. Dixon, Elder Paul Caldwell, Bridget Avant and Ray (FAMBCF).

The meeting opened with an introduction of the people present. The meeting was a continuation from the last meeting (May 15, 2001) on the development of strategies and objectives to restore and rebuild the Dover Community. The highlights of the May 15 meeting were discussed. The issues were prioritized as follows:

Issues

(1) Concern of Citizens
(2) How citizens are viewed by local officials
(3) How citizens view the Police Department
(4) Isolation
(5) Dover Police Department (Recruitment, promotions, retention, new hires, etc.)
(6) Role of the Capital School District
(7) Media

Discussion took place on different strategies and objectives that can be placed under some of the issues. Those Strategies and objectives were as follows:

Strategies and Objectives

- How to get citizens involved (i.e. clergy)
- Neighborhood watch program
- Talk with citizens
- Identify communities
- Identify representation from those communities
- Communication
- Meetings being conducted (i.e. neighborhoods)
- Council to hold district meetings
- Hold community meetings
- Mobilization of a Task Force
- Develop a Citizen Concern Board

- Information meetings held by identified entities
- Establish community organizations
- Hold Block Parties
- Citizen Police Academy
- Opportunities
- Partner with Groups
- Develop Diversity Programs
- Develop Civic Associations
- Invite community to a roundtable

All members present were asked to look at some of the strategies that were identified and place them under an issue that was identified, and to develop other strategies for the identified issues.

Discussion took place in identifying communities within Dover that are not organized. Some that were mentioned are: Capital Green, Manchester Square, Liberty Court, Whatcoat, Simmon Circle and Schoolview.

Roy Mishoe Sudler introduced information entitled "Meeting Agenda for the NAACP reference to the State of Delaware, Division of Human Relations Commission" to the group. It was decided by the group to review the information for discussion at the next meeting. (Attached)

The group agreed to invite Diane Mitchum, U.S. Department of Justice at the next meeting.

The meeting was adjourned at 8:10 p.m.. The next meeting is scheduled for June 19 at 6:30 p.m.

Involvement from the Clergy:

Participation from all clergy.

The group felt that a plan of action should be developed before the end of the 2001 school year.

From those Highlights of the May 1, 2001 meeting, seven issues were developed:

(1) Isolation
(2) How citizens are viewed by local officials; i.e. stereotyping, race profiling, labeling.
(3) Media
(4) Dover Police Department
Recruitment, Promotion, Retention of minority group members
(5) How citizens view police, i.e. stereotyping, fear, advocacy role.
(6) Capitol School District role
Recruitment of minority teachers and administrators, school board issues.
Ratio of minority students vs. minority teachers and administration
(7) The anger of citizens

Several strategies were discussed; citizen police academy, opportunities, hold council meetings in council members districts, partner with groups, proactive approaches, develop diversity programs, community league, community review boards, civic association involvement, partner with multi-housing units and their managers, invite the community to the roundtable.

The group agreed with the issues discussed and a ranking should take place to address immediate issues first and respectively followed. They further discussed inviting other members to the table. The group felt that once the issues have been identified and agreed upon, strategies and objectives should be developed for implementation.

All members present were asked to prioritize the issues and be prepared to talk about strategies and objectives for each issue by next meeting.

The meeting was adjourned at 8:45 p.m.. The next meeting is scheduled for June 6, 2001 at 6:30 p.m. at University of Delaware, Paradee Building, Route 113 and Bay Road, Dover, Delaware.

MEETING AGENDA FOR THE NAACP IN REFERENCE TO THE STATE OF DELAWARE DIVISION HUMAN RELATIONS COMMISSION

WEDNESDAY, JUNE 6, 2001

LOCATION: U. OF D. PARADEE BLDG. DOVER DELAWARE

OFFICIAL QUESTIONS SUBMITTED TO THE HUMAN RELATIONS COMMISSION & DISTINGUISHING COLLEAGUE'S FROM THE NAACP.

PURPOSE:

TO PROJECT A REALISTIC TIME FRAME WHICH INDICATES WHEN EACH OF THESE ISSUES BEING PRIORITIZED WILL BE OPEN TO THE COMMUNITY FOR IMPUTE.

QUESTION #{1}

WHEN WILL WE ESTABLISH A FORUM THAT IS OPEN TO THE PUBLIC IN REFERENCE TO STRATEGIES BEING IMPLEMENTED & PRIORITIZED?

{ANSWER}

_____

_____

_____.

Carvel Building
820 N. French Street
Wilmington, Delaware

Wilmington: (302) 577-5050
Dover: (302) 739-4567
Georgetown: (302) 856-5331

State of Delaware
Human Relations Commission

June 12, 2001

Mr. Roy Sudler, Jr.
NAACP
130 Brandywine Drive
Meadows
Dover, DE 19904

Dear Mr. Sudler, Jr.:

Enclosed please find the minutes from the June 6, 2001 meeting.

Please review and be prepared to discuss strategies and objectives for each of the issues that were developed by the group.

Our next meeting is scheduled for **Thursday, June 19, 2001 at 6:30 P.M., at DelDot, Rt. #113 & Bay Road, Dover, DE 19901**. The meeting will be held in the New Castle Conference Room.

If you have any questions, feel free to call me at 739-4567.

Sincerely,

Juana Fuentes-Bowles

Juana Fuentes-Bowles, Director
Division of Human Relations

JFB:sp

Xc: Harriet Smith Windsor, Secretary of State
Al Carter, Deputy Principal Assistant
David Hill, Commissioner
Calvin Christopher, Commission Chairperson

DOVER COMMUNITY MEETING MINUTES

The Delaware Human Relations Commission held a meeting on May 15, 2001 at the University of Delaware Paradee Building, Route 113 and Bay Road, Dover, Delaware. The meeting was called to order by Commissioner David W. Hill at 6:45 p.m.

Those present were: Commissioner David Hill, Director of the Human Relations Office, Juana Fuentes-Bowles, Councilpersons, Carleton Carey, Sr., William McGlumphy, John Pitts, Robert Ritter, Eugene Ruane, Stephen Speed, William Truitt, Charles Weller, President of Kent County NAACP, Cecil Wilson, Bishop Marion Lott, Mayor James Hutchinson, Chief of Police designees, Lt. Keith O'Connell and Capt. Ray Taraill, NAACP Community Activist, Travis Mishoe Sudler and NAACP Chair of Labor, Ray Sudler, Jr.

The purpose of the meeting was to begin a dialogue and develop objectives to restore and rebuild the community together with all citizens of Dover. Highlights of the May 1st meeting was discussed. Those highlights were as follows:

Partnership:

Partnering with other entities to establish a working relationship (Delaware State Housing Authority, community leaders, Government Officials, Attorney General Office, U.S. Department of Justice, HUD, Delaware State Housing Authority, Wesley College, Delaware Technical and Community College, Civic Organizations and Law Enforcement).

Media Issues:

How they can approach the Media. How the media portrays races and cultures. How media self-evaluates news.

Education/Community Outreach:

Feedback from citizens – Develop ways to dialogue with community leaders; ways to market the City of Dover, holding public meetings and how to be proactive vs. reactive approaches.

Citizen Police Academy:

How the academy functions. How it can be a resource to the community.

QUESTION #{2}

WHAT IS THE LONG RANGE GOAL OF THE HUMAN RELATIONS COMMISSION??????????????????

{ANSWER}

_____

_____

_____

OFFICIAL NOTATION:

PLEASE BE ADVISED THAT THE **{NAACP}** WOULD LIKE TO WORK CONCLUSIVELY WITH THE COMMUNITY AND NOT A SEGMENT OF HIGHER OFFICIALS.

AS OF JULY 6, 2001 THE NAACP WILL NOT COMMIT TO ANY TYPE OF PARTNERSHIP WITH VARIOUS ORGANIZATIONS.

ALSO,

ANY ATTEPT TO DISCUSS THE REGINALD HANNA CASE WILL CAUSE THE NAACP TO REMOVE THEMSELVES FROM THE PANEL.

ON BEHALF OF THE NAACP:

ROY MISHOE SUDLER ALONG WITH **TRAVIS MISHOE SUDLER** WILL REPRESENT THE NAACP TODAY [JULY 6, 2001]

DHRC 2012

Chairman's Report
Submitted by: Roy Sudler, Jr.

April 5, 2012

Submitted to: Legislative, Finance & Administration Committee
****

As an update to Chair Sudler's Self-Review and Recommendations for how the DHRC could operate more effectively within the purview of its mission statement, the Commission has moved forward towards implementing three out of the eight recommendations accepted and approved by the Legislative, Finance & Andministration Committee.

R-(1). That an in-depth discussion be held with city Council and the DHRC to clarify the intended goals and expectations of the Commission, as described in (Code 1981, & 2-20; Ord. of 2-11-2002).

On **January 26, 2012, @ approximately 3:30 p.m**. Council President Tom Leary and I met to discuss a possible date and time for the DHRC and City Council to sit down together and review the purpose, functions, and responsibilities of the DHRC in accordance with the Powers and Duties Granted by the Mayor and City Council for clearer detailed guidelines.
The meeting went well and I am looking forward to establishing a healthier relationship between the Mayor, City Council and the Dover Human Relations Commission.

R-(4). That the DHRC foster more collaborative relationships / Partnerships with other appropriate groups / organizations in working to accomplish the Commission's objectives (i.e., faith-based groups, YMCA, Dover Police, NAACP, etc).

On **March 12, 2012, @ approximately 4:03 p.m.**, I visited Delaware State University's Counseling and Public Safety Division to see if they would be willing to partner with the City of Dover's DPD & DHRC to discuss the value of Community and Student Involvement when helping Law Enforcement Agencies in Resolving Race Hate Crimes and Other Related Incidents.

On **March 28, 2012, @ approximately 9:24 p.m.,** the DHRC voted to partner with the Social Action Commission of Mt. Zion A.M.E. Church, Outreach Ministries and the Dover Police Department in an effort to discuss implementing strategies and programs for Residents of Dover to "Stop the Violence and Turn In Unregistered Firearms" to the Dover Police Department without any repercussions for Offenders and Non – Offenders of the Law.

R-(6). That the City Solicitor conducts a workshop for DHRC Member's, on "How to Interpret the DHRC Powers, Duties and City Codes Granted by the Mayor & City Council".

DHRC 2012

Chairman's Report
Submitted by: Roy Sudler, Jr.

Mr. Rodriguez [City Solicitor] **April 12, 2012**
City of Dover

RE: DHRC - Workshop on Powers & Fiduciary Duties

On **January 25, 2012, @ approximately 7:47 p.m.** the DHRC voted to obtain a better understanding as to why the Intake Form submitted by Dr. Joe Burden Jr. concerning the 3/5 Racial Slur Index Cards were removed from **February's Agenda 2012**. In an effort to help the DHRC stay within its purview with clearer operational procedures, the Commission would like to conduct a workshop under your leadership on the Powers and Duties of the Commission granted by the Mayor and City Council of Dover, Delaware.

Below are two sections that the commission would like for you to discuss first upon your earliest convenience. We thank you in advance for assisting us and we look forward to working closer with You, Mayor, and City Council of Dover, Delaware.

ARTICLE II. HUMAN RELATIONS COMMISSION

Sec. 58-31. Purpose.

(2) *Monitoring.* Develop ways to measure and monitor community relations, particularly those that are sources of intergroup conflict;

Sec. 58-33. Organization; quorum; meetings; rules of procedure; limitation of functions; agreements; compensation; legal counsel; reports.

(e) *Functions limited.* The commission shall not involve itself in activities or functions already assigned by law or decree to other governmental bodies

At this time, that will conclude Chair Sudler's Update Report on Recommendations Implemented and Approved by the Legislative, Administrative & Finance Committee.

DOVER HUMAN RELATIONS COMMISSION – 2011

Chairman's Review and Recommendations

Submitted by: Roy Sudler, Jr.

1/6/2012

****

As a summary and follow up to the DHRC – 2011 Annual Report which was submitted December 21, 2011, the following self-review and recommendations are being offered for consideration as to how the DHRC could operate more effectively within the purview of its mission. Stated in the City's code, Article II, Sec. 58-31, the DHRC was established to effectively help the City meet the following needs:

(1) The need for an environment of fairness and respect among its citizens;
(2) The need for ways to effectively measure and monitor community relations, particularly those that are sources of intergroup conflict;
(3) The need for all segments of the community to understand and appreciate positive intergroup relations;
(4) The need for programs and services to help prevent and resolve community issues and improve human relations; and
(5) The need for developing ways of anticipating, preparing for, and relieving community tensions arising from intergroup conflict.

Recognizing that the above needs have been long-term and deep-rooted, the DHRC realizes that there are no "ready-made, quick fixes," and solutions cannot be accomplished by the DHRC alone. The key words in our stated purpose are "to help the City." With that thought in mind, I offer the following observations and recommendations.

Summary:

The Commission has hosted special meetings and forums during the year in response to complaints and disruptive incidences within the Dover community. These meetings were conducted in an open and non-threatening manner, with the intention of objectively reviewing the circumstances and handling of various situations. The Commission has often asked questions and sought information from the Dover Police Department and others in an effort to determine whether the handling of situations appeared to treat everyone fairly, and in a manner which helped to create an environment of fairness, dignity and respect. The Commission has also collaborated with other community agencies, organizations, City and State officials in seeking ways of addressing identified needs and concerns regarding human relations and relieving tensions arising from intergroup conflict within the City. An example of this was displayed when the DHRC was effectively used as a mediator in

resolving an alleged unfair treatment claim against the City's Housing Code Enforcement Division. The Commission was able to reflect the individual's concerns while conveying to him how important it was for him to be in compliance with the codes. Today, both parties are working together in an effort to permanently resolve this matter.

Recommendations:

(1) That an in-depth discussion be held with City Council and the DHRC to clarify the intended goals and expectations of the Commission, as described in (Code 1981, & 2-20; Ord. of 2-11-2002). This should insure that each group has the same understanding of the purpose, functions, responsibilities, and expectations of the Commission. As Councilwoman, Sophia Russell stated, "the Dover Human Relations Commission would function more effectively through clearer detailed guidelines and procedures for the Commission."

(2) That the DHRC work with the Mayor's Office in developing detailed written guidelines and operational procedures for exercising and accomplishing the Commission's seven (7) Powers and Duties, as delineated in Sec. 58-36. Perhaps this should include definitions, explanations, clarifications of "functions limited," ways to determine when/what they are, and even protocol for soliciting/receiving other funds.

(3) That a youth commissioner be added to the Commission. This would help to expand the Commission's inclusion of representation from the entire community. It could also help with developing ways to measure and monitor community relations.

(4) That the DHRC foster more collaborative relationships/partnerships with other appropriate groups/organizations in working to accomplish the Commission's objectives (i.e., faith-based groups, YMCA, Dover Police, NAACP, etc).

(5) That the DHRC be granted authorization to receive training for investigating and monitoring claims of unfair treatment, exclusion, and racial tension in accordance with its purpose, responsibilities, and functions. Other suggested trainings would include the Mediation Process by the Center of Community Justice in an effort to help diffuse/eradicate conflicts.

(6) That the City Solicitor conducts a workshop for DHRC members On "How to Interpret the DHRC Powers, Duties, and City Codes." This should help commission members to function more effectively within the guidelines of the DHRC's purpose.

(7) That the DHRC and City Council work together to develop and approve a Long-range Strategic Plan and Annual Operational Plan for the DHRC. This would greatly enhance the Commission's and City's ability to monitor, measure, and evaluate effectiveness of the City and the Commission in meeting its five (5) stated needs.

(8) That professional training be provided for the DHRC in "How to Develop a Strategic Plan."

1 Being a Prepared Tenant in Delaware

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2 The Landlord Tenant Code

- **The operative code under which all Delaware residential landlord tenant relationships operate is found in the Delaware Code in Title 25, Property, Residential Landlord Tenant Code.**
- **25 Del. Code. §5101-§5718**
- http://delcode.delaware.gov/
  - Click on Title 25- Property go to 5101

3 Manufactured Home Owners and Community Owners Act

- **This code regulates all rentals of lots for the placement of manufactured homes in Delaware.**
- **The Manufactured Home Communities act DOES NOT govern the rental of manufacture homes, only the rental of the lot. So if a tenant is renting the lot and the home, then two code apply.**
- **25 Del. Code § 7001-7025.**
- http://delcode.delaware.gov/
  - Click on Title 25- Property then go to 7001 et seq

4 Local Codes

- **Wilmington Code, Chapter 34**
- **NCC Code, BOCA National Property Maintenance Code**
  - **Complaint generated compliance visits**
  - **Tenants Rights Guide**
  - **Yearly registration**
  - **Protocol for Random Inspections**
  - **Enforcement or penalty sections**
- **City of Newark**

5 Landlord as defined in Section 5141

- **The owner, lessor or sub-lessor of the rental unit or the property of which it is a part and, in addition, shall mean any person authorized to exercise any aspect of the management of the premises, including any person who, directly or indirectly, receives rents or any part thereof other than as a bona fide purchaser and who has no obligation to deliver the whole of such receipts to another person; or**
- **Any person held out by any landlord as the appropriate party to accept performance, whether such person is a landlord or not; or**
- **Any person with whom the tenant normally deals as a landlord; or**
- **Any person to whom the person specified in subparagraphs b. and c. of this paragraph is directly or ultimately responsible.**

6 Landlord as defined in Section 7003

- **"Landlord" or "community owner" means the owner of 2 or more manufactured home lots offered for rent. It includes a lessor, sub-lessor, park owner or receiver of 2 or more manufactured home lots offered for rent, as well as any person, other than a lender not in possession, who directly or indirectly receives rents for 2 or more manufactured home lots offered for rent and who has no obligation to deliver such rents to another person.**

7 Tenant

- **The Residential Code defines Tenant as follows:**
  - **"Tenant" shall mean a person entitled under a rental agreement to occupy a rental unit to the exclusion of others, and the word "tenant" shall include an occupant of any premises pursuant to a conditional sales agreement.**
- **Section 7003 reads in relevant part:**
  - **"Tenant" or "home owner" means an owner of a manufactured home who has a tenancy of a lot in a manufactured home community; a lessee.**

8 Lease (AKA Rental Agreement)

- The Residential Code defines it as follows;
  - "Rental agreement" shall mean and include all agreements, written or oral, which establish or modify the terms, conditions, rules, regulations or any other provisions concerning the use and occupancy of a rental unit.
- Section 7003 reads in relevant part:
  - "Lease" or "rental agreement" means a written contract between a landlord and a tenant establishing the terms and conditions whereby a manufactured home is placed upon or is allowed to remain upon a rented or leased lot in a manufactured home community.

9 Rent

- The Residential Code does not define rent but has several relevant provisions that say what is considered rent.
  - Late fees are considered rent. §5501(d) says in part: "A late fee is considered as additional rent for the purposes of this code."
  - § 5312 says in relevant part: (e) Charges for utility services made by a landlord to a tenant shall be considered rent for all purposes under this Code.
- Section 7003 reads in relevant part:
  - "Rent" means money paid by a tenant to a landlord for the possession, use and enjoyment of a rented lot and other parts of the premises in a manufactured home community pursuant to a rental agreement. For purposes of summary possession, rent includes late fees for rent, other fees and charges, including utility charges, and the tenant's share of the Delaware Manufactured Home Relocation Trust Fund assessment.

10 What to do before you rent?

- Condition of the rental unit
  - Take photographs
  - Ask for written check list for deficiencies
  - Make sure they turn in sheet and keep a copy
  - Remember Code protects you for promises of repairs.

11 § 5302. Tenant remedy; termination at the beginning of term.

- (a) If the landlord fails to substantially conform to the rental agreement, or if there is a material noncompliance with any code, statute, ordinance or regulation governing the maintenance or operation of the premises, the tenant may, on written notice to the landlord, terminate the rental agreement and vacate the premises at any time during the 1st month of occupancy, so long as the tenant remains in possession in reliance on a promise, whether written or oral, by the landlord to correct all or any part of the condition or conditions which would justify termination by the tenant under this section.
- (b) If the tenant remains in possession in reliance on a promise, whether written or oral, by the landlord, to correct all or any part of the condition or conditions which would justify termination by the tenant under this section; and if substantially the same act or omission which constitutes a prior noncompliance, of which prior notice was given under subsection (a) of this section, recurs within 6 months, the tenant may terminate the rental agreement upon at least 15 days' written notice, which notice shall specify the breach and the date of termination of the rental agreement.

12 § 5302 continued

- (c) If there exists any condition which deprives the tenant of a substantial part of the benefit or enjoyment of the tenant's bargain, the tenant may notify the landlord in writing of the condition; and, if the landlord does not remedy the condition within 15 days, the tenant may terminate the rental agreement. The tenant must then initiate an action in the Justice of the Peace Court seeking a determination that the landlord has breached the rental agreement by depriving the tenant of a substantial part of the benefit or enjoyment of the bargain and may seek damages, including a rent deduction from the date written notice of the condition was given to the landlord.
- (d) If the condition referred to in subsection (c) of this section was caused willfully or negligently by the landlord, the tenant may recover the greater of:
- (1) The difference between the rent payable under the rental agreement and all expenses necessary to obtain equivalent substitute housing for the remainder of the rental term; or
- (2) An amount equal to 1 month's rent and the security deposit.
- (e) The tenant may not terminate the rental agreement for a condition caused by the want of due care by the tenant, a member of tenant's family or any other person on the premises with the tenant's consent. If a tenant terminates wrongfully, the tenant shall remain obligated under the rental agreement. (70 Del. Laws, c. 513, §§ 2.)

13 §§ 5104. Obligations of good faith.

- **Every duty under this Code, and every act which must be performed as a condition precedent to the exercise of a right or remedy under this Code, imposes an obligation of good faith in its performance or enforcement.**

14 §§ 5116. Fair housing provisions

- (a) No person, being an owner or agent of any real estate, house, apartment or other premises, shall refuse or decline to rent, sublet, sublease, assign or cancel any existing rental agreement to or of any tenant or any person by reason of race, creed, religion, marital status, color, sex, national origin, disability, age or occupation or because the tenant or person has a child or children in the family.
- (b) No person shall demand or receive a greater sum as rent for the use and occupancy of any premises because the person renting or desiring to rent the premises is of a particular race, creed, religion, marital status, color, sex, national origin, disability, age or occupation or has a child or children in the family.
- (c) In the event of discrimination under this section, the tenant may recover damages sustained as a result of the landlord's action, including, but not limited to, reasonable expenditures necessary to obtain adequate substitute housing.
- (d) Notwithstanding subsection (a) of this section relating to age discrimination, and consistent with federal and state fair housing acts, a landlord may make rental units available exclusively for rental by senior citizens. A senior citizen rental unit shall be available for rent solely to senior citizens, without regard to race, creed, religion, marital status, color, sex, national origin, disability or occupation of the senior citizen and without regard to whether or not the senior citizen has a dependent child or children in the residence.
- This section is enforced by the Human Relations Commission.

15 §§ 5106. Rental agreement; term and termination of rental agreement.

- (a) No rental agreement, unless in writing, shall be effective for a longer term than 1 year.
- (b) Where no term is expressly provided, a rental agreement for premises shall be deemed and construed to be for a month-to-month term.
- (c) The landlord may terminate any rental agreement, other than month-to-month agreements, by giving a minimum of 60 days' written notice to the

tenant prior to the expiration of the term of the rental agreement. The notice shall indicate that the agreement shall terminate upon its expiration date. A tenant may terminate a rental agreement by giving a minimum of 60 days' written notice prior to the expiration of the term of the rental agreement that the agreement shall terminate upon its expiration date.

- (d) Where the term of the rental agreement is month-to-month, the landlord or tenant may terminate the rental agreement by giving the other party a minimum of 60 days' written notice, which 60-day period shall begin on the 1st day of the month following the day of actual notice.
- (e) With regard to a tenant occupying a federally-subsidized housing unit, in the event of any conflict between the terms of this Code and the terms of any federal law, regulations or guidelines, the terms of the federal law, regulations or guidelines shall control.

16 ☐ **§§ 5107. Renewals of rental agreements with modifications**

- (a) If the landlord intends to renew the rental agreement subject to amended or modified provisions, the landlord shall give the tenant a minimum of 60 days' written notice prior to the expiration of the rental agreement that the agreement shall be renewed subject to amended or modified provisions, including, but not limited to, amended provisions relating to the length of term or the amount of security deposit or rent. Such notice shall specify the modified or amended provisions, the amount of any rent or security deposit and the date on which any modifications or amendments shall take effect.
- (b) After receipt of such notice from the landlord, unless the tenant notifies the landlord of the tenant's intention to terminate the existing rental agreement a minimum of 45 days prior to the last day of the term, the provisions of the amended or modified rental agreement shall be deemed to have been accepted and agreed to by the tenant, and the terms of the lease, as amended, shall take full force and effect.
- (c) If the tenant rejects the modified terms or provisions set forth in a notice of renewal given under this section, then the rejected notice of renewal shall be considered an effective termination notice.
- (d) The terms of subsections (a) through (c) of this section shall not be applicable where the tenant's rent and security deposit are a function of the tenant's income in accordance with any form of regulations or guidelines of the United States Department of Housing and Urban Development (HUD); in the event that they are a function of income, the regulations and guidelines established by HUD with regard to the determination and future adjustments of a tenant's rent and security deposit shall govern, with regard to a tenant's occupying HUD-subsidized units. In the event of any conflict between the terms of this Code and the terms of any HUD regulation or guideline, the terms of a HUD regulation or guideline shall control. (70 Del. Laws, c. 613, §§ 1.)

17 ☐ **§§ 5108. Rental agreement; automatic extension**

- (a) Where a rental agreement, other than for farm unit, is for 1 or more years, and 60 days or upward before the end of the term either the landlord does not give notice in writing to the tenant of landlord's intention to terminate the rental agreement and the tenant does not give 45 days' notice to the landlord of tenant's intention to terminate the rental agreement, the term shall be month-to-month, and all other terms of the rental agreement shall continue in full force and effect.
- (b) The provisions of §§ 5107(a) through (c) of this title shall control if a notice of renewal with modifications has been sent.
- (c) With regard to a tenant occupying a federally-subsidized housing unit, in the event of any conflict between the terms of this Code and the terms of any federal law, regulations or guidelines, the terms of the federal law, regulations or guidelines shall control.

18 ☐ **§ 5109. Rental agreement; promises mutual and dependent**

- (a) Material promises, agreements, covenants or undertakings of any kind to be performed by either party to a rental agreement shall be interpreted as mutual and dependent conditions to the performance of material promises, agreements, covenants and undertakings by the other party.
- (b) A party undertaking to remedy a breach by the other party in accordance with this Code shall be deemed to have complied with the terms of this Code if their noncompliance with the exact instructions of this Code is nonmaterial and non prejudicial to the other party.

19 ☐ **§§ 5110. Rental agreement; effect of unsigned rental agreement**

- (a) If the landlord does not sign a written rental agreement which has been signed and tendered to the landlord by the tenant, acceptance of rent without reservation by the landlord shall give to the rental agreement the same effect as if it had been signed by the landlord.
- (b) If the tenant does not sign a written rental agreement which has been signed and tendered to the tenant by the landlord, acceptance of possession and payment of rent by the tenant, without reservation, shall give to the rental agreement the same effect as if it had been signed by the tenant.
- (c) Where a rental agreement which has been given effect by the operation of this section provides by its terms for a term longer than 1 year, it shall operate to create only a 1-year term.

20 ☐ **Verbal rental agreements.**

- **Are recognized under the code, but are not recommended.**

21 ☐ **§§ 5101. Applicability of Code**

- (a) This Code shall regulate and determine all legal rights, remedies and obligations of all parties and beneficiaries of any rental agreement of a rental unit within this State, wherever executed. Any rental agreement, whether written or oral, shall be unenforceable insofar as the agreement or any provision thereof conflicts with any provision of this Code, and is not expressly authorized herein. The unenforceability shall not affect other provisions of the agreement which can be given effect without the void provision.

22 ☐ **§§ 5501. Tenant obligations; rent**

- (a) The landlord and tenant shall agree to the consideration for rent. In the absence of such agreement, the tenant shall pay to the landlord a reasonable sum for the use and occupation of the rental unit.
- (b) Rent shall be payable at the time and place agreed to by the parties. Unless otherwise agreed, the entire rent shall be payable at the beginning of any term for 1 month or less, while 1 month's rent shall be payable at the beginning of each month of a longer term.
- (c) Except for purposes of payment, rent shall be uniformly apportioned from day to day.
- (d) Where the rental agreement provides for a late charge payable to the landlord for rent not paid at the agreed time, such late charge shall not exceed 5 percent of the monthly rent. A late charge is considered as additional rent for the purposes of this Code. The late charge shall not be imposed within 5 days of the agreed time for payment of rent. The landlord shall, in the county in which the rental unit is located, maintain an office or other permanent place for receipt of payments, where rent may be timely paid. Failure to maintain such an office, or other permanent place of payment where rent may be timely paid, shall extend the agreed on time for payment of rent by 3 days beyond the due date.
- (e) If a landlord accepts a cash payment for rent, the landlord shall, within 15 days, give to the tenant a receipt for that payment. The landlord shall, for a period of 3 years, maintain a record of all cash receipts for rent.

23 ☐ **Other Fees**

- **The code has a number of provisions governing what fees can or cannot be charged. As previously mentioned you can charge a late fee. See §5501 above. You may also be charged an application fee. Assurance money is prohibited, and all other fees are**

covered by §5311.

§5514

- (d) Where a tenant is required to pay a fee to determine the tenant's credit worthiness, such fee is an application fee. A landlord may charge an application fee, not to exceed the greater of either 10 percent of the monthly rent for the rental unit or $50, to determine a tenant's credit worthiness. The landlord shall, upon receipt of any money paid as an application fee, furnish a receipt to the tenant for the full amount paid by the tenant, and shall maintain for a period of at least 2 years, complete records of all application fees charged and amounts received for each such fee. Where the landlord unlawfully demands more than the allowable application fee, the tenant shall be entitled to damages equal to double the amount charged as an application fee by the landlord.

§§ 5310. "Assurance money" prohibited

- (a) In every transaction wherein an application is made by a prospective tenant to lease a dwelling unit, the prospective landlord or owner of the dwelling unit shall not ask for, nor receive, any "assurance money" or other payment which is not an application fee, security deposit, pet deposit or similar deposit reserving the dwelling unit for the prospective tenant for a time certain. The prospective landlord shall not charge the prospective tenant, as a fee for any credit or other type of investigation, any more than the specific cost of such investigation. For purposes of this section, "assurance money" shall mean any payment to the prospective landlord by a prospective tenant, except an application fee, a payment in the way of a security deposit, pet deposit or similar deposit, reserving the dwelling unit for the prospective tenant for a time certain or the reimbursing of the specific sums expended by the landlord in credit or other investigations.

Assurance Money Continued

- (b) Each landlord shall retain, for a period of 6 months, the records of each application made by any prospective tenant. Upon any complaint of a violation of this section, the Consumer Protection Unit of the Attorney General's office shall investigate the same, shall interview tenants of the landlord and shall, under appropriate search warrant, have the right to investigate all records of the landlord pertaining to applications made within the preceding 6 months. If such investigation reveals good cause for the Attorney General's office to believe there has been a violation of this section, the Attorney General's office may issue such cease and desist orders in accordance with §§ 2517 of Title 29 as are required to remedy the violation.

§§ 5311 Fees

- **Except for an optional service fee for actual services rendered, such as a pool fee or tennis court fee, a landlord shall not charge to a tenant any nonrefundable fee as a condition for occupancy of the rental unit.**

§§ 5301. Landlord obligation; rental agreement

- (a) A rental agreement shall not provide that a tenant:
- (1) Agrees to waive or forego rights or remedies under this Code;
- (2) Authorizes any person to confess judgment on a claim arising out of the rental agreement;
- (3) Agrees to the exculpation or limitation of any liability of the landlord arising under law or to indemnify the landlordfor that liability or the costs connected therewith.
- (b) A provision prohibited by subsection (a) of this section which is included in the rental agreement is unenforceable. If a landlord attempts to enforce provisions of a rental agreement known by the landlord to be prohibited by subsection (a) of this section the tenant may bring an action to recover an amount equal to 3 months rent, together with costs of suit but excluding attorneys' fees.

§§ 5111. Attorney's fees prohibited

- **No provision in a rental agreement providing for the recovery of attorney's fees by either party in any suit, action or proceeding arising from the tenancy shall be enforceable.**

§§ 5107. Renewals of rental agreements with modifications

- (a) If the landlord intends to renew the rental agreement subject to amended or modified provisions, the landlord shall give the tenant a minimum of 60 days' written notice prior to the expiration of the rental agreement that the agreement shall be renewed subject to amended or modified provisions, including but not limited to, amended provisions relating to the length of term or the amount of security deposit or rent. Such notice shall specify the modified or amended provisions, the amount of any rent or security deposit and the date on which any modifications or amendments shall take effect.
- (b) After receipt of such notice from the landlord, unless the tenant notifies the landlord of the tenant's intention to terminate the existing rental agreement a minimum of 45 days prior to the last day of the term, the provisions of the amended or modified rental agreement shall be deemed to have been accepted and agreed to by the tenant, and the terms of the lease, as amended, shall take full force and effect.

Renewals with modifications

- (c) If the tenant rejects the modified terms or provisions set forth in a notice of renewal given under this section, then the rejected notice of renewal shall be considered an effective termination notice.
- (d) The terms of subsections (a) through (c) of this section shall not be applicable where the tenant's rent and security deposit are a function of the tenant's income in accordance with any form of regulations or guidelines of the United States Department of Housing and Urban Development (HUD); in the event that they are a function of income, the regulations and guidelines established by HUD with regard to the determination and future adjustments of a tenant's rent and security deposit shall govern. With regard to a tenant's occupying HUD-subsidized units, in the event of any conflictbetween the terms of this Code and the terms of any HUD regulation or guideline, the terms of a HUD regulation or guideline shall control.

§§ 5108. Rental agreement; automatic extension of agreements

- (a) Where a rental agreement, other than for farm unit, is for 1 or more years, and 60 days or upward before the end of the term either

the landlord does not give notice in writing to the tenant of landlord's intention to terminate the rental agreement and the tenant does not give 45 days' notice to the landlord of tenant's intention to terminate the rental agreement, the term shall be month-to-month, and all other terms of the rental agreement shall continue in full force and effect.

- (b) The provisions of §§ 5107(a) through (c) of this title shall control if a notice of renewal with modifications has been sent.
- (c) With regard to a tenant occupying a federally-subsidized housing unit, in the event of any conflict between the terms of this Code and the terms of any federal law, regulations or guidelines, the terms of the federal law, regulations or guidelines shall control.

33 ☐

§§ 5514. Security deposit

- (a)(1) A landlord may require the payment of security deposit.
- (2) No landlord may require a security deposit in excess of 1 month's rent where the rental agreement is for 1 year or more.
- (3) No landlord may require a security deposit in excess of 1 month's rent (with the exception of federally-assisted housing regulations), for primary residential tenancies of undefined terms or month to month where the tenancy has lasted 1 year or more. After the expiration of 1 year, the landlord shall immediately return, as a credit to the tenant, any amount in excess of 1 month's rent.
- (4) The security deposit limits set forth above shall not apply to furnished rental units.

34 ☐

- (b) Each security deposit shall be placed by the landlord in an escrow bank account in a federally-insured banking institution with an office that accepts deposits within the State. Such account shall be designated as a security deposits account and shall not be used in the operation of any business by the landlord. The landlord shall disclose to the tenant the location of the security deposit account. The security deposit principal shall be held and administered for the benefit of the tenant, and the tenant's claim to such money shall be prior to that of any creditor of the landlord, including, but not limited to, a trustee in bankruptcy, even if such money is commingled.

35 ☐

Security Deposit continued

- (c) The purpose of the security deposit shall be:
- (1) To reimburse the landlord for actual damages caused to the premises by the tenant which exceed normal wear and tear, or which cannot be corrected by painting and ordinary cleaning; and/or
- (2) To pay the landlord for all rental arrearage due under the rental agreement, including late charges and rental due for premature termination or abandonment of the rental agreement by the tenant; and/or
- (3) To reimburse the landlord for all reasonable expenses incurred in renovating and renting the premises caused by the premature termination of the rental agreement by the tenants, which includes termination pursuant to §§ 5314 of this title, providing that reimbursement caused by termination pursuant to §§ 5314 of this title shall not exceed 1 month's rent.
- by the landlord.

36 ☐

Security Deposit continued

- (d) Where a tenant is required to pay a fee to determine the tenant's credit worthiness, such fee is an application fee. A landlord may charge an application fee, not to exceed the greater of either 10 percent of the monthly rent for the rental unit or $50, to determine a tenant's credit worthiness. The landlord shall, upon receipt of any money paid as an application fee, furnish a receipt to the tenant for the full amount paid by the tenant, and shall maintain for a period of at least 2 years, complete records of all application fees charged and amounts received for each such fee. Where the landlord unlawfully demands more than the allowable application fee, the tenant shall be entitled to damages equal to double the amount charged as an application fee

37 ☐

§§ 5514. Security deposit cont.

- (e) If the landlord is not entitled to all or any portion of the security deposit, the landlord shall remit the security deposit within 20 days of the expiration or termination of the rental agreement.
- (f) Within 20 days after the termination or expiration of any rental agreement, the landlord shall provide the tenant with an itemized list of damages to the premises and the estimated costs of repair for each and shall tender payment for the difference between the security deposit and such costs of repair of damage to the premises. Failure to do so shall constitute an acknowledgment by the landlord that no payment for damages is due. Tenant's acceptance of a payment submitted with an itemized list of damages shall constitute agreement on the damages as specified by the landlord, unless the tenant, within 10 days of the tenant's receipt of such tender of payment, objects in writing to the amount withheld by the landlord.
- (

38 ☐

Security Deposit continued

- g) Penalties. --
- (1) Failure to remit the security deposit or the difference between the security deposit and the amount set forth in the list of damages within 20 days from the expiration or termination of the rental agreement shall entitle the tenant to double the amount wrongfully withheld.

39 ☐

§§ 5514. Security deposit cont.

- (2) Failure by a landlord to disclose the location of the security deposit account within 20 days of a written request by a tenant or failure by the landlord to deposit the security deposit in a federally-insured financial institution with an office that accepts deposits within the State, shall constitute forfeiture of the security deposit by the landlord to the tenant. Failure by the landlord to return the full security deposit to the tenant within 20 days from the effective date of forfeiture shall entitle the tenant to double the amount of the security deposit.

Security Deposit continued

- h) All communications and notices, including the return of any security deposit under this section, shall be directed to the landlord at the address specified in the rental agreement and to the tenant at an address specified in the rental agreement or to a forwarding address, if provided in writing by the tenant at or prior to the termination of the rental agreement. Failure by the tenant to provide such address shall relieve the landlord of landlord's responsibility to give notice herein and landlord's liability for double the amount of the security deposit as provided herein, but the landlord shall continue to be liable to the tenant for any unused portion of the security deposit; provided, that the tenant shall make a claim in writing to the landlord within 1 year from the termination or expiration of the rental agreement.

§§ 5514. Security deposit cont.

- (i) Pet deposits. --
- (1) A landlord may require a pet deposit. Damage to the rental unit caused by an animal shall first be deducted from the pet deposit. Where the pet deposit is insufficient, such damages may be deducted from the security deposit. A pet deposit is subject to subsections (b), (e), (f), (g) and (h) of this section.
- (2) No landlord may require a pet deposit in excess of 1 month's rent, regardless of the duration of the rental agreement.
- (3) A landlord may require an additional deposit from a tenant with a pet, but shall not require any pet deposit from a tenant if the pet is a duly certified and trained support animal for a disabled person who is a resident of the rental unit.
- (j) If the rental agreement so specifies, a landlord may increase the security deposit commensurate with the rent. If the increase of the security deposit will exceed 10 percent of the monthly rent, payment of the increased security deposit shall be prorated over the term of the rental agreement, except in the case of month-to-month tenancy, in which case payment of the increase shall be prorated over a period of 4 months.

§§ 5511. Rules and regulations; tenant obligations

- (a) The tenant and all others in the premises with the consent of the tenant shall obey all obligations or restrictions, whether denominated by the landlord as "rules," "regulations," "restrictions" or otherwise, concerning the tenant's use, occupation and maintenance of the rental unit, appurtenances thereto and the property of which the rental unit is a part, if:
- (1) Such obligations and restrictions promote the health, safety, quiet, private enjoyment or welfare, peace and order of the tenants; promote the preservation of the landlord's property from abuse; and promote the fair distribution of services and facilities provided for all tenants generally; and
- (2) Such obligations and restrictions are brought to the attention of the tenant at the time of the tenant's entry into the agreement to occupy the rental unit; and
- (3) Such obligations and restrictions are reasonably related to the purpose for which they are promulgated; and
- (4) Such obligations and restrictions apply to all tenants of the property in a fair manner; and

§§ 5511. Rules and regulations; tenant obligations cont..

- (5) Such obligations and restrictions are sufficiently explicit in the prohibition, direction or limitation of the tenant's conduct to fairly inform tenant of what tenant must or must not do to comply; and
- (6) Such obligations or restrictions, if not made known to the tenant at the commencement of tenancy, are brought to the attention of the tenant and if said obligations work a substantial modifications of the lease agreement they have been consented to in writing by tenant.
- (b) All tenants and other guests of the premises with the consent of tenant shall conduct themselves in a manner that does not unreasonably interfere with the peaceful enjoyment of the other tenants.

Practice pointers

- 7. Condition of the rental unit.
- A. Tenant complaints. All complaints must be in writing and must be delivered by one of the recognized methods of delivery of notices. Key considerations are do the complaints have to do with essential services, conditions of the unit, or loss from fire or other loss. The following sections sets forth most of the landlord obligations concerning the condition of the property. Failure to comply with any of these can result in a complaint from tenant.

§§ 5305. Landlord obligations relating to the rental unit

- (a) The landlord shall, at all times during the tenancy:
- (1) Comply with all applicable provisions of any state or local statute, code, regulation or ordinance governing the maintenance, construction, use or appearance of the rental unit and the property of which it is a part;
- (2) Provide a rental unit which shall not endanger the health, welfare or safety of the tenants or occupants and which is fit for the purpose for which it is expressly rented;
- (3) Keep in a clean and sanitary condition all common areas of the buildings, grounds, facilities and appurtenances thereto which are maintained by the landlord;
- (4) Make all repairs and arrangements necessary to put and keep the rental unit and the appurtenances thereto in as good a condition as they were, or ought by law or agreement to have been, at the commencement of the tenancy; and
- (5) Maintain all electrical, plumbing and other facilities supplied by the landlord in good working order.

§§ 5305. Landlord obligations relating to the rental unit cont..

- (b) If the rental agreement so specifies, the landlord shall:
- (1) Provide and maintain appropriate receptacles and conveniences for the removal of ashes, rubbish and garbage and arrange for the frequent removal of such waste; and
- (2) Supply or cause to be supplied, water, hot water, heat and electricity to the rental unit.
- (c) The landlord and tenant may agree by a conspicuous writing, separate from the rental agreement, that the tenant is to perform specified repairs, maintenance tasks, alterations or remodeling, but only if:
- (1) The particular work to be performed by the tenant is for the primary benefit of the rental unit; and
- (2) The work is not necessary to bring a noncomplying rental unit into compliance with a building or housing code, ordinance or the

like; and

47 Landlord obligations

- (3) Adequate consideration, apart from any provision of the rental agreement, or a reduction in the rent is exchanged for the tenant's promise. In no event may the landlord treat any agreement under this subsection as a condition to any provision of rental agreements; and
- (4) The agreement of the parties is entered into in good faith and is not for the purpose of evading an obligation of the landlord.
- (d) Evidence of compliance with the applicable building and housing codes shall be prima facie evidence that the landlord has complied with this chapter or with any other chapter of Part III of this title.

48 §§ 5308. Essential services; landlord obligation and tenant remedies

- (a) If the landlord substantially fails to provide hot water, heat, water or electricity to a tenant, or fails to remedy any condition which materially deprives a tenant of a substantial part of the benefit of the tenant's bargain in violation of the rental agreement; or in violation of a provision of this Code; or in violation of an applicable housing code and such failure continues for 48 hours or more, after the tenant gives the landlord actual or written notice of the failure, the tenant may:
- (1) Upon written notice of the continuation of the problem to the landlord, immediately terminate the rental agreement; or
- (2) Upon written notice to the landlord, keep two-thirds per diem rent accruing during any period when hot water, heat, water, electricity or equivalent substitute housing is not supplied. The landlord may avoid this liability by a showing of impossibility of performance.

49 Essential services

- (b) If the tenant has given the notice required under subsection (a) of this section and remains in the rental unit and the landlord still fails to provide water, hot water, heat and electricity to the rental unit as specified in the applicable city or county housing code in violation of the rental agreement, the tenant may:
- (1) Upon written notice to the landlord, immediately terminate the rental agreement; or

50 §§ 5308. Essential services; landlord obligation and tenant remedies cont...

- (2) Upon notice to the landlord, procure equivalent substitute housing for as long as heat, water, hot water or electricity is not supplied, during which time the rent shall abate, and the landlord shall be liable for any additional expense incurred by the tenant, up to one half of the amount of abated rent. This additional expense shall not be chargeable to the landlord if landlord is able to show impossibility of performance; or
- (3) Upon written notice to the landlord, tenant may withhold two-thirds per diem rent accruing during any period when hot water, heat, water or equivalent substitute housing is not supplied.
- (c) Rent withholding does not act as a bar to the subsequent recovery of damages by a tenant if those damages exceed the amount withheld.

51 Rent withholding provisions

- (d) Where a landlord files an action for summary possession, claiming that a tenant has wrongfully withheld rent or deducted money from rent under this section and the court so finds, the landlord shall be entitled to receive from the tenant either possession of the premises or an amount of money equal to the amount wrongfully withheld ("damages") or, if the court finds the tenant acted in bad faith, an amount of money equal to double the amount wrongfully withheld ("double damages"). In the event the court awards damages or double damages and court costs excluding attorneys' fees, then the court shall issue an order requiring such damages or double damages to be paid by the tenant to the landlord within 10 days from the date of the court's judgment. If such damages are not paid in accordance with the court's order, the judgment for damages or double damages, together with court costs, shall become a judgment for the amount withheld, plus summary possession, without further notice to the tenant.

52 §§ 5309. Fire and casualty damage; landlord obligation and tenant remedies

- (a) If the rental unit or any other property or appurtenances necessary to the enjoyment thereof are damaged or destroyed by fire or casualty to an extent that enjoyment of the rental unit is substantially impaired, and such fire or other casualty occurs without fault on the part of the tenant, or a member of the tenant's family, or another person on the premises with the tenant's consent, the tenant may:
- (1) Immediately quit the premises and promptly notify the landlord, in writing, of the tenant's election to quit within 1 week after vacating, in which case the rental agreement shall terminate as of the date of vacating. If the tenant fails to notify the landlord of the tenant's election to quit, the tenant shall be liable for rent accruing to the date of the landlord's actual knowledge of the tenant's vacating the rental unit or impossibility of further occupancy; or

53 Fire, water and other issues

- (2) If continued occupancy is lawful, vacate any part of the premises rendered unusable by fire or casualty, in which case the tenant's liability for rent shall be reduced in proportion to the diminution of the fair rental value of the rental unit.
- (b) If the rental agreement is terminated, the landlord shall timely return any security deposit, pet deposit and pre-paid rent, except that to which the landlord is entitled to retain pursuant to this Code. Accounting for rent in the event of termination or apportionment shall be made as of the date of the fire or casualty.

54 §§ 5307. Tenant's remedies relating to the rental unit; repair and deduction from rent

- (a) If the landlord of a rental unit fails to repair, maintain or keep in a sanitary condition the leased premises or perform in any other manner required by statute, code or ordinance, or as agreed to in the a rental agreement; and, if after being notified in writing by the tenant to do so, the landlord:
- (1) Fails to remedy such failure within 30 days from the receipt of the notice; or

- (2) Fails to initiate reasonable corrective measures where appropriate, including, but not limited to, the obtaining of an estimate of the prospective costs of the correction, within 10 days from the receipt of the notice;
- Then the tenant may immediately do or have done the necessary work in a professional manner. After the work is done, the tenant may deduct from the rent a reasonable sum, not exceeding $200, or one-half of 1 month's rent, whichever is less, for the expenditures by submitting to the landlord copies of those receipts covering at least the sum deducted.

55 ☐ **Tenant Remedies**

- b) In no event may a tenant repair or cause anything to be repaired at the landlord's expense when the condition complained of was caused by the want of due care by the tenant, a member of the tenant's family or another person on the premises with the tenant's consent.
- (c) A tenant who is otherwise delinquent in the payment of rent may not take advantage of the remedies provided in this section.
- (d) The tenant is liable for any damage to persons or property where such damage was caused by the tenant or by someone authorized by the tenant in making said repairs.

56 ☐ **§5302 Tenant Remedy**

- **e) The tenant may not terminate the rental agreement for a condition caused by the want of due care by the tenant, a member of tenant's family or any other person on the premises with the tenant's consent. If a tenant terminates wrongfully, the tenant shall remain obligated under the rental agreement.**

57 ☐ **§ 5505. Tenant's obligation relating to defective conditions**

- (a) Any defective condition of the premises which comes to the tenant's attention, and which the tenant has reason to believe is the duty of the landlord or of another tenant to repair, shall be reported in writing by the tenant to the landlord as soon as is practicable. The tenant shall be responsible for any liability or injury resulting to the landlord as a result of the tenant's failure to timely report such condition.
- (b) A tenant on whom a complaint in ejectment or an action against the premises is served shall immediately notify the landlord in writing.
- C) The provisions of this section shall not apply where the landlord has actual notice of the defective condition

58 ☐ **§5514...**

- c) The purpose of the security deposit shall be:
  - (1) To reimburse the landlord for actual damages caused to the premises by the tenant which exceed normal wear and tear, or which cannot be corrected by painting and ordinary cleaning; and/or
  - (2) To pay the landlord for all rental arrearage due under the rental agreement, including late charges and rental due for premature termination or abandonment of the rental agreement by the tenant; and/or
  - (3) To reimburse the landlord for all reasonable expenses incurred in renovating and renting the premises caused by the premature termination of the rental agreement by the tenants, which includes termination pursuant to § 5314 of this title, providing that reimbursement caused by termination pursuant to § 5314 of this title shall not exceed 1 month's rent.

59 ☐ **For abandonment: §5507...**

- (d) If the tenant wrongfully quits the rental unit and unequivocally indicates by words or deeds the tenant's intention not to resume tenancy, such action by the tenant shall entitle the landlord to proceed as specified elsewhere in this chapter and the tenant shall be liable for the lesser of the following for such abandonment:
- (1) The entire rent due for the remainder of the term and expenses for actual damages caused by the tenant (other than normal wear and tear) which are incurred in preparing the rental unit for a new tenant; or
- (2) All rent accrued during the period reasonably necessary to re-rent the premises at a fair rental; plus the difference between such fair rental and the rent agreed to in the prior rental agreement; plus expenses incurred to re-rent; repair damage caused by the tenant (beyond normal wear and tear); plus a reasonable commission, if incurred by the landlord for the re-renting of the premises. In any event, the landlord has a duty to mitigate damages

60 ☐ **§ 5513. Landlord remedies relating to breach of rules and covenants**

- (a) If the tenant breaches any rule or covenant which is material to the rental agreement, the landlord shall notify the tenant of such breach in writing, and shall allow at least 7 days after such notice for remedy or correction of the breach. This section shall not apply to late payment of rent which is covered under § 5502 of this title.
- (1) Such notice shall substantially specify the rule allegedly breached and advise the tenant that, if the violation continues after 7 days, the landlord may terminate the rental agreement and bring an action for summary possession. Such notice shall also state that it is given pursuant to this section, and if the tenant commits a substantially similar breach within 1 year, the landlord may rely upon such notice as grounds for initiating an action for summary possession.

61 ☐

- **The issuance of a notice pursuant to this section does not establish that the initial breach of the rental agreement actually occurred for purposes of this section.**
- **(2) If the tenant's breach can be remedied by the landlord, as by cleaning, repairing, replacing a damaged item or the like, the landlord may so remedy the tenant's breach and bill the tenant for the actual and reasonable costs of such remedy. Such billing shall be due and payable as additional rent, immediately upon receipt.**

62 ☐ **§ 5513. Landlord remedies relating to breach of rules and covenants cont...**

- (3) If the tenant's breach of a rule or covenant also constitutes a material breach of an obligation imposed upon tenants by a municipal, county or state code, ordinance or statute, the landlord may terminate the rental agreement and bring an action for summary possession.
- (b) When a breach by a tenant causes or threatens to cause irreparable harm to any person or property, or the tenant is convicted of a class A misdemeanor or felony during the term of the tenancy which caused or threatened to cause irreparable harm to any person or property, the landlord may, without notice, remedy the breach and bill the tenant as provided in subsection (a) of this section; immediately terminate the rental agreement upon notice to the tenant and bring an action for summary possession; or do both.

63 ## PLEASE NOTE....

- THIS IS AN EXCEPTIONALLY IMPORTANT PART OF THE CODE, THIS IS THE ONLY SECTION WHERE YOU DO NOT NEED TO GIVE THE TENANT AN OPPORTUNITY TO CURE.
- THERE DOES NOT NEED TO BE AN ARREST (ALTHOUGH THAT WILL ALWAYS HELP) YOU SIMPLY HAVE TO PROVE THE CONDUCT OR FAILURE TO ACT CAUSED OR THEATENED TO CAUSE THE HARM.
- REMEMBER TO LOOK FOR OTHER CODE VIOLATIONS LIKE HOUSING CODES, OR LOCAL ORDINANCES.

64 ## YOUR CHOICES:

- **C) Upon notice to tenant, the landlord may bring an action or proceeding for waste or for breach of contract for damages suffered by the tenant's willful or negligent failure to comply with tenant's responsibilities under the preceding section. The landlord may request a forthwith summons.**

65 ## 9. Terminating a Rental Agreement GENERAL RULES AND EXCEPTIONS

- To terminate a rental agreement written notice is required by both parties. If the landlord intends to not renew or terminate at the expiration then the landlord must give the tenant written notice, 60 days in advance of the expiration of the yearly contract. If the rental agreement is monthly, then the landlord must give the tenant 60 days notice in writing, and that notice starts to run on the first day of the following month.
- If the tenant intends to terminate, the same general rule applies. The tenant must give the landlord 60 days written notice. A tenant may also give the landlord a termination notice at least 45 days prior to the effective date on a renewal with modifications.

66 ## CHANGES TO CODE SINCE OUR LAST SEMINAR!!!!!!

- **There have been significant changes to the section which allows a tenant to terminate with 30 days notice.**

67 ## § 5314. Tenant's right to early termination

- (a) Except as is otherwise provided in this Part, whenever either party to a rental agreement rightfully elects to terminate, the duties of each party under the rental agreement shall cease and all parties shall thereupon discharge any remaining obligations as soon as is practicable.
- (b) Upon 30 days' written notice, which 30-day period shall begin on the 1st day of the month following the day of actual notice, the tenancy may be terminated:
  - (1) By the tenant, whenever a change in location of the tenant's employment with the tenant's present employer requires a change in the location of the tenant's residence in excess of 30 miles;

68 ## EARLY TENANT TERMINATION

- **(2) By the tenant, whenever the serious illness of the tenant or the death or serious illness of a member of the tenant's immediate family, residing therein, requires a change in the location of the tenant's residence on a permanent basis;**
- **(3) By the tenant, when the tenant is accepted for admission to a senior citizens' housing facility, including subsidized public or private housing, or a group or cooperative living facility or retirement home;**

69 ## § 5314. Tenant's right to early termination cont..

- (4) By the tenant, when the tenant is accepted for admission into a rental unit subsidized by a governmental entity or by a private nonprofit corporation, including subsidized private or public housing;
- (5) By the tenant who, after the execution of such rental agreement, enters the military service of the United States on active duty;
- (6) By a tenant who is the victim of domestic abuse, sexual offenses, stalking, or a tenant who has obtained or is seeking relief from domestic violence or abuse from any court, police agency, or domestic violence program or service; or
- (7) By the surviving spouse or personal representative of the estate of the tenant, upon the death of the tenant

70 ## More on Early Terminations

- **Paragraph (6) is the paragraph that will be new to many of you. This section was**

changed and now allows a new category of individuals to terminate their rental agreement early.

- To understand this section you must understand that definitions that govern this section. They not only define the words they also impose duties upon parties by the language used.

71 ## § 5141. Definitions

- The following words, terms and phrases, when used in this Part, shall have themeanings ascribed to them in this section, except where the context clearly indicates a different meaning:...
- (8) "Domestic abuse" shall mean any act or threat against a victim of domestic abuse or violence that either constitutes a crime under Delaware law or any act or threat that constitutes domestic violence or domestic abuse as defined anywhere in the Delaware Code. Domestic abuse can be verified by an official document, such as a court order, or by a reliable third party professional, including a law enforcement agency or officer, a domestic violence or domestic abuse service provider, or health care provider. It is the domestic violence or abuse victim's responsibility to provide the reliable statement from the reliable third party.

72 ## How it is defined

- (26) The terms "sexual offenses" and "stalking" shall here have the same meanings as in Title 11. Sexual offenses and stalking can be verified by an official document, such as a court order, or by a reliable third party professional, including a law enforcement agency or officer, a sexual assault service provider, or health care provider. It is the sexual assault or stalking victim's responsibility to provide the reliable statement from the reliable third party.

73 ## Protection for domestic abuse

- We just discussed acceptable reasons for early termination, now we will discuss a series of new rights created by the code.
- New affirmative rights for certain tenants.
- The next section of the code creates new right for tenants that will prevent you as a landlord from taking certain actions.
- You must be aware of the limitations or you could risk significant penalties.

74 ## § 5316. Protection for victims of domestic abuse, sexual offenses and/or stalking

- (a) A landlord may not pursue any action for summary possession, demand any increase in rent, decrease any services, or otherwise cause any tenant to quit a rental unit where said tenant is a victim of domestic abuse, sexual offenses, or stalking, and where said tenant has obtained or has sought assistance for domestic abuse, sexual offenses, or stalking from any court, police, medical emergency, domestic violence, or sexual offenses program or service.
- (b) If the tenant proves that the landlord instituted any of the actions prohibited by subsection (a) of this section, above, within 90 days of any incident in which the tenant was a victim of domestic abuse, sexual offenses and/or stalking, it shall be a rebut table presumption that said action is in violation of subsection (a) of this section, above.

75

- (c) A landlord may rebut the presumption that the prohibited action is in violation of subsection (a) of this section, above, if:
  - (1) The landlord is seeking to recover possession of the rental unit on the basis of an appropriate notice to terminate which was given to the tenant prior to the incident of domestic abuse, sexual offenses, or stalking;
  - (2) The landlord seeks in good faith to recover possession of the rental unit for immediate use as the landlord's own residence;

76

- (3) The landlord seeks in good faith to recover possession of the rental unit for the purpose of substantially altering, remodeling or demolishing the premises;
- (4) The landlord seeks in good faith to recover possession of the rental unit for the purpose of immediately terminating, for at least 6 months, use of the premises as a rental unit;

77 ## § 5316. Protection for victims of domestic abuse, sexual offenses and/or stalking cont.

- (5) The landlord has in good faith contracted to sell the property and the contract of sale contains a representation from the purchaser confirming his or her intent to use the property in consistency with paragraphs (2),(3) or (4) of this subsection;
- (6) The landlord has become liable for a substantial increase in property taxes or a substantial increase in other maintenance or operating costs, and such liability occurred not less than 4 months prior to the demand for the increase in rent, and the increase in rent does not exceed the pro-rata portion of the net increase in taxes or cost;
- (7) The landlord has completed a substantial capital improvement of the rental unit or the property of which it is a part, not less

than 4 months prior to the demand for increased rent, and such increase in rent does not exceed the amount which may be claimed for federal income tax purposes as a straight-line depreciation of the improvement, pro-rated among the rental units benefitted by the improvement;

78 ## New limitations on tenant relations

- (8) The landlord can establish, by competent evidence, that the rent now demanded of the tenant does not exceed the rent charged other tenants of similar rental units in the same complex;
- (9) The landlord can establish, by competent evidence, that the domestic abuse, sexual assault and/or stalking constitutes a viable and substantial risk of serious physical injury to a tenant who currently resides in another unit of the same multi-unit building as the domestic violence, sexual assault or stalking victim; or
- (10) The landlord, after being given notice of the tenant's victimization per § 5141(6) or (26) of this title, discontinues those actions prohibited by subsection (a) of this section, above.

79 ## Your strongest defense

• (d) A tenant who is otherwise delinquent in the payment of rent may not take advantage of the protection provided in this section.

80 ## Trouble areas

I want to shift to specific areas of concern and then answer some more questions from the audience.

There are two specific areas I want to address:

Your form 50's and Court of Common Pleas appeals.

81 ## Recent updates you should be aware of BEFORE you go to Court

82 ## Court of Common Pleas Appeals

- Due to a series of recent decisions in the Court of Common Pleas, you must be careful what you ask for when you appear for trial.

This certificate certifies that

Roy Sudler. Jr.

has participated in The Tenant Landlord Code Review on July 24, 2012

at PolyTech Adult Education Center in Woodside, DE

with instructor Michael Morton, P.A.

Training sponsored by DE NAHRO



Pam Ferguson, DE NAHRO President


In House Ministries
For Jesus Christ
No Limits, No Boundaries, Nothing But Increase
ORDER OF SERVICE
Sunday School.....10:00AM
Sunday Morning Worship.....11:00AM
Sunday Evening Deliverance.....6:00PM
Thurs. Prayer Night/Bible Study.....7:30PM
Friday Joy Night.....7:00PM
Founder & Pastor Elder Oscar Tucker
& Prophetess LaTonia Tucker
Overseer Dr. Bonnie Bigelow
302-430-3300




CAUTION
RPJ
WASTE
SERVICES
302-653-9999


ONLY


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ED SLAUGHTER'S
NEW & USED
AUTO PARTS
302-672-7816


Luther
Towers


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CAR
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VAN ONE
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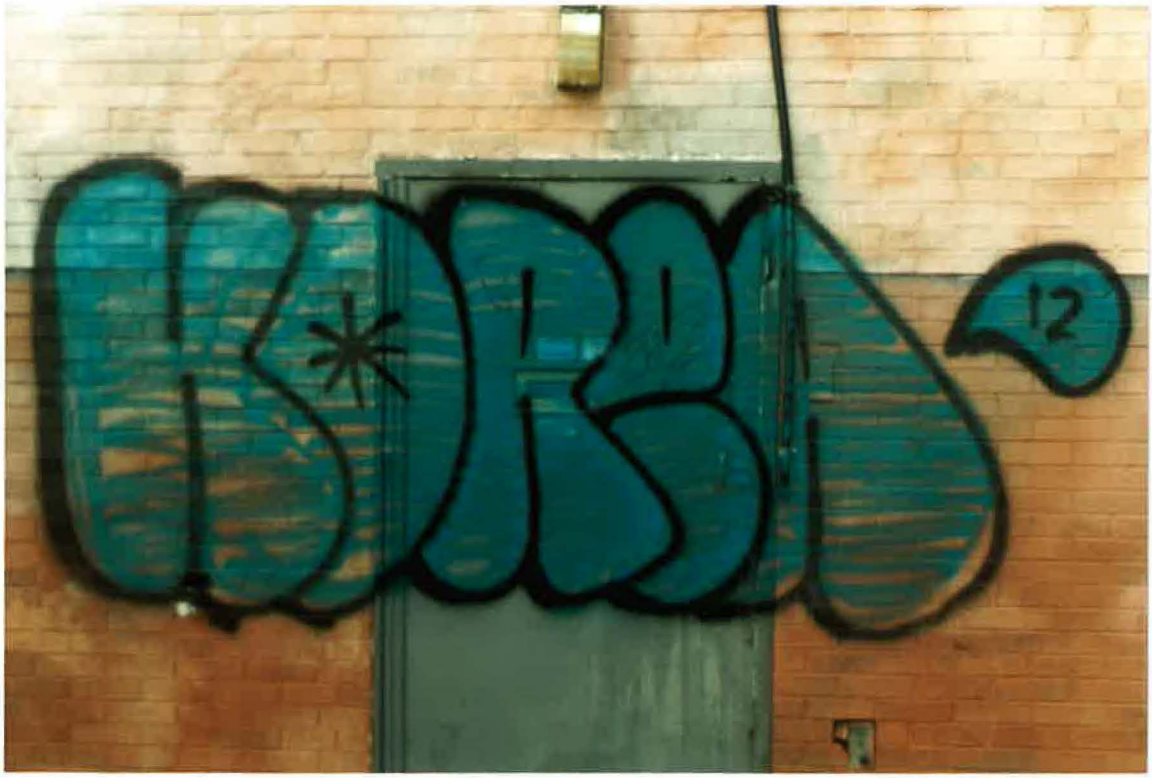

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COUNCIL COMMITTEE OF THE WHOLE

The Council Committee of the Whole met on June 27, 2017 at 6:00 p.m., with Council President Slavin presiding. Members of Council present were Mr. Anderson (arrived at 6:07 p.m.), Mr. Sudler, Mr. Neil, Mr. Lewis, Mr. Cole, Mr. Polce (departed at 6:42 p.m. and returned at 6:44 p.m.), Mr. Hare, and Mr. Lindell. Mayor Christiansen was also present (arrived at 6:11 p.m., departed at 6:47 p.m. and returned at 6:50 p.m.). Civilian members present for their Committee meetings were Mr. Garfinkel and Mr. Shelton (*Safety Advisory and Transportation*), and Mr. Shevock and Dr. Stewart (*Legislative, Finance, and Administration*).

SAFETY ADVISORY AND TRANSPORTATION COMMITTEE

The Safety Advisory and Transportation Committee met with Chairman Lewis presiding.

AGENDA ADDITIONS/DELETIONS

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

Alternative to Speed Bumps - Ann Avenue (Sudler)

Mr. Sudler advised that he had received correspondence from and spoken with Mr. Francis Bethel regarding a possible speed reduction method for Ann Avenue.

Mr. Francis Bethel, 207 Ann Avenue, advised that he had lived in northwest Dover Heights all his life, having bought a home in 1990 down the street from where he grew up. He noted that people are in more of a hurry than they were in the 1960s and 1970s and cars speed through the area. Mr. Bethel informed members that there were many children in the area, and he expressed concern that a child would get hit by a car. He stated that he knew that there were issues regarding speed bumps due to ambulances that may come through. Mr. Bethel asked if a radar sign like the signs that are on State Street could be placed on Ann Avenue to show people that they are speeding.

Mr. Lewis noted that he had previously explained to Mr. Bethel that speed bumps are not allowed in the City of Dover because they slow down emergency vehicles and apparatus. Responding, Mr. Bethel stated that he understood that speed bumps were not allowed and asked if there were other alternatives.

Mr. Sudler asked if Mr. Bethel, as a constituent of the Fourth District, had any other speed concerns that were causing him alarm. Mr. Bethel indicated that he had a traffic issue that would be better served when addressing transportation matters. Mr. Sudler noted that he had received some concerns regarding ATVs, four-wheelers, and off road vehicles and asked Mr. Bethel if he had heard any of these vehicles. In response. Mr. Bethel advised that he had heard motorbikes late at night before, which were annoying.

Mr. Neil stated that the radar signs that Mr. Bethel had referred to had been funded by State senators and representatives, and it was unknown if funding would be available after the State budget is finalized. He expressed his belief that a study would have to be done to find out what the conditions

are, as had been done with other communities and streets, such as North State Street and Independence Boulevard. Mr. Neil noted that there are other traffic calming measures.

Police Chief Marvin Mailey stated that he was very familiar with the situation on Ann Avenue, having been a police officer in the City for several years. He noted that he was aware that speed bumps could not be used but suggested that a traffic enforcement sign would be ideal for the situation. Chief Mailey explained that this sign would flash, make people aware of their speed, and provide awareness to those outside or traveling along that same road that the person is speeding, which would apply peer pressure. In addition, he stated that a marked police car could be placed in the area for traffic enforcement, and enforcement action could be taken via a traffic ticket if speeding is observed. Chief Mailey stated that this approach would be a deterrent; however, it usually only works when an officer is in the area. He noted that the Police Department's focus in the last several months had been on reducing violent crime, which was taking officers elsewhere in the City. Chief Mailey stated that the Department receives speeding complaints from people throughout the City, noting that Mr. Hare had raised concern regarding a similar speeding situation on Wyoming Avenue.

Chief Mailey offered to bring Ann Avenue to the attention of the Special Enforcement Unit to make it part of their rotation for traffic enforcement. He indicated that this would be the easiest solution for the problem, noting that he did not think that other methods were feasible for the City. Chief Mailey stated that another method he was aware of was the use of traffic humps, which are similar to traffic bumps but elongated so that the increase in the height of the roadway is not sudden, so vehicles do not bottom out. He advised that there could also be raised crosswalks at the end of the streets and wherever crosswalks are designated; however, he was not sure that this would fit within the City's of Dover's economic plan, and he had no knowledge of and could not speak to the engineering. Chief Mailey noted that traffic circles also slow traffic down; however, Ann Avenue was not large enough to accommodate a traffic circle. He informed members that some major cities use chicanes, which force cars to slow down to steer right or left through erected safety poles in a road, similar to slalom skiing, but was unsure if this would work within the City of Dover. He stated that, from a cost aspect, the best solution to the problem would be traffic enforcement and, after that, traffic signs.

In response to Mr. Sudler, Chief Mailey clarified that chicanes involve several poles in the road that guide vehicles along, similar to a Division of Motor Vehicles (DMV) driving course, noting that they are sometimes used at approaches to large government buildings or events where traffic is forced to change directions. He stated that chicanes slow cars down; however, he expressed his opinion that a larger roadway than Ann Avenue provides would be needed for installation, noting that he is not an engineer.

Mr. Sudler asked, in Chief Mailey's professional opinion and experience, which of Chief Mailey's four (4) recommendations he thought would be the most desirable. Responding, Chief Mailey stated his belief that traffic enforcement was the way to go. He advised that the Police Department already has officers working who could not be in the area constantly but could be a presence and deterrent. Chief Mailey noted that traffic tickets usually translate to people talking, and when they know the police are in the neighborhood, they slow down. He indicated that traffic enforcement would be a quick but temporary fix, noting that as soon as another complaint is received from elsewhere in the

City, officers have to move to accommodate that need. Chief Mailey stated that a radar traffic enforcement sign would be a more permanent solution.

Mr. Slavin stated that, in dealing with this issue a couple of times over the past few years, his approach was to physically fix areas with traffic calming devices to slow speeds. He noted that members had not explored the idea of restricting traffic financially by making it more expensive for people to speed in certain areas. Mr. Slavin advised that he had talked about this briefly with former Police Chief Paul Bernat, who thought it might be possible to look at the City's ordinances, develop an overlay in special enforcement zones, and install appropriate signage. Mr. Slavin suggested that it could be indicated that there would be an additional fine for speeding in areas such as Independence Boulevard, North State Street, or Ann Avenue. He explained that speeders would receive a ticket per the State Code and an additional fine.

Responding to Chief Mailey, Mr. Slavin stated that the additional fine would be for the City rather than the State. Mr. Slavin stated that he would review his notes; however, he recalled that an avenue had been looked at for getting this done. Mr. Slavin expressed his belief that if people feel a financial impact, they will remember a particular area where they do not want to get caught again. For example, he noted that he had received a $75 ticket going through a red light at Route 13 and Loockerman Street and is not going to let that happen again. Chief Mailey stated that he agreed with the concept Mr. Slavin proposed; however, he advised that this change would have to be handled at the State level and had not been approved by the legislature. Mr. Slavin stated that he would ask legal counsel, stating his belief that the City could make a special enforcement zone.

Chief Mailey stated his concern that issuing both a State ticket and a City ticket would be double jeopardy for one (1) violation; however, he would defer to the City Solicitor. He stated that the Police Department would be willing to issue such tickets if this could be done within the confines of the law. Chief Mailey advised members that Maryland uses electronic speed signs, and tickets are mailed. He noted that he thought this would also be a useful deterrent.

Mr. Neil noted that the public serves as reporters and informs Council what is happening, and he expressed his hope that Mr. Bethel would return and advise members whether any measures used are working. He also asked Mr. Bethel to get the word out regarding any measures, but not to be one (1) of those who receives a ticket as a result. Chief Mailey noted that it often happens that the reporting parties are among the first to get tickets when officers are placed in a neighborhood.

Responding to Mr. Lewis, Chief Mailey advised that he could explore the possibility of extra funding or grants through the Office of Highway Safety. He stated that he had sent an email regarding funding to Mr. Larry Windley, Senior Director for Projects and Economic Development, Senator Tom Carper's Office, earlier in the day, and would contact Mr. Windley to see what could be done and report back.

Mr. Anderson agreed with Chief Mailey that signs and enforcement should be tried first but noted that there may be a need to consider other speed calming measures. Responding to Mr. Anderson, Chief Mailey advised that there were currently no speed humps in the City. Mr. Anderson indicated his understanding that speed humps would qualify under the City's code because they would not be so much of a problem. Chief Mailey indicated that he thought speed humps would qualify, but he

would have to check the Code. He noted that speed humps were quickly replacing speed bumps because, even when hit at a high speed, they do not cause any damage to vehicles. In addition, Chief Mailey explained that the City's police officers know where the traffic hazards are around the City and when officers need to slow down. He noted that he could not speak for the ambulance company because he does not supervise them.

Mayor Christiansen stated that he thought it possible to remedy the situation on Ann Avenue by installing strict enforcement signs. He noted that signs could be installed in other areas of the City as well to give warning that speeding will be strictly enforced and, if this did not work, another measure could be taken. Mayor Christiansen stated that he agreed with Mr. Neil, explaining that often when these concerns are raised at homeowners' association meetings and police officers are sent to an area, it is the people within the neighborhood who receive tickets. Mayor Christiansen advised that he had visited Ann Avenue found it to be like a race track, similar to other streets in the City lately. He noted that there were a lot of children and senior citizens in the area and he thought that, with strict enforcement and warnings from neighbors who received tickets, everyone will slow down.

Chief Mailey noted that a message could be placed on the Department's Facebook page and Twitter feed to let people know there would be intense enforcement in these areas, which may act as a deterrent.

In response to Mr. Shelton, Mr. Bethel stated that he had observed that those speeding throughout his neighborhood were mostly outsiders rather than his neighbors. Mr. Shelton noted that the Mayor had commented that neighbors' speeding may be deterred when they find out about enforcement there; however, Mr. Slavin indicated that this may not be the same for people outside the neighborhood.

Mr. Timothy Sybils, Milford/ Harrington, Delaware, stated that he went to Milford High School and was kicked out of high school during the first semester of his senior year and went into the military, noting that a high school diploma was not required to go into the military at that time. He indicated that he was in the United States Army Reserves. Mr. Sybils advised that there were identity thieves. Mr. Lewis explained that the agenda item being discussed was speeding on Ann Avenue and asked if Mr. Sybils had any comments regarding this item. Responding, Mr. Sybils advised that his concern was not related to speeding on Ann Avenue.

Mr. Sudler moved to recommend implementing and installing a traffic enforcement sign on Ann Avenue, as suggested by Police Chief Marvin Mailey, seconded by Mr. Neil.

Mr. Anderson moved to amend the motion to add the strictly enforced signs that the Mayor suggested because, by State law, they allow the City to enforce strictly if it so chooses, seconded by Mr. Sudler.

Mayor Christiansen asked to add an understanding that a traffic study would be done of Walker Road and Ann Avenue. He noted that a lot of people coming from Edgewell/Energizer cut through the area, and people coming out of the shopping center come down Ann Avenue to make a quick exit onto Walker Road. Mayor Christiansen suggested obtaining a traffic study and a counter that would

indicate the date and time when people are cutting through Ann Avenue. He noted that he had observed a number of cars from Maryland using Ann Avenue.

Mr. Neil moved to amend the motion to add a traffic study.

At the suggestion of Mr. Slavin, all motions on the floor were withdrawn so that one (1) comprehensive motion could be made.

Mr. Sudler moved to recommend: a) installing a traffic enforcement sign on Ann Avenue; b) installing strictly enforced speed limit signs on Ann Avenue; and c) performing a traffic study on Walker Road and Ann Avenue indicating the timing of the lights and the count, date, and time of traffic flow. The motion was seconded by Mr. Neil.

Mr. Polce questioned who would fund the sign and signage, whether this would come from the discretionary funds of the Council member who made the motion, and the general cost of the signs to be put up. Responding, Mr. Slavin stated that the City usually asks the legislative delegation if they will allocate funding for speed detection signs from their Community Transportation Funds (CTF), and they had been very good about doing that. He noted that the City used to have a couple of speed detection devices at the ready for installation and asked if the City currently had any. Responding, Mrs. Donna Mitchell, Acting City Manager, stated her understanding that the City had one (1) device; and it had been requested to be placed on Crawford Avenue earlier in the day for a study. She stated that she was unsure if the City had more than one (1) device, and she would have to check to see what could be done, noting that the legislators could be asked for another sign. Mr. Slavin advised that he thought the City could obtain a device either way.

At the request of Mr. Lewis, Mrs. Traci McDowell, City Clerk restated the motion.

The motion to recommend: a) installing a traffic enforcement sign on Ann Avenue; b) installing strictly enforced speed limit signs on Ann Avenue; and c) performing a traffic study on Walker Road and Ann Avenue indicating the timing of the lights and the count, date, and time of traffic flow was unanimously carried.

Noise Complaints - Mufflers and Car Radios (Lewis and Garfinkel)

Mr. Garfinkel informed members that noise in Dover from loud mufflers was becoming almost an epidemic and noted that an individual had discussed this issue during the Open Forum segment of the Regular Council Meeting of June 12, 2017. He advised that in west Dover, where many collector roads run into each other, noises such as big booms from motorcycles are heard all day and night. Mr. Garfinkel indicated that this was causing deterioration in the quality of life of the people of Dover and was a crime of disrespect. He stated that people buy homes, pay taxes, and keep properties up and should not be subject to booms from cars and trucks. Mr. Garfinkel indicated that the noise is getting worse, can be heard at the Wawa at Kenton Road and Forrest Avenue all day and all night long, and is unbearable. He expressed the need to address this, noting that this can be called a nuisance crime, is known as a broken window crime, and is a breeder crime. Mr. Garfinkel indicated that if people are allowed to get away with this, they will think they can get away with something else later and stated the need to pay attention to breeder and nuisance crimes.

Police Chief Marvin Mailey stated that he had spoken to Mr. Garfinkel about this issue previously and that the loud noise in Dover that comes from tailpipes is a constant complaint from residents, homeowners' associations, and others. He explained that, at that time, he had looked into Section 42-2 - Noise, (b) - Prohibited Acts, (7) - Exhausts of the Dover Code, which prohibits acts including "The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, motor boat, or motor vehicle, except through a muffler or other device which will effectively prevent loud or explosive noises therefrom." Chief Mailey explained that this is an affirmative defense; therefore, if the noise is coming through a muffler, then an officer cannot take action. He advised that he had gone to the Department of Motor Vehicles (DMV), explained the problem to the supervisor of the inspection lanes, and asked what the process is for a vehicle inspection and what they look for. Chief Mailey advised this gentleman that he wanted to know what could be done about the complaints being received regarding the noise issue with mufflers in the City. He stated that he was advised that the DMV had not touched mufflers in seven (7) years because people were coming in with $2,000 - $3,000 muffler systems that were failing inspections, and they complained to personnel at the DMV. Chief Mailey stated that this individual stated that shortly after these complaints were received, the DMV stopped inspecting for noise issues, and he questioned how the Dover Police Department could write people up for this because the DMV was no longer testing.

Chief Mailey stated that the City does not have an ordinance that backs officers up on violations related to mufflers, and the State of Delaware has nothing on the books, other than the statement indicating "Muffler cutouts prohibited" in Title 21. He noted that muffler cutouts circumvent the muffler, explaining that they make it appear that there is a muffler on the car but have a hole designed to bypass the muffler system. Chief Mailey explained that these cutouts are typically seen in expensive sports cars or muscle cars driven by people who want their car to be louder. He stated that the Police Department could not do much without having verbiage written into the Code, noting that the City of Newark had advised them that they have the same problem and do not enforce this issue, after having used a decibel meter that was not successful for them. Chief Mailey indicated that Milford has something on their books pertaining to loud noises and vehicles; however, he had not spoken to Police Chief Kenneth Brown to see whether and how it was being enforced. He stated that, without teeth in the ordinance, the Police Department cannot do anything. Chief Mailey advised that people who pass inspections would question how they could be written up based on a City ordinance. He stated that he wanted to solve this problem for the City; however, he indicated that the Department was facing a stumbling block.

Mr. Hare stated that the City had gone through this issue years ago and one (1) of the solutions was to enforce speeding. He noted that those who travel in residential neighborhoods at 25 mph do not make loud noise; therefore, those who make this noise must be speeding and could be given tickets. Chief Mailey agreed with Mr. Hare; however, he stated that officers must be present to observe the speeding. Mr. Hare noted that they must also be present to observe loud noise. He indicated that a loud vehicle that comes through his neighborhood each day at 6:40 a.m. or 6:50 a.m. is serving as an alarm clock, and it is not known who the driver is. Chief Mailey suggested providing the Police Department with a description of the vehicle. Mr. Hare stated that people traveling at 25 mph in his and Mr. Garfinkel's neighborhoods would not make this noise. Chief Mailey advised that officers could be sent out to enforce the speed.

Mr. Garfinkel stated that the ordinance cited by Chief Mailey, referenced "a muffler or other device which will effectively prevent loud or explosive noises therefrom." He expressed his opinion that someone could be cited for not having a muffler that is effectively preventing loud or explosive noises. In response, Chief Mailey explained that this would not be defensible in court because it would involve an individual's judgement, and there must be something clear and defined for an officer to charge someone. He noted that if an officer wrote a ticket and the individual stated that their defense was that they have a muffler, the case would be lost in court.

In response to Mr. Garfinkel, Chief Mailey stated that, to his knowledge, this section of the code had not been appealed to a Superior Court, and the State does not enforce or look into this issue. He advised that a hearing would start at the Justice of the Peace (JP) Court level. Chief Mailey stated that he was willing to try; however, it would be a tremendous uphill battle that he did not think would be successful. Responding to Mr. Garfinkel, he indicated that he had spoken to Deputy City Solicitor William Pepper about this matter, and Mr. Pepper was in agreement that having a muffler on a motor vehicle would constitute an affirmative defense.

Mr. Garfinkel referred to a conversation he had with Chief Mailey regarding straight pipes. Responding, Chief Mailey stated that a straight pipe does not muffle but is an extension of a pipe, whereas a muffler is a device that circumvents the noise through several channels to the exit. He noted that a straight pipe is no different from a pipe running off the engine and does not function as a muffler. Mr. Garfinkel stated that there is no muffler on vehicles with a straight pipe and this is citable by police. Chief Mailey stated that the Dover police are aware of this and write tickets for everything that they can.

Referring to the report of "Summons Issued for Loud Noise from Vehicle - June 15, 2016 through June 14, 2017," Mr. Garfinkel noted that there were 30 violations for a loud noise from a vehicle. Chief Mailey advised that this report was specific to vehicles. Referring to the list of "Complaints for Loud Noise Received by the Police Department - June 2016 through June 2017," he explained that this reflected the total number of noise complaints, including loud parties, radios playing loudly in cars, etc. Chief Mailey stated that noise heard 50 feet from its source can be written up. He noted that approximately 800 complaints were received within a year and 30 citations had been written. Chief Mailey noted noise complaints involve moving targets, and it takes time for officers to respond. He stated that if officers do not happen upon a vehicle, their success rate is not very good. In response to Mr. Garfinkel, Chief Mailey advised that the 30 citations were not due to mufflers but radios, noting that officers cannot enforce mufflers.

Mr. Sudler stated that when there are complaints about music being too loud at clubs, the noise level is measured by the ability to hear the bass 50 feet away. He asked if there is a tangible measurement for sonic booms that allows for a charge to be defended in court. Responding, Chief Mailey stated that the Police Department had never had a decibel meter. He expressed his belief that a sonic boom would be an intense noise, noting that Air Force jets are not allowed to fly over Dover. Chief Mailey stated that he believed that if a sonic boom came from ground level, there would be property damage, and a vehicle could not reach that noise level, which would shock the senses.

Mr. Sudler asked how a violation could be defined without a decibel meter and if Chief Mailey recommended that the City support the Department in obtaining this tangible tool. Responding,

Chief Mailey stated that a City ordinance could be enforced if it was written in a fashion that determined acceptable and non acceptable decibel levels.

Responding to Mr. Sudler regarding a recommended decibel level in regard to sounds and mufflers, Chief Mailey stated that the City's ordinance, as it relates to audio devices like radios, etc., is appropriate and 50 feet is a reasonable expectation. Mr. Sudler stated his belief that this would lead to too much hearsay, since what may be acceptable to one person may not be to another. He suggested doing research on having something tangible and concrete, such as 50 decibels. Mr. Sudler noted that he likes loud music and Mr. Neil may not, and he questioned how to define a concrete, acceptable and valid happy medium. Responding, Chief Mailey stated that the DMV's standard would probably be a starting point. He indicated that he would have to research this matter; however, his recollection was that the gentleman from the DMV had indicated that 90 decibels was their previous standard and they would stand 25 feet away. Chief Mailey advised that it would be better if a sound meter pegged the noise above 90 decibels, because there would be awareness. He noted that this could be done at the City level; however, there would be opposing arguments because an offender would question why their muffler system passed through inspections but they could not drive through the City.

Mr. Sudler indicated that smoking marijuana is prohibited by federal law; however, state laws allow it; therefore, he was not worried about a possible difference between the State and the City. He stated that he thought there was an absolute need for a tangible tool. Mr. Sudler advised that he thought it would behoove members to research a reasonable decibel level to define a sonic boom violation.

Mr. Neil agreed that, if action was taken, the law should be redefined to state that sound cannot exceed a certain decibel level even with a muffler, and this is what would be enforced. He suggested looking at the law to see if it could be given teeth to allow officers to act.

Chief Mailey advised that he must go by the law, and stepping outside the rules or testing them causes issues. He noted that a local business was recently cited for a nuisance ordinance violation as it pertained to their establishment. Chief Mailey stated that there had been problems prosecuting this matter at the JP level because of gaps that were written into the ordinance. He indicated that a ruling would be obtained from the JP judge so that the weak spots in the ordinance could be addressed and it could be properly enforced. Chief Mailey stated that the noise issue regarding mufflers and car radios was definitely a weak spot in the noise ordinance and, if something was included to establish a clear level, officers would gladly enforce it. He stated that it was not in the spirit of integrity for the Police Department to write tickets for the sake of writing them, noting that they do not want to go to court to lose. He expressed the desire to write tickets that are defensible, and he stated that, in his opinion, it was not currently defensible.

Mr. Neil stated that the safety nets woven into State laws have many loopholes that must be closed and redefinition is needed so that there are laws with teeth. He stated that the JP Court does not establish any precedent with the Superior Court of the State and that if a loophole was found, it could be closed.

Mr. Garfinkel advised that Section 42 of the U. S. Code addresses road noise, and the Environmental Protection Agency in Philadelphia could probably send regulations on this issue. He indicated that there are also standards for the decibel level of a motorcycle coming off the assembly line. Mr. Garfinkel stated that the research had been done and just needed to be requested. He asked Chief Mailey what would be done on this issue. Responding, Chief Mailey stated that he could ask Mr. Pepper if the ordinance could be rewritten. He advised that an acceptable standard for noise level must be established so that officers can act when they observe a non-compliant vehicle. Chief Mailey advised that when officers hear a vehicle that they think is extremely loud, they could stop the vehicle for probable cause for a noise violation. He indicated that they would have a decibel meter in hand and an RPM level or idle speed would have to be established for testing the vehicle, and depending on what the decibel meter shows, a citation would or would not be issued. Chief Mailey indicated that this would be the easiest way to remedy the problem, noting that issuing citations for exceeding the speed limit may also solve the problem. Chief Mailey expressed his opinion that these would be the two (2) best ways to solve the problem.

In response to Mr. Garfinkel, Chief Mailey advised that he could research this issue to look for best practices and discuss it with Mr. Pepper before the Committee's next meeting.

Mr. Shelton informed members that he worked in manufacturing at Scott Paper and Playtex and hearing protection is required for noise over 85 decibels. He indicated that this is how this issue is handled within the U. S. government.

Mr. Lindell indicated that he typically leans toward going with an expert on a subject and, in this case, this was Chief Mailey. He concurred with Chief Mailey's comments about enforcement and stated that it would be futile to send officers out to enforce. Mr. Lindell stated his recollection that the City of Newark had been challenged because, even if a decibel level is set, there is still reasonable doubt regarding how it is measured. He advised that the problem could be addressed through traffic enforcement. Mr. Lindell stated that the Police Department should be allowed to handle this situation, noting that if there was an issue with an ordinance, the Committee could review it. He indicated that he did not want members to develop an ordinance setting a decibel level if it could not be prosecuted properly in JP Court, since this would be a waste of the time of police officers and members of the Committee.

Mr. Lewis concurred with Mr. Lindell, stating that, as a former police officer, he understood Chief Mailey's position. He noted that police officers can only follow what the law says, and if they go beyond it they would be challenged and prosecution would be unsuccessful.

Mr. Sudler stated his understanding that Chief Mailey had indicated that he needed a tangible tool. Responding, Chief Mailey advised that if the City's ordinance was re-written and established a level, a tool would be needed to measure it, and this would be a decibel meter. Mr. Sudler advised that City Council would define what would be reasonable.

Mr. Sudler moved to recommend that Chief Mailey research a reasonable decibel indicator that would be proficient in prosecuting an affirmative offense charge for sonic boom, in accordance with not only the U.S. Code for the State of Delaware but also reasonable in regard to the hearing which they currently use for the City of Dover. The motion was seconded by Mr. Shelton.

Mr. Neil suggested using the term "noise above a certain level" rather than sonic boom, because there may not necessarily be a booming sound. Mr. Sudler requested that sonic boom be defined.

Mr. Lewis suggested that Chief Mailey and the City Solicitor meet to discuss this matter, including whether the ordinance needs to be changed, what is best for the City, and enforcement of violations.

Mr. Anderson stated that he concurred with the motion but preferred the term "excessive noise" because this was already defined in the City Code. He stated, however, since members were not currently drafting legislation, he did not know if the motion needed to be amended as long as there was an understanding of excessive noise.

Mr. Garfinkel indicated that he thought Mr. Sudler's motion was a good one; however, he thought it premature because Chief Mailey had indicated that he could report back in a month on this issue and had not been allowed that time. He suggested allowing Chief Mailey to discuss this with the City Solicitor and provide a baseline. Mr. Garfinkel indicated that he would also like to see a review of the best practices of departments in other jurisdictions, noting that this would place members in a better position to make further determinations.

Mr. Hare advised members that a sonic boom is defined as the sound associated with a shockwave created by an object traveling through the air faster than the speed of sound. He noted that no tickets would be written for sonic booms.

Mr. Slavin thanked Mr. Garfinkel for bringing up this issue. He cautioned members that the City was facing serious crime issues and stated that if Council sends out a message to the 90-member uniformed police force that loud noise is a priority, they will do what they are asked and enforce loud noise. Mr. Slavin advised that every minute officers spend enforcing this issue is one (1) less minute they will be enforcing heroin and major crimes the City is facing. He expressed the need to understand that there is a finite number of minutes for uniformed police officers on the street at any one (1) time. Mr. Slavin indicated that it is left to the Chief to set priorities based on the crimes being seen, and he wanted to be sure that the Chief is given this latitude. He indicated that Chief Mailey had advised members that legal counsel had stated that this issue was unenforceable at this time, noting that there may be additional information that the Chief could bring back to help illustrate this. Mr. Slavin expressed the desire to be very careful not to send the wrong signal that this is a priority over other things.

Mr. Hare noted that there was a lot of research to be done on this topic and suggested that Mr. Sudler and Mr. Garfinkel do this research, noting that Chief Mailey currently has a lot on his plate. He stated that he would not tell Chief Mailey to make this a priority because there are many things that need to be addressed first. He advised Chief Mailey not to defer something that is more important to do this, noting that people could live with this noise a few more weeks or a month. Responding, Chief Mailey advised that he could perform research and delegate some duties, noting that he has a staff working for him. He stated that he would look into this matter further and come back with information. Chief Mailey indicated that he must be clear on what he is looking for, noting that members had mentioned both decibel meters and industry standards.

Mr. Anderson stated that the issue should not be brushed aside because it is lower on the level of importance. He noted that some places that had repeatedly had loud noise were eventually shown to be locations where there were problems with drugs and violence. Mr. Anderson advised that an address on North New Street had repeated noise problems over the years, and a shooting occurred there. He stated that there were loud noises and problems at a location on North Kirkwood Street, and it became a disorderly premise, with repeated shootings coming from that area. Mr. Anderson noted that there was an address on Fulton Street with similar disorderly problems and a shooting came from there, with a bullet ending up near Mr. Anderson's home. He stated that repeated noise problems are leading indicators and tend to involve groups of people gathering at a location and creating the noise. He noted that at 6:00 p.m. noise may not be a worry, but sometimes there are groups of people at 10:00 p.m., 11:00 p.m., or midnight.

Mr. Slavin stated that the discussion was about mufflers. Responding, Mr. Anderson noted that the topic was radios, loud noises, etc., which had become part of the problem, and that radios are inside mobile vehicles. Mr. Anderson indicated that, in his experience, people party from vehicles, move on when they see the police, and then return. He advised that, with enforcement, success had been achieved on North Kirkwood Street, where there had not been a single problem recently, and on Fulton Street. He stated that this issue was linked to public safety and was not necessarily a frivolous issue.

Mr. Lindell moved to call for the question, seconded by Mr. Hare.

Mr. Sudler stated that the motion was to have the Police Chief perform research on a reasonable decibel indicator that would be proficient in prosecuting an affirmative offense charge for sonic boom. He stated that the term "sonic boom" could be removed if needed, and replaced with "excessive noise," as suggested by Mr. Anderson. Mr. Sudler advised that he was asking Chief Mailey to do research and get back to the Committee, and this could consist of talking to the City Solicitor. Mr. Sudler expressed his belief that there was consensus among members for Chief Mailey to do the research and get back to members.

The motion to call for the question was unanimously carried.

The motion to recommend that Chief Mailey research a reasonable decibel indicator that would be proficient in prosecuting an affirmative offense charge for excessive noise, in accordance with not only the U.S. Code for the State of Delaware but also reasonable in regard to the hearing which they currently use for the City of Dover was unanimously carried.

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

Meeting adjourned at 7:07 p.m.

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

The Legislative, Finance, and Administration Committee met with Chairman Hare presiding.

AGENDA ADDITIONS/DELETIONS

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

Clarification - Request for Incentives - Nail Spa by TR

During their Regular meeting of April 10, 2017, City Council approved the Council Committee of the Whole/Legislative, Finance, and Administration Committee's recommendation 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. Consideration of this item was deferred during the Council Committee of the Whole/Legislative, Finance, and Administration Committee meeting of June 13, 2017.

Mr. David S. Hugg III, Acting Director of Planning and Community Development, explained that a request for incentives was received from the owner of a building that did not meet the requirements or specifications set forth in the in Appendix E - Commercial and Industrial Building Redevelopment of the Dover Code. He noted that the building was under 5,000 square feet. and work on it had already commenced, which would make it ineligible for the incentive even if it was otherwise eligible. Mr. Hugg advised that, after researching this issue, it appeared that the ordinance was adopted in 2012 to deal with issues regarding big box or large commercial buildings that were vacated by Kmart, Walmart, and others, and to incentivize redevelopment for new business opportunities.

Mr. Hugg explained that he initially questioned why a 5,000 square foot parameter was included in the ordinance, noting that buildings of this size are often fairly large commercial buildings with many kinds of uses. He estimated that this parameter would eliminate approximately 80% of the commercial buildings in Dover, particularly in strip centers. Mr. Hugg indicated that there must have been a rationale for this limitation, as well as the specification of $15,000 or more of investment, and that Council must have intended to focus this particular incentive on a very limited number of buildings. He advised that, using Geographic Information Systems (GIS) information, he attempted to count how many buildings were being discussed and determined that there were at least 166 buildings under 5,000 square feet, mostly in the downtown area. Mr. Hugg estimated that if all of the buildings were eligible and at least $15,000 was invested in each building, the cost to the City, even at $50,000 per building, would be approximately $400 per year, per building. He advised that the fiscal impact of adding other buildings to this ordinance would not be particularly significant unless there were very large numbers of buildings. Mr. Hugg noted that the ordinance had a very specific purpose, was still on the books, and had been amended. He informed members that the ordinance stated that it was implemented "to promote the renovation and equalization of commercial and industrial buildings on the city's principal commercial corridors. In order to promote the business growth and reutilization of vacant commercial buildings." Mr. Hugg advised that the intent of the ordinance was very clear, and if Council wanted to incentivize smaller, commercial businesses at some point, this would probably not be the right ordinance to amend. He recommended looking for another incentive that would work better and be more effective, if Council wanted to move in that

direction, rather than trying to amend the current ordinance to make it fit something that it was not intended for.

Mr. Sudler moved to recommend acceptance of Mr. Hugg's recommendation to look for another incentive that would work better and be more effective, if Council wanted to incentivize smaller, commercial businesses at some point, rather than trying to amend the current ordinance to make it fit something that it was not intended for. The motion was seconded by Mr. Lewis and unanimously carried.

Organizational Recommendations - David S. Hugg III, Acting Director of Planning and Community Development

Mr. David S. Hugg III, Acting Director of Planning and Community Development, advised members that, when he joined the City, he was asked to look at how the City is organized, not only in the Planning Department but broadly, and suggest possible improvements or changes that might make operations more efficient and streamlined. Mr. Hugg reviewed a memorandum dated June 23, 2017 regarding Initial Recommendations on Reorganization ***(Attachment #1)***. In regard to the Department of Planning and Inspections, Mr. Hugg indicated that at some point there may be an opportunity to look at the Department's hierarchy, noting that no one was currently serving as second in command; however, he did not think this was necessary at this time.

In regard to the reporting structure, Mr. Hugg indicated that he had asked the Delaware City Managers' Association to do a survey, results were received from most of the jurisdictions, and found that Dover was the only municipality of all those who responded that operates with a split system, where some members of senior staff report to Council or a member of Council and not to the City Manager. Mr. Hugg stated that the split system works as long as the City Manager, the City Planner, and others get along, but if there were significant policy issues, this approach would become disruptive. He advised that his suggestion and recommendation would be for Council to look into streamlining the reporting structure and to put the City Manager on the spot as being responsible for operation of the City government and moving it forward.

Mr. Hugg stated that his recommendations were provided for discussion and he was willing to expand upon them.

Mr. Hare stated that members would be unable to do justice to these recommendations during the current meeting. He suggested that another meeting be scheduled to address these concerns and that the Kent Economic Partnership (KEP) be invited.

Mr. Sudler asked Mr. Hugg to elaborate on his comments regarding the reconstitution of the Economic Development Committee, and questioned why Mr. Hugg felt so strongly about Option #3 - assign as a priority duty of the Assistant City Manager. Responding, Mr. Hugg explained that he was not recommending the re-establishment of an Economic Development Committee, noting that committees are bound by the Freedom of Information Act (FOIA), notice requirements, and membership. Mr. Hugg advised that he had been working with Mr. Anderson in regard to a resolution to be presented at the next Council meeting regarding an issue that was being termed "Making Dover Prosper." He indicated that, in the absence of a point person or persons for the City, if an interested party calls the Mayor and the Mayor asks Mr. Hugg, who is in the office, to follow

up with them, there is an opportunity to work with this individual. He explained that if this party does not call the Mayor or if Mr. Hugg is not in the office, this contact may be lost. Mr. Hugg indicated that there is currently no point of contact in the City to direct someone to if they are interested. Mr. Hugg informed members that all jurisdictions must deal with the same set of regulations, whether or not they like them, and Dover is not any worse than anyplace else. He indicated that Dover had been accused of being overly cumbersome; however, based on his experience, Dover was not that bad. Mr. Hugg explained that many people need someone to help them through the process, tell them that it will take 60 days to go before the Planning Commission because of timing, notice, etc., and keep them apprised.

Referring to Mr. Sudler's question regarding Option #3, Mr. Hugg stated that this option would be to use the Assistant City Manager position for economic development. He advised that his initial concern regarding this option was not whether or not that position would become the economic development director but what would be done with the other critically important day-to-day functions that need to answer to someone at a fairly senior policy level. Mr. Hugg indicated that these functions need to be addressed by someone who can make policy, not by an administrative assistant. He questioned what alternative would be created if these functions are not addressed by the Assistant City Manager, so that the City Manager is not overloaded.

Mr. Neil indicated that a workshop should be held over a long day to review all of the issues brought up by Mr. Hugg, which he thought were brilliant. He advised that Mr. Hugg's recommendations provided food for thought regarding directions in which the City could go based on Mr. Hugg's experience. Mr. Neil also applauded the Mayor, noting that he had seen him in the role described by Mr. Hugg and thought he was very good at it.

Mr. Lewis asked if Mr. Hugg's recommendation was to hire a part-time or per diem consultant to help with promoting Dover. In response, Mr. Hugg indicated that he would like the opportunity to pursue this question further, instead of saying yes or no at this time. He stated that there may be City staff whose job duties could be refined to include more promotion, and this could include the City Planner, as well as others. Mr. Hugg advised that before hiring someone, there was a need to know what it is that the City is trying to promote and what words would be used, such as "Making Dover Prosper" or "Make Dover Your Next Home," and hiring a firm may be considered after that. Mr. Hugg informed members that Smyrna had hired a public relations firm from Wilmington for strong point marketing who did wonderful things at an estimated cost of $20,000 - $30,000, which was not very expensive. He noted that this firm was not used regularly.

Mr. Polce thanked Mr. Hugg for the report, noting that he and Mr. Hugg had discussed the need to focus on economic development and foster synergy, both downtown and broadly throughout the City. He indicated that he looked forward to further conversation.

Mr. Slavin explained that he had been briefed by some of the members who were putting together the revitalized KEP. He noted that there are a lot of moving parts related to what was going on with the break-up of the Delaware Economic Development Office (DEDO), the public/private partnership that had been formed, and what is left for other places. Mr. Slavin indicated that a need had been expressed for a presentation to the City of Dover on these issues when these members were ready,

and suggested that this would be the time to hold a workshop for a deeper discussion into economic development.

Mr. Slavin encouraged Mr. Hugg to continue to work on the issues related to Parks and Recreation and the Library with Mrs. Donna Mitchell, Acting City Manager, stating that Council would likely consider those issues during the Council Retreat in January, which is a full-day planning session. He noted that Council could look at that issue then and consider it for next fiscal year.

Mr. Anderson moved to recommend acceptance of the report, seconded by Mr. Slavin and unanimously carried.

Proposed Ordinance #2017-09 Amending Chapter 2 - Administration, Article IV - Officers and Employees, Division 1 - Generally, Section 2-201 - Compensation and Expenses for Mayor, Council, Employees and Other Elected or Appointed Officials (Sponsors: Neil and Slavin)

Mr. Neil advised that, before the most recent members of Council were elected, Council had been asked to complete a Survey of Mayor and City Council Member Responsibilities, indicating what they did as members and how much time it they spent, for review by the Compensation Commission. He indicated that the Compensation Commission was to prepare a report and possibly recommend increasing Council's compensation. Mr. Neil noted that the report had not been issued, and some Commission members' two-year terms had expired and they could not be reappointed. Mr. Neil explained that Council President Slavin had asked him to review the ordinance and offer recommendations. He noted that when the original ordinance was developed, Council members were serving two-year terms and were now serving four-year terms, and it seemed to make sense to extend the terms of the Compensation Commission members to four (4) years as well. He thanked Mrs. Traci McDowell, City Clerk, for working with him on Proposed Ordinance #2017-09.

Mr. Anderson stated that he favored the Proposed Ordinance as long as it would not allow for the extension of the terms of those currently serving on the Compensation Commission. He advised that there should be some measure of accountability when reports are not provided in a timely manner. Mr. Anderson suggested that the Committee should also consider what recourse they would have if there are not meetings and reports, and expressed his belief that this may be grounds for looking for a new Commission. Mr. Sudler stated that he agreed with Mr. Anderson. Mr. Hare stated that he also agreed with Mr. Anderson; however, he thought there were some members of the Commission who should be reappointed and was unsure if these members' terms had expired.

Mr. Sudler moved to recommend adoption of Proposed Ordinance #2017-09. The motion was seconded by Mr. Lewis and unanimously carried.

By unanimous consent, the Legislative, Finance, and Administration Committee meeting adjourned at 7:41 p.m.

Mr. Sudler stated that he wished to submit information regarding Chapter 59 - Juvenile Curfew of the Dover Code for consideration during the next Safety Advisory and Transportation Committee meeting. Mr. Lewis stated that he would review the information and decide whether or not to place the item on the Committee's agenda. *(City Clerk's Office Note: This item has been placed on the next Safety Advisory and Transportation Committee agenda for consideration.)*

Mr. Neil moved for adjournment of the Council Committee of the Whole meeting. The motion was seconded by Mr. Lewis and unanimously carried.

Meeting adjourned at 7:42 p.m.

Timothy A. Slavin
Council President

TAS/TM/js/dd
S:\AGENDAS-MINUTES-PACKETS-PRESENTATIONS-ATT&EXH\Committee-Minutes\2017\06-27-2017 CCW Minutes.wpd

Attachments
Attachment #1 - Memorandum from Mr. David Hugg, Acting Director of Planning and Community Development, dated June 23, 2017 regarding Initial Recommendations on Reorganization

TO: Council, Mayor

FROM: David Hugg, Interim Director

DATE: June 23, 2017

SUBJ: Initial Recommendations on Reorganization

This report focuses on the opportunities and issues relating to the organization of a portion of the City's structure. It addresses Planning & Inspections, Parks & Recreation (but could involve the Library) and Economic Development, although some recommendations involve Public Works and City Manager functions. My preferred recommendations where there are options are marked with an asterisk (*)

Summary:

- Planning & Inspections (internal) – no changes to internal structure at this time

- Planning & Inspections and Parks & Recreation:

    - Base change – put parks maintenance function w/staff and other necessary resources in P&R (remove from PW) but leave under Planning & Inspections*
    - Option #1 – reestablish Parks & Recreation Department with Director*
    - Option #2 – create a Parks & Recreation Manager for daily operations but leave with Planning & Inspections organizationally
    - Option #3 - establish Parks, Libraries and Cultural Affairs Department with Director

- Planning & Inspections (external) – City Planner should report directly to City Manager, not council (w/wo P&R)

- Economic Development:

    - Base change – set aside a specific fund/line for promotion and marketing*
    - Clarify role of Mayor in promotion, marketing, recruitment, retention, representation*
    - Option #1 – create separate Office of Economic (or Business) Development*
    - Option #2 – join in regional economic development entity based on KEP
    - Option #3 – assign as a priority duty of the Assistant City Manager
    - Option #4 – independent consulting services

- Other – All departments, except public safety and city clerk, should ultimately report to City Manager w/some support duties going through Assistant City Manager (note: I asked the DE City Managers Association to do a quick survey of Manager/Assistant duties, the results of which I will have soon).

Planning & Inspection (internally):

This department seems to function well with exceptionally good internal coordination among the components (Permitting/Front Desk, Building Permits, Code Enforcement, Fire Marshall and Planning & Zoning). Internal processes are appropriate for ensuring that coordination and approvals occurs. Opportunities to increase cross-training would help to smooth out the periodic workflow, but some alternatives are being explored, including use of third parties to backup staff as needed. I do not see the need for any structural changes in this department at this time.

Planning & Inspections/Parks & Recreation (reporting structure):

The larger question involves whether the City Planner/Planning & Inspections Department (with or without Parks) should continue to report separately to the Council. In most jurisdictions that I am familiar with all administrative functions report to a town or city manager or a county administrator, with the exception of police/public safety and perhaps whatever unit directly supports the council. This structure provides a single point of managerial oversight, minimizes policy and other miscommunications and conflicting policies, provides a better focus for fiscal and priority decisions, and ensures clearer lines of responsibility and accountability. This structure does put a burden on the manager; often larger cities or counties utilize deputies or assistant managers who have specific areas of responsibility, but those positions still answer to the manager.

Dover's structure is unique in that along with the clerk's office, the Finance Director, City Planner, the Assessor, Police and the Fire Department do not report to the City Manager. The City Manager's position appears to be most closely aligned with utility and public works operations and billings, with a number of additional support functions (HR, IT, procurement) and the Library (which currently reports through the Assistant City Manager).

Parks and Recreation:

Sometime ago, with the retirement of the Parks Director, these responsibilities were added to the scope of the City Planner/Director of Planning & Inspections. While that was a cost savings, it left the Parks and Recreation function with no other managerial structure and made them "step-children" of the Planning & Inspection Department. Currently they function largely on their own, setting schedules, implementing programs and managing facilities. While that seems to function reasonably well (because the staff are well motivated and take charge), they get hit-or-miss attention from the Director and there is little supervision or prioritization of tasks. I feel there are three options available (excluding doing nothing):

A fundamental (and urgent) issue involves park maintenance and up keep. It is my understanding that responsibility for all park facilities and grounds is placed in Public Works, with grounds maintenance the responsibility of the Grounds Section of that unit and maintenance of the Recreation Center falling under the Facilities unit. Given that excessive deferred maintenance is apparent at many of the City's Parks, I believe the responsibility for maintenance of park & recreation grounds and facilities (except major repairs and utility services) should be a direct function of the Parks & Recreation unit. Grounds and facility maintenance duties should be reassigned from Public Works to Parks & Recreation along with sufficient staffing and equipment to ensure proper attention. This should happen regardless of which organizational option is selected. P&R maintenance staff should still be available for snow or other weather related needs or in the case of a major utility failure where all hands are needed.

Base change – move park maintenance responsibilities and relocate with appropriate staff and other resources to P&R to better address priority, accountability and responsibility*

Option #1: reestablish the position of Parks & Recreation Director and return the Department to its prior status.*

- Pros: improves direction and supervision; focuses attention clearly on P&R needs; restores status within city government relative to others for consideration of resource needs

- Cons: adds significant cost associated with creating the Director position (salary and other costs could be in the $100,000 - $125,000 range depending on the starting salary); adds another direct report to City Manager or alternatively to council.

Option #2: create a manager/supervisor-level position within the Parks & Recreation group, reporting to the P&I Director, whose job duties include daily operation of the facilities and programs, basic resource management/expenditure control, general supervision and reporting, but not policy or major decisions.

- Pros: improves general supervision and operation; is less costly than a director position; improves involvement in broader department matters

- Cons: involves some added expense (about $70,000 depending on where the position's compensation is set); requires creation of a new job title and description

Option #3: reestablish the earlier Department of Parks, Recreation and Libraries (perhaps renamed to include the notion of community or cultural affairs). I understand that this structure was in place until about the time the new library was being built. I think the separation of Libraries was in part due to the retirement of the director (Zak Carter) and the changing role of libraries generally. The pros and cons are the same as the first option, the primary difference is organizational in terms or reporting.

Economic Development, Marketing & Promotion:

The lack of a centralized and focused approached to economic development places the City at a distinct disadvantage, particularly relative to Smyrna and Milford. At any given time, one or more of the Mayor, The Council President, the City Manager, the Assistant City Manager, the City Planner, the Public Affairs Officer, and individual councilmembers, may be engaged in recruitment, retention, and business promotion on behalf of the City. Even worse, there are probably times when none of those positions are actively engaged, resulting in missed opportunities and inconsistent signals to prospects, other economic development interests, or the public.

Additionally, there is no consistent and carefully crafted marketing or promotion strategy for the City; the website is marginal in terms of its promotional value; only "bad news" seems to be published in the media; and initiatives by other entities (KEP, CDCC, GKC, DDP, etc.) seem to drive how the City is marketed to the world. I recently revised the City website under "Business: Locating to Dover" to make it more focused, replace an unattractive picture, and delete a now defunct commercial source link, but that is simply a stopgap.

Let me digress for a moment. Governor Carney has proposed a new public/private partnership entity to replace the current Delaware Economic Development Office (DEDO). House Bill 226, which comes as a result of the Governor's Working Group on economic development, creates a public/private non-profit body outside the governmental structure to take over the broader functions of attracting early stage

technology enterprises and entrepreneurs, large employers, international businesses, and state marketing strategies, formerly housed in DEDO. Many remaining functions of DEDO will be transferred to a new Division of Small Business, Development and Tourism in the Department of State. The public/private partnership, according to the Working Group's report, will essentially be a subscription/ pay to play arrangement. There is considerable concern that upstate interests will dominate this new entity, possibly not adequately representing Kent county interests. I mention this only to empathize the need for the City to be in a leadership role as I feel we will get diminished attention.

Base change: *

The base change has to do with promoting the City. I firmly believe that the City has to be the leader in the economic vitality of the county and the region. We are the State Capital. We have the bulk of the jobs and manufacturers in the county within our borders. We are the home of state and county government, and DAFB, with all the other attributes that attract economic activity (colleges, health care, regional retail, professional services, etc.). Getting that done requires, first, the commitment to make it happen; and, second, the allocation of resources for which the priority is fostering the economic development of the City. The City cannot afford to let someone else do it or let it happen on its own. Nor can the City only focus on the downtown while letting the rest of the city happen. I believe a budget of not less than $50,000 per year should be allocated to promoting the whole City.

Defining the role of the Mayor: *

The role of the Mayor in economic development matters should also be clearly defined so that the position can bring the stature and high level presence to the table in recruitment, retention and related activities. The Charter (Subpart A, Article II, Section 14) offers no guidance on this matter. In my experience, the Mayor is generally perceived as the face of the community in terms of recruitment, communicating with prospects, assisting in retention or expansion issues, cutting ribbons and other ceremonial functions, and speaking on behalf of the city relative to its condition, growth and economic outlook. I won't venture any further into this discussion because Dover's Charter and delegation of official powers sets forth an overall structure that is different from most.

Option #1: *

The most logical option is reestablishment of a City of Dover Office of Economic Development (or Office of Business Development) entity, the name of which can be debated, and which might only be a staff of one, with or without consulting assistance (note: the staff could be either an employee or be contracted). In my mind this position is functionally separate from the City Manager's Office, having flexible interaction with the Mayor and Council President, and ultimately reporting to the Council President. I realize this structure existed in some form until recently, but I believe it is worthy of reconsideration.

The Office should have a clear mission statement, measurable objectives, regular reporting requirements and a designated budget to allow for data procurement, marketing and promotion, participation in business development organizations and events, and support services. The Office should also have access to a dedicated promotion and marketing fund (see above), and basic support resources. A budget of at least $150,000 per year should be allocated to provide staff and contractual resources to make this function viable (costs include compensation, benefits, memberships, some travel, economic data and analysis, consultant services).

Option #2:

Another option is to regionalize economic development functions building off of the already established structure(s) represented within the Kent Economic Partnership (KEP). The KEP's mission is set forth as "the premier engine that creates and maintains a diverse business climate for the benefit of the citizens of central Delaware." Managed by a public/private board, KEP includes the City of Dover, the municipalities of Smyrna and Milford, Kent County and a cross section of the major employers in the county. While offering the potential to employ highly trained staff and be more flexible in terms of working with present and potential businesses, the City is advised not to relinquish all responsibility for economic development activities, and to hold a voting seat on the board (perhaps a veto for projects that are within or adjacent to the City boundaries if necessary). This option is getting some attention within KEP; I do not have enough information to speculate on costs or ultimate structure.

Option #3:

The City has an Assistant City Manager and that position could be primarily responsible for economic development and promotion. These duties would be similar to a separate position (option #1), but a critical question then becomes how to distribute the duties that would otherwise have been assigned to the Assistant City Manager and avoid overloading the City Manager. In my opinion those duties are too important and have too high level policy and operational considerations to be delegated to someone at an administrative level. Some larger cities across the country have two or more ACM's, one for administrative functions and one for growth and development; Dover is probably not ready for that yet.

Option #4:

Economic development activities could be undertaken solely through a consulting relationship with a firm that specializes in these services. This option could be costly and limit quick response when a prospect turns up. A risk is that the firm might not have the same priorities or objectives of the City, leading to conflicting approaches, or may not give City issues their full attention. My experience suggests that having a staff person responsible for the function and securing contractual services for specific tasks is a better model.

In any of these options the commitment to economic development should be a priority, not just left to happen or without a clear city commitment. Experience suggests that letting economic development take care of itself or under somebody's else's direction is poor practice with generally unsatisfactory consequences.

Sidebar: these options beg the question of the level of City support and fiscal obligation to groups such as the Downtown Dover Partnership or the KEP.

Other Organizational Considerations:

The role of the City Manager/Assistant City Manager need to be affirmed and clarified. Given the extensive responsibilities that fall on the City Manager, particularly if Planning & Inspections and Parks & Recreation both become direct reports, some responsibilities should be assigned (as some currently are) to the Assistant City Manager. I feel that both positions are committed to enough responsibilities and

that neither should take on economic development unless it becomes a priority duty and other functions are reassigned.

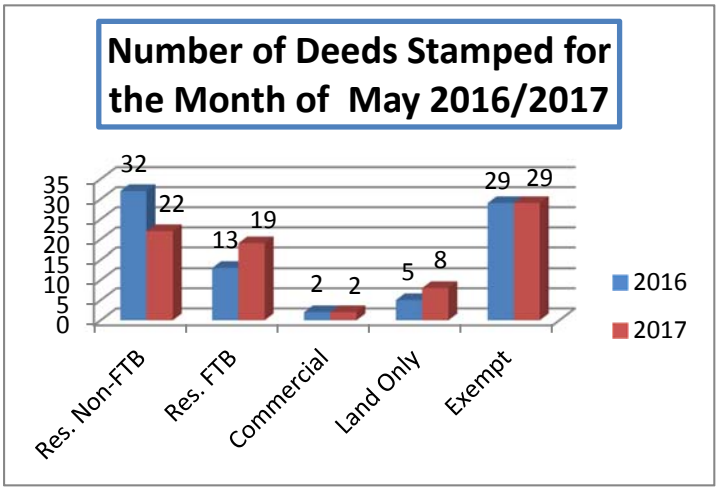
Duties that would report directly to the City Manager might be: Finance, Assessor, Public Works, Electric, Planning & Inspections and Parks & Recreation. Duties that might report through the Assistant City Manager could be Customer Service, Human Resources, Information Technology, Procurement, Library (if not combined with Parks), and any other ancillary functions. I am aware of discussions about having a Controller position separate from the City Manager to provide checks and balances and ensure proper utilization of funds. In this scenario the preparation of the budget requests could lie with the City Manager while the responsibility for developing, presenting and tracking the budget could be assigned to the Controller. This model is similar to the separate Office of Management, Budget and Planning (executive) and the Office of the Controller General (legislative)at the state level. I have not reviewed this option as it might relate best to Dover, but I know that it works effectively at the state level for coordination of executive and legislative budgetary functions.

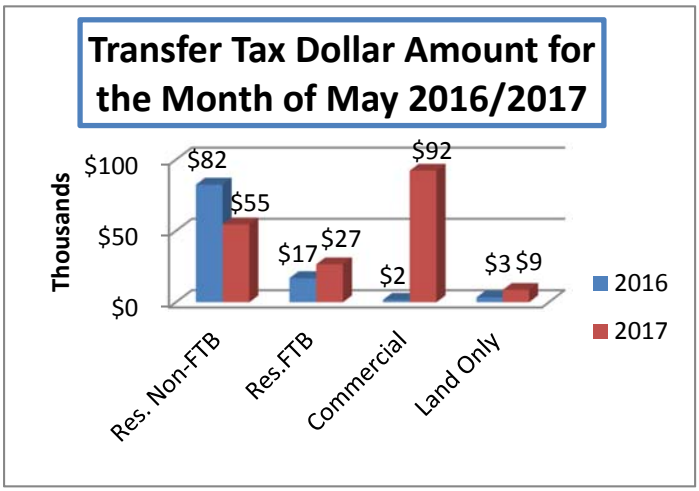
I hope these recommendations are of value and am willing to discuss or develop them further as desired.

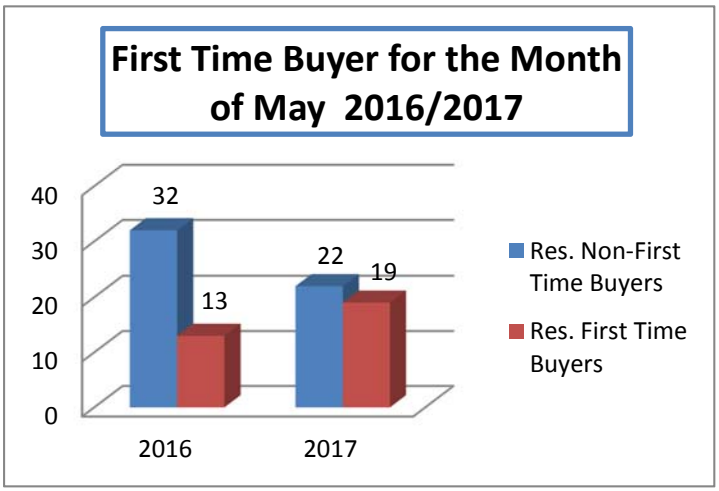
Monthly Report
May 2017

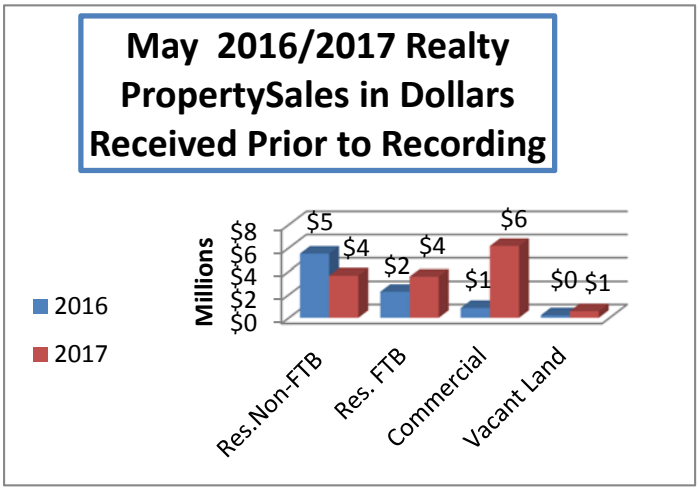
Office of City Assessor

ASSESSOR'S REPORT









Major Updates

	March - 17	April -17	May - 17
Assessment Change	$7,564,000	$1,024,000	$3,921,800

Residential Sales Ratio Report

Sales in Study	Total Assessed Value	Total Sale Price	Ratio	PRD
21	$3,279,300	$3,889,230	0.84	1.09

Ratio – Assessed Value divided by Sale Price.

PRD – Mean – A PRD above 1.03 tends to indicate assessment regressivity – high valued properties are under appraised relative to low valued properties. A PRD below .98 tends to indicate assessment progressivity – high valued properties are relatively over appraised.

Points of Interest

Scanning & Filing

- All new deeds are being scanned and attached to the CAMA software for easy retrieval.

- All appeal documents and correspondence are being scanned and attached to the CAMA software for easy retrieval.

- All old property record cards are being scanned and indexed into Fortis.

Assessor's Office

- 2017 Appeal Hearings have been completed (see attached spread sheet)

2017 Appeal Log

Exempt Request

Name	Property Address #	2015 Amount	Reque. Amount	Revised Amount
CENTRAL DE HABITAT FOR HUMANITY	325 N NEW ST	$13,600	$0	$0
CENTRAL DE HABITAT FOR HUMANITY	22 N NEW ST	$70,900	$0	$0
NCALL	231 N QUEEN ST	$13,800	$0	Sold
NCALL	106 S NEW ST	$13,100	$0	$0
NCALL	110 S NEW ST	$11,600	$0	$0
NCALL	112-114 S NEW ST	$8,600	$0	$0
NCALL	212 N GOVERNORS AVE	$10,800	$0	Sold
NCALL	14 S QUEEN ST	$12,000	$0	$0
NCALL	18 S QUEEN ST	$12,000	$0	$0
NCALL	245 N WEST ST	$13,500	$0	$0
NORFOLK SOUTHERN RAILWAY	S WEST ST	$50,700	$0	$0
DOVER HOUSING AUTHORITY	402 S NEW ST	$40,000	$0	$0
DOVER HOUSING AUTHORITY	13 S NEW ST	$10,700	$0	$0

Stipulations

Name	Property Address #	2015 Amount	Reque. Amount	Revised Amount
FRIEDMAN, FAYE BIBEE	1059 S BRADFORD ST	$466,300	$265,000	$273,000
JACKSON PARTNERSHIP - GP	146 S STATE ST	$502,200	$250,000	$256,000
	Total	$1,249,800		$529,000

CITY OF DOVER
SALES RATIO REPORT

PARID	NBHD	LUC	ADDRESS	UNITS	STYLE	YRBLT	STORIES	SFLA	GRADE	CDU	TOTAL APPR	SALE DT	PRICE	ASR
ED05-067.05-02-48.00	18	R10	134 BRANDYWINE DR	1	5	1989	2	2730	A-	AV	261,700	19-MAY-17	290,000	
ED05-067.13-01-77.00	3	R10	220 CARNOUSTIE RD	1	16	1976	1	4032	B-	AV	250,400	23-MAY-17	305,000	
ED05-067.14-02-33.00	2	R10	67 FOREST CREEK DR	1	13	1974	2	1443	C-	AV	85,600	19-MAY-17	101,000	
ED05-067.14-03-11.00	2	R10	145 OLD FORGE DR	1	13	1976	2	1273	C-	AV	82,200	05-MAY-17	81,650	
ED05-067.16-01-66.00	10	R10	728 FAIRVIEW AVE	1	5	1963	2	1948	C+	AV	160,000	05-MAY-17	162,500	
ED05-067.19-03-42.00	17	R10	17 PATRIOT DR	1	3	1990	1	1787	C	AV	153,700	19-MAY-17	209,000	
ED05-067.20-03-68.00	8	R10	447 N GOVERNORS AVE	1	5	1927	2	1782	B+	GD	163,300	04-MAY-17	184,900	
ED05-068.17-02-50.00	8	R10	228 N STATE ST	1	1	1911	2	3889	A	VG	360,100	05-MAY-17	600,000	
ED05-068.18-03-63.00	7	R10	1015 E DIVISION ST	1	14	1950	1	824	C	FR	94,900	08-MAY-17	100,000	
ED05-076.03-02-88.00	14	R10	348 TRIBBITT ST		13	2017	2	1732	C+	AV	151,400	22-MAY-17	152,000	
ED05-076.03-02-91.00	14	R10	360 TRIBBITT ST		13	2017	2	1760	C+	AV	150,300	15-MAY-17	159,900	
ED05-076.05-04-01.055	102	R50	39 PAR HAVEN DR	1	20	1978	1	1008	C-	AV	44,100	23-MAY-17	35,000	
ED05-076.05-06-53.00	14	R10	19 HEATHERFIELD WAY	1	8	1992	2	1480	C+	AV	138,300	01-MAY-17	159,000	
ED05-076.06-05-31.00	17	R10	143 COLONY DR	1	5	1986	2	2353	B	AV	203,700	10-MAY-17	225,000	
ED05-076.12-01-67.00	2	R10	827 PAUL ST	1	14	1959	1	1052	C	AV	117,900	15-MAY-17	106,000	
ED05-076.13-01-40.00	14	R10	118 THAMES DR	1	13	1995	2	1372	C+	AV	98,800	09-MAY-17	128,000	
ED05-077.07-06-09.00	6	R10	246 LADY BUG DR		1	2017	2	1920	B-	AV	189,700	18-MAY-17	234,000	
ED05-077.07-06-91.00	6	R10	231 NOB HILL RD		1	2017	2	1920	B-	AV	189,000	10-MAY-17	227,280	
ED05-085.08-01-47.00	12	R10	1187 OAK LN	1	5	1962	2	2149	C+	AV	164,800	01-MAY-17	205,000	
ED05-085.12-04-24.00	12	R10	348 LOCUST POINT PL	1	16	1980	1	1630	C+	AV	136,900	25-MAY-17	164,000	
LC05-058.14-01-01.223	1	R10	223 W PERSIMMON CIR	1	14	2003	1	1728	C-	GD	82,500	27-MAY-17	60,000	

CITY MANAGER'S MONTHLY



REPORT

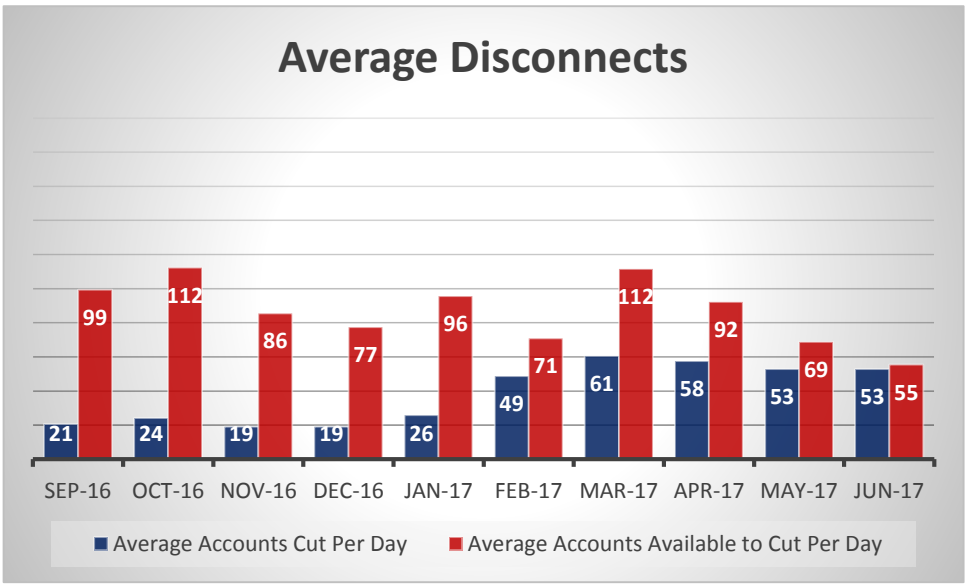
MAY 2017

City of Dover
Customer Services Department

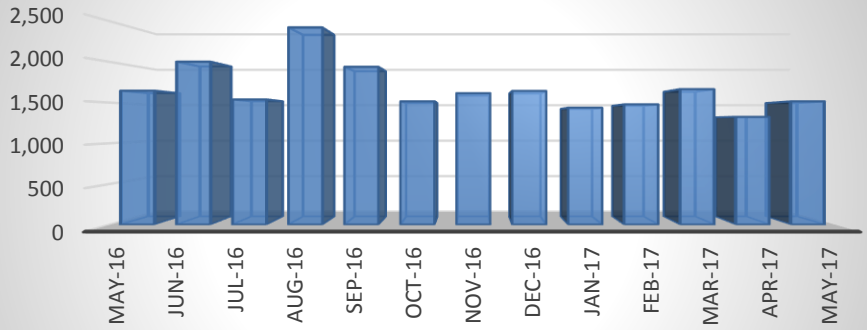
Major Program Updates	May 2017	May 2016	Difference	FY 2017 Year-to-Date	FY 2016 Year-to-Date
Number of Customers Served	23,141	22,294	847	249,392	232,270
Final Bills	484	606	(122)	7,529	7,422
Estimated Bills	159	200	(41)	2,253	2,487
Penalties Posted	$ 5,926	$ 5,163	764	$ 74,832	$ 144,085
Extensions of Credit - Amount Extended	$ 100,265	$ 28,266	71,999	$ 1,328,446	$ 900,074
Balance Transfers	$ 1,969	$ 5,530	(3,560)	$ 3,707	$ 232,485
Utility Collections	$ 34,636	$ 27,157	7,479	$ 278,304	$ 419,013
Miscellaneous Bill Payments	$ 155,156	$ 127,835	27,320	$ 1,542,011	$ 1,368,458
Taxes Levied	$ 200,586	$ 149,747	50,839	$ 200,586	$149,747
Tax Billing Adjustments	$ 5,932	$ (100)	6,032	$ 5,932	($100)
Total Taxes Collected	$ (14,224)	$ 253,560	(267,784)	$ (14,224)	$15,818
Taxes Outstanding	$ 192,294	$ 133,829	58,465	$ 192,294	$133,829

Disconnect Summary Report

	Sep-16	Oct-16	Nov-16	Dec-16	Jan-17	Feb-17	Mar-17	Apr-17	May-17	Jun-17
% of Cust Cut	21%	21%	22%	25%	27%	69%	54%	62%	77%	95%
% of Total $ Cut	22%	18%	16%	24%	31%	68%	66%	63%	77%	92%
Total Days Available to Cut	20	20	21	22	22	16	13	16	20	20
	Sep-16	Oct-16	Nov-16	Dec-16	Jan-17	Feb-17	Mar-17	Apr-17	May-17	Jun-17
Average Accounts Cut Per Day	21	24	19	19	26	49	61	58	53	53
	Sep-16	Oct-16	Nov-16	Dec-16	Jan-17	Feb-17	Mar-17	Apr-17	May-17	Jun-17
Average Accounts Available to Cut Per Day	99	112	86	77	96	71	112	92	69	55
Total on original list	1986	2247	1797	1702	2102	1134	1451	1476	1377	1109
Total $ on original list	$ 649,386.35	$ 863,317.64	$ 782,883.39	$ 636,019.34	$ 675,694.36	$ 373,545.84	$ 371,175.90	$ 362,563.80	$ 405,699.71	$ 476,569.79
Total Actual Cust Cut	411	482	402	419	570	779	788	922	1059	1059
Total $ of Actual Cut	$ 140,573.47	$ 155,769.34	$ 124,907.89	$ 154,000.16	$ 212,407.49	$ 255,781.83	$ 243,763.03	$ 229,928.08	$ 312,473.14	$ 437,125.60

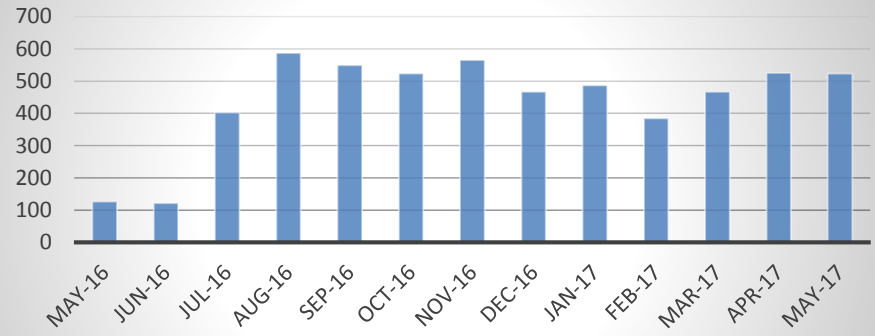


Work Orders Processed



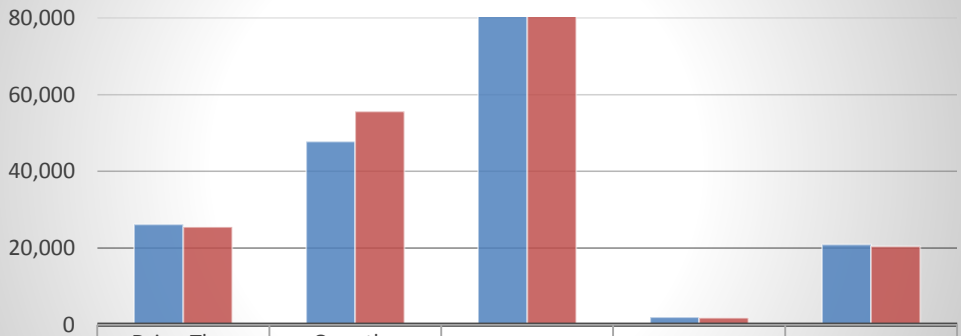
	May-16	Jun-16	Jul-16	Aug-16	Sep-16	Oct-16	Nov-16	Dec-16	Jan-17	Feb-17	Mar-17	Apr-17	May-17
Series1	1,646	2,002	1,539	2,423	1,939	1,515	1,615	1,643	1,437	1,478	1,665	1,325	1,515

Payment Agreements / Extensions



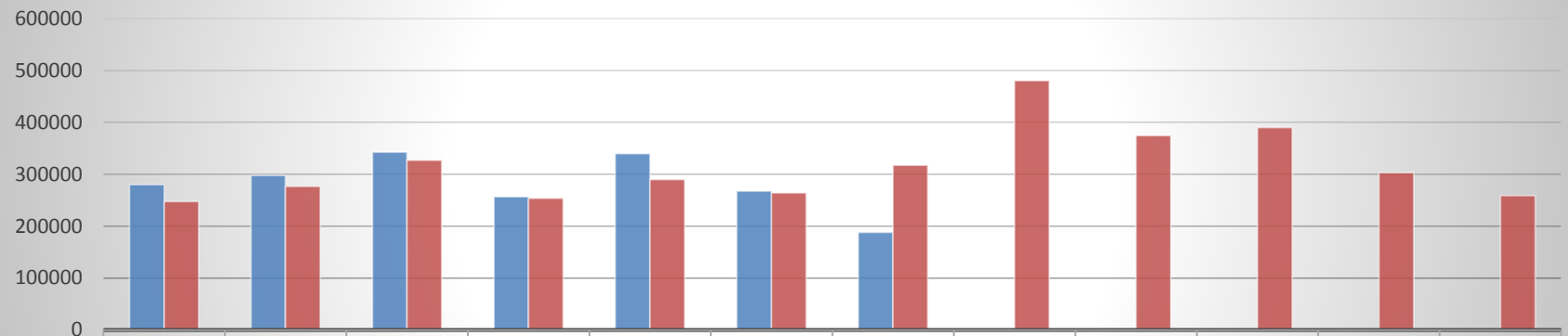
	May-16	Jun-16	Jul-16	Aug-16	Sep-16	Oct-16	Nov-16	Dec-16	Jan-17	Feb-17	Mar-17	Apr-17	May-17
Series1	127	122	402	587	549	523	565	467	487	385	467	525	523

CUSTOMER PAYMENT USAGE



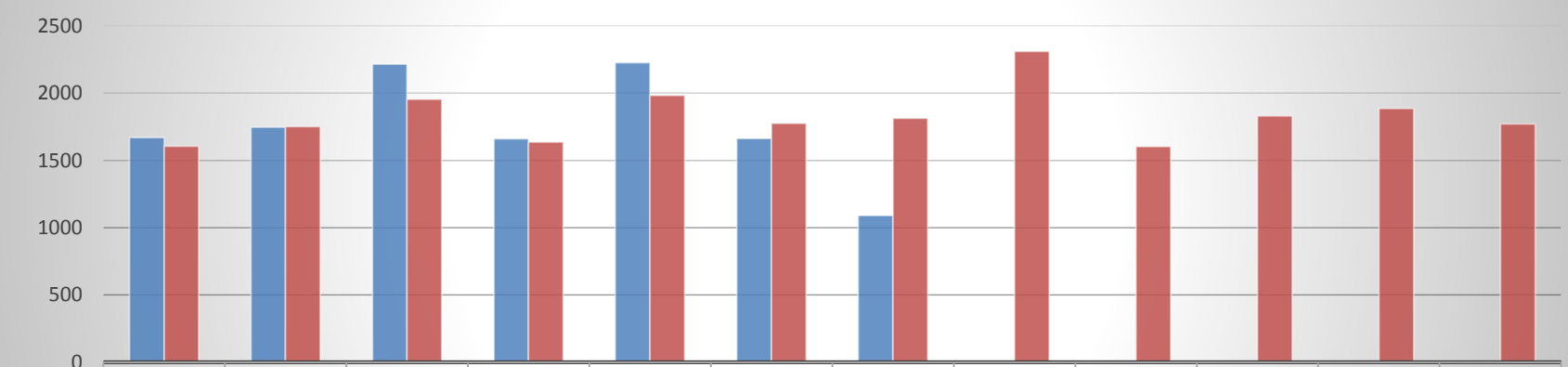
	Drive-Thru Window	Over the Counter	Mail, Drop Box	Credit Cards	Bank Drafts
2017 YTD	26,189	47,762	169,247	1,982	20,959
2016 YTD	25,492	55,604	163,481	1,801	20,385

Customer Payments Made Through Bank Draft



	January	February	March	April	May	June	July	August	September	October	November	December
2017	279823.56	297914.5	342455.53	256771.02	339351.31	267485.44	188022.46	0	0	0	0	0
2016	247351.87	276553.6	327013.78	253729.28	289793.16	263957.73	317148.01	480391.62	374575.25	389971.29	302860.98	259092.91

Total Accounts Bank Drafted



	January	February	March	April	May	June	July	August	September	October	November	December
2017	1668	1747	2214	1660	2226	1662	1090	0	0	0	0	0
2016	1605	1751	1954	1636	1982	1775	1812	2309	1602	1831	1886	1770

ELECTRIC DEPARTMENT

Electric Divisions

System Peak	
Sept 15	148.0
Oct 15	101.3
Nov 15	95.5
Dec 15	94.64
Jan 16	116.96
Feb 16	110.15
Mar 16	98.93
Apr 16	100.37
May 16	128.16
June 16	133.59
July 16	165.92
Aug 16	162.61
Sept 16	159.99
Oct 16	116.94
Nov 16	98.27
Dec 16	101.04
Jan 17	113.04
Feb 17	106.4
Mar 17	108.2
Apr 17	107.03
MAY 17	133.93

Total System Load	
Sept 15	66,383
Oct 15	55,011
Nov 15	53,746
Dec 15	56,155
Jan 16	62,563
Feb 16	57,888
Mar 16	55,967
Apr 16	53,202
May 16	56,586
June 16	65,414
July 16	80,114
Aug 16	83,086
Sept 16	67,117
Oct 16	57,707
Nov 16	54,812
Dec 16	60,179
Jan 17	63,172
Feb 17	54,811
Mar 17	60,690
Apr 17	54,062
May 17	57,823

Month	*outages*	*customers*
Sept 15	9	334
Oct 15	1	1
Nov 15	5	2629
Dec 15	2	17
Jan 16	5	245
Feb 16	2	106
Mar 16	7	353
Apr 16	5	672
May 16	2	206
June 16	14	601
July 16	9	307
Aug 16	9	214
Sept 16	7	915
Oct 16	8	224
Nov 16	6	4293
Dec 16	5	207
Jan 17	3	12
Feb 17	1	2
Mar 17	4	160
Apr 17	4	114
May 17	5	148

Number Customers Gained	
Sept 15	5
Oct 15	9
Nov 15	61
Dec 15	20
Jan 16	21
Feb 16	14
Mar 16	16
Apr 16	29
May 16	13
June 16	53
July 16	13
Aug 16	13
Sept 16	35
Oct 16	27
Nov 16	41
Dec 16	37
Jan 17	40
Feb 17	31
Mar 17	15
Apr 17	58
May 17	58

Electric Monthly Outage Report

The annual outage goal will be less than 295 minutes per customer, which is a Delaware Standard. This will be measured by calculating the System Average Interruption Duration Index.

FY 17 YTD	FY 16	FY 15
28.81	25.53	45.76

Controllable Outages *Annual goal is less than 40*		Average Response Time *Goal is less than 30 minutes*	
Month	**Year-to-date**	**Month**	**Year-to-date**
2	26	29.2 Minutes	32.89 Minutes

PROGRAM UPDATES	MAY 17	MAY 16	FY17 YTD
Tree Trimming	239	252	6269
Number of Oil Releases	1	3	1
Lost Time Accidents – All Electric Utility Divisions	0	0	0
New Services	58	13	632

HUMAN RESOURCES

May 2017

Category	May 16	June 16	July 16	August 16	Sept 16	Oct 16	Nov 16	Dec 16	Jan 17	Feb 17	March 17	April 17	May 17	Total
Caucasian*	302	301	297	294	296	301	302	300	299	296	293	290	289	n/a
Minorities*	70	70	70	69	71	72	72	71	71	71	72	73	73	n/a
Hired	3	3	3	0	5	9	3	1	5	1	5	1	3	42
Terminated/Resigned/ Retired/Other	0	4	8	4	1	1	2	4	6	4	7	3	4	48
Transferred/Promoted	0	1	2	2	2	0	0	2	2	0	1	1	1	14
Jobs Posted	2	3	5	7	3	3	1	7	2	6	7	5	2	53
Workers Comp. Injuries	2	0	3	3	3	6	3	0	2	2	2	2	4	32
Workers Comp. Hours	0	32	271	340	171	254	319	342	259	252	397	275	648	3560

339 Full-time Employees: Part-time Employees: 25 (*3 Pitts Center, 1 Recreation, 16 Library, 1 Customer Service, 1 Central Services, 3 Police Department, 0 Information Technology) -Numbers do not reflect, temporary, seasonal, relief fire dispatchers, committee or council members.

Position Hired: Customer Service Supervisor; Customer Service Representative I (part-time); Police Officer
Position Terminated/Resigned/Retired: Key Accounts Representative; Administrative Assistant (part-time, IT); Police Cadet; Inspector I (Fire Marshal)
Position Transferred/Promoted: Major to Chief of Police
Positions Posted: Gardener I (Public Works); Inspector I, (Fire Marshal's office)

Recruitment Information

(Positions closed in May)

Position	Total	Female	Male	Unknown	Black	White	Hispanic	Asian/Pacific Islander	American Indian/Alaskan Native	Two or More	Unknown	In Dover	Out Dover
Public Works Inspector	5	-	5	-	1	4	-	-	-	-	-	2	3
Communications Operator	129	52	73	4	30	87	1	-	-	5	6	41	88
City Manager	21	5	16	-	4	10	1	-	2	-	4	4	17
Evidence Technician	43	19	21	3	12	23	1	1	-	3	3	17	26

Open or Currently Recruiting*

Open or Currently Recruiting By Department	May 16	June 16	July 16	August 16	Sept 16	Oct 16	Nov 16	Dec 16	Jan 17	Feb 17	March 17	April 17	May 17
Electric	5	3	4	4	3	3	4	4	4	4	4	4	4
Public Works	10	12	11	13	11	5	6	6	5	5	6	6	6
Police	1	2	2	3	2	1	1.5	3	5.5	6	7.5	9.5	9
All Other Departments	7	8	9.5	10	9	9	14	13.5	11.5	11.5	12	10	9.5
Totals	23	25	26.5	29	25	18	25.5	26.5	26	26.5	29.5	29.5	28.5

**Not used for Budgeting Purposes*

✧**The following has been updated to reflected the Fiscal 2016-17 Budget**

Electric: Engineering Fieldman I, Lineman 2nd class, Meter Technician; Key Accounts
Public Works: Utility Maintenance Mechanic I; Lead Laborer (Grounds); Laborer II (Grounds); Public Works Inspector, Gardener I, Water/wastewater Crew Leader
Police: (6) Cadet; LAN Analyst, (2) Police Officers, (2) Communication Operator; Evidence Technician
All Other Departments: City Manager, Director Planning & Inspections, (1) Customer Service Clerk I (Customer Service); (1) Field Service Representative I (Customer Service-Meter Reading), LAN Analyst (Information Technology); Billing Supervisor (Customer Service); (1) Customer Service Clerk I (part-time); Planner; (2) Library Clerk (part-time); Inspector I (Fire Marshal)

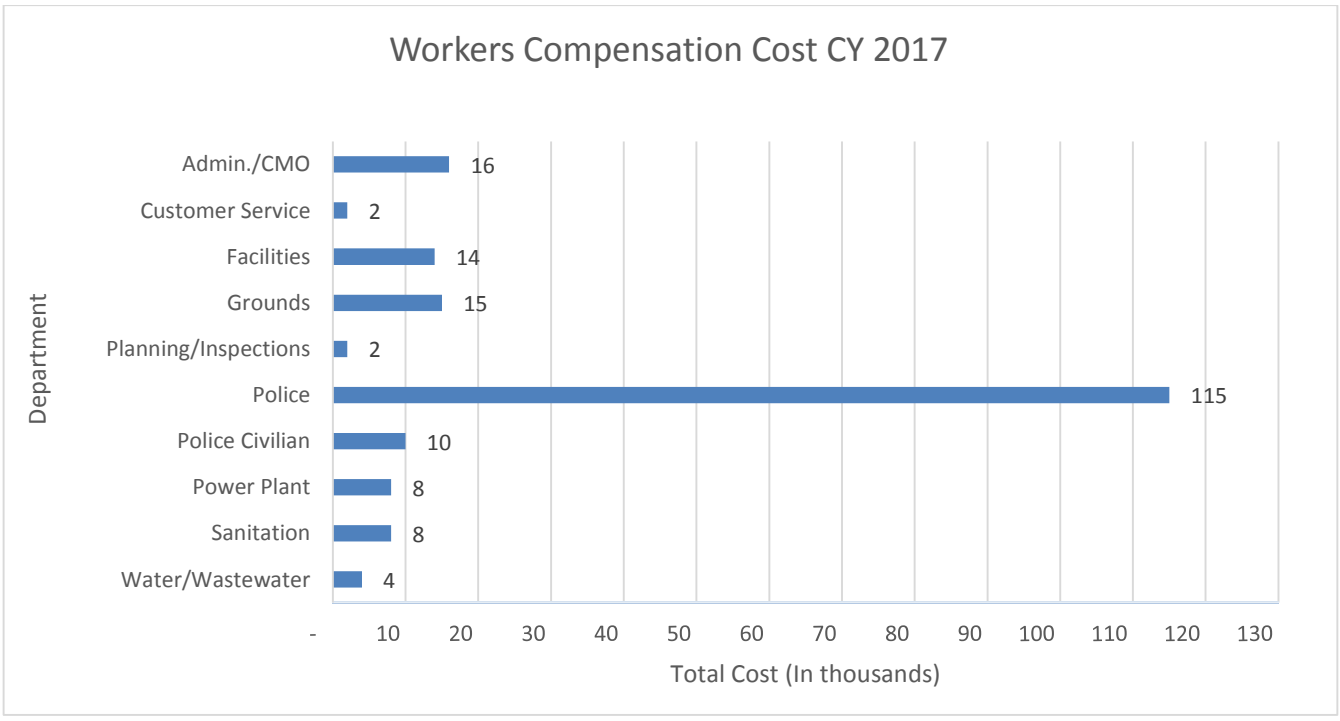
HUMAN RESOURCES
(Continued)

Turnover Statistics

	2010	2011	2012	2013	2014	2015	2016	2017
Total Turnover %	5.57	6.75	11.00	10.91	6.02	12.05	8.68	6.03
Termination Turnover %	0.27	1.08	0.29	1.47	.57	.28	.54	.55
Resignation Turnover %	2.12	4.05	5.21	5.01	2.29	7.56	6.24	3.02
Retirement Turnover %	3.18	1.62	5.50	4.42	3.15	4.20	1.90	2.74
2012 Healthcare cost sharing implemented								
2013 Healthcare cost sharing implemented for DOE								
2016 RIF in Economic Development								

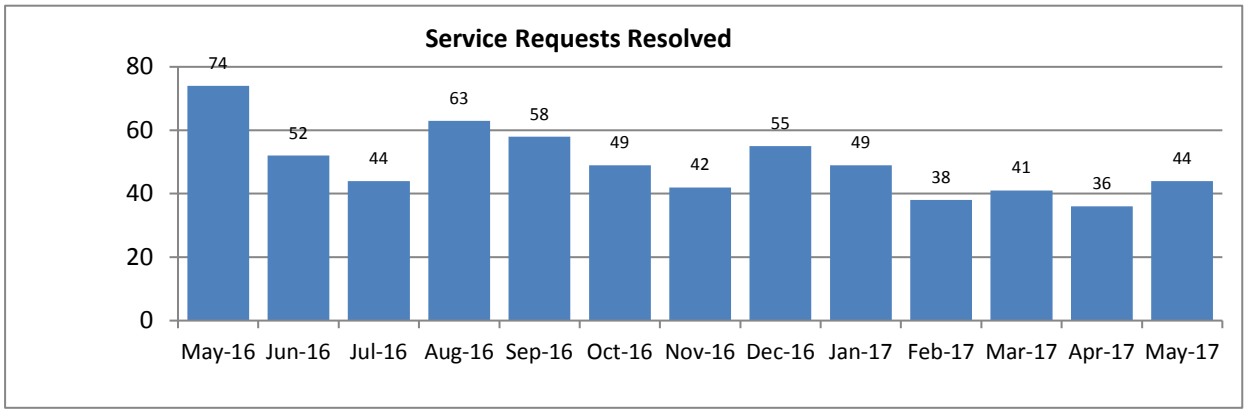
Average Employees

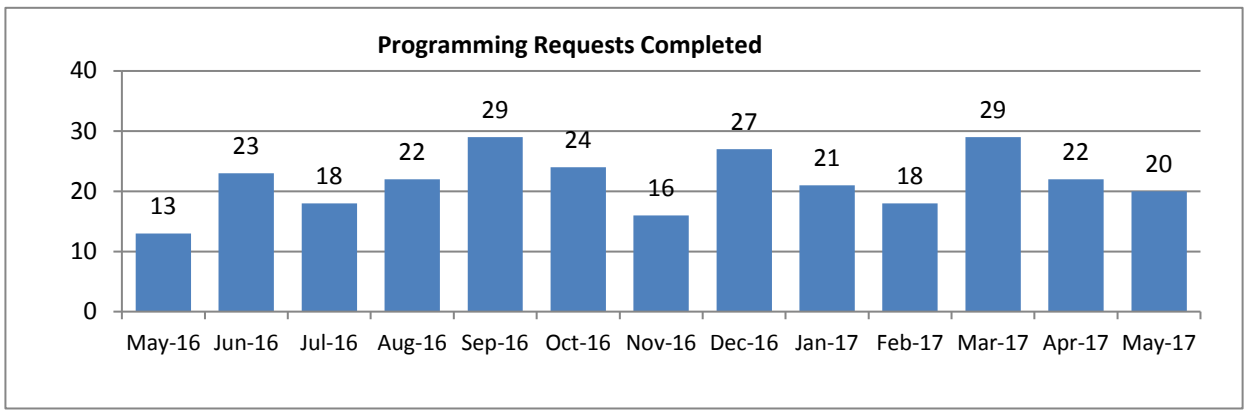
	2010	2011	2012*	2013*	2014	2015	2016	2017
Total Number of Employees Separating from Service	21	25	38	37	21	42	32	22
Average Number of Full-time Employees	362	356	333	325	331	333	340	341
Average Number of Part-time Employees	16	15	12	14	18	24	28	24
*** Healthcare cost sharing implemented**								

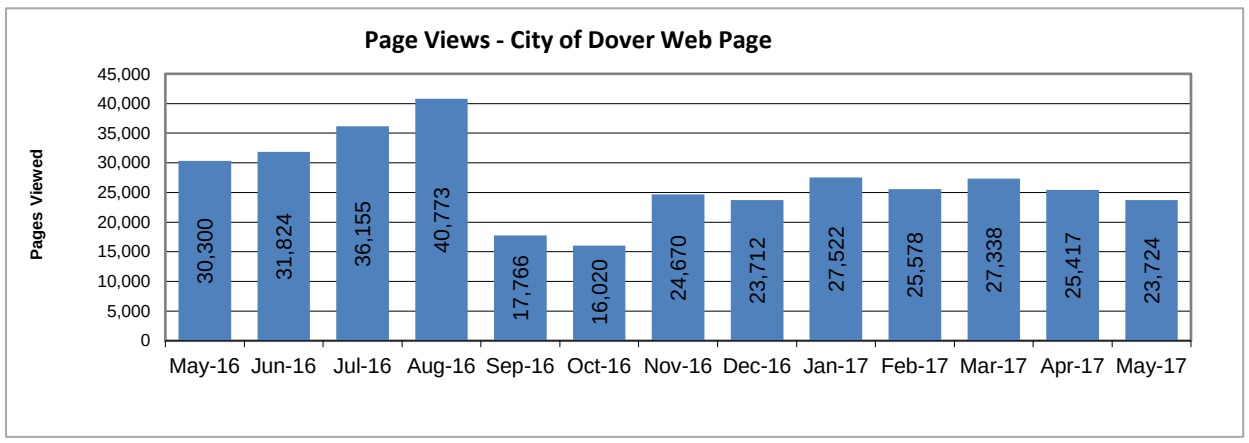


Total $194,000

INFORMATION TECHNOLOGIES







Noteworty:
Attended several meetings regarding Community Support "donations".
Survived the "WannaCry" ransomware attack

May 2017
Monthly Report

DOVER PUBLIC LIBRARY

Highlighted Special Events & Attendance:

"In Harmony...." Concert Series	100
Games Unplugged (Teens)	66
Outreach to DAFB Elementary School	90

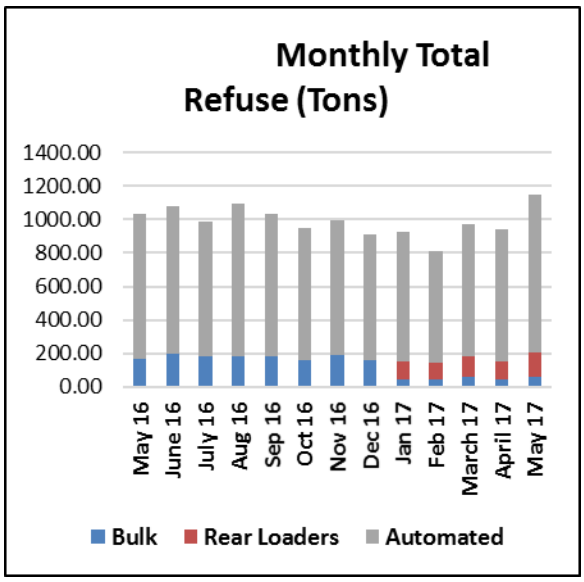
Total Items Checed Out:	30,377				**Programs:**	**Offered**	**Attended**
E-books:	2,448						
					Adult	40	597
New Library Cards:	288				**Teens**	30	172
					Children	51	1,073
Library Card Holders:	40,557				**Job Center**	28	653
Service Area Population:	*59,354*						
Library Visitors:	27,306						
Meeting Rooms Usage:	1,345						
Computer Users:	4,004						
Wireless Users:	1,874						
Items Loaned to/Received from Other Libraries:	6,515						

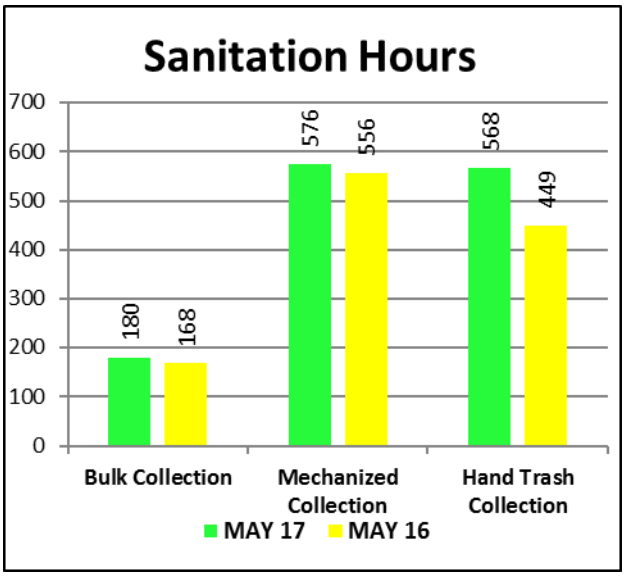
PUBLIC WORKS

Construction Inspection

Subdivisions *The following required inspection services*	***Site Development*** *The following required inspection services*
Seskinore Court	The Grande, Building 4
Chestnut Grove	Chesapeake Utilities- Dover Campus
Clearview Meadows	Eden Hill Medical Center
Eden Hill	Reed Street Apartments
Nottingham Meadows	Leander Lakes
Senators Lakes	Eden Hill Commercial Center
Garrison Oak Technical Park	Islamic Society of Central Delaware
Tall Pines	

Sanitation





	MAY 17	FYTD 17	MAY 16	FYTD 16
Trips to DSWA Sandtown Landfill	191	1,917	173	1,871
Total Tonnage to DSWA	1,150.57	10,761.93	1,032.48	10,634.79
90-Gallon Containers Delivered	74	761	44	616
300-Gallon Containers Delivered	0	0	0	0
Total Man Hours-containers Delivered	32	324	25	197

Streets	MAY 17	FYTD 17	MAY 16	FYTD 16
Signed Installed	2	336	31	92
Signs Repaired	14	134	9	98
Curbs Painted Yellow (feet)	17,250	27,642	2,658	16,656
New Post Installed	5	152	9	84
Storm Catch Basins Repaired	0	10	3	14
Storm Catch Basin Repairing (Hrs.)	0	20.5	3	72
Storm Catch Basins Cleaned	6	76	1	323
Storm Catch Basins Cleaning (Hrs.)	6	80	2	82
Hot Mix Patching (Tons)	1.20	4	7	31
Hot Mix Patching (Hrs.)	8	16	4	28
Cold Mix Patching Hrs.)	18.0	126.00	23	103
Concrete Work (Hrs)	13.0	76	15	91
Concrete Patching (Cubic Yards)	0.48	6.05	0.52	9
Ditch Work (Hrs).	0	16	0	28
Street and Alley Maintenance (Hrs)	23.0	109	0	88
Street Sweeping (Miles)	1,695	13,340	1,469	11,495
Street Sweeping (Cubic Yards)	117	855.5	105	945
Leaves Collected (Cubic Yards)	14.0	12,654	0.0	12,131
Leaf Collection (Miles)	50	508	0	7,848

GROUNDS

Work Orders

Total Work Orders = 17	General = 12	Arborist = 5

Arborist Crew	May 2017	May 2016
Trees Trimmed	26	11
Trees Removed	8	2
Stumps Removed	6	2
Tree Plantings	4	0
Root Pruning	0	0

Beautification Crew

Transplanted plugs into pots
Pulled tulip bulbs
Planted hanging baskets
Prepped and planting flower beds.

Mowing Crews

Mowing, trimming, and edging designated mowing sites.
Pesticide application

Athletic Field Maintenance

Prepping athletic fields for upcoming spring season.

- Lining athletic fields
- Filling, dragging, and prepping infields

Pesticide application

Litter Removal

Litter person has been doing an outstanding job with emptying trash cans and picking up litter.

GEOGRAPHIC INFORMATION SYSTEMS (GIS)

Other	Created six 8.5"x11" MISS Utility Maps for the intersection of McKee Road and Scarborough Road. Sent as PDFs to requester.
Public Works	Created four 8.5"x11" maps of City Alleys. Sent as PDFs to requester.
Public Works	Updated Easements layer.
Public Works	Printed one copy of the 2013 "City Owned Properties Not On Mowing List" map. Created and printed two similar maps for 2017.
Public Works	Troubleshoot python script errors.
Public Works	Finished creating eight 8.5"x11" maps of Public Works Projects. Revised based on edits from requesters.
Public Works	Updated the Parcels, Rentals, and Active AHIs layers.
Public Works	Created a web app named Public Works View.
Public Works	Created an address locator utilizing multiple data sources.
Public Works	Monthly Recycling Customer Update.

FLEET AND FACILITIES MANAGEMENT

Fleet Maintenance

PM Work Orders Completed:	**4**	Number of Tire Repairs:	**5**	Number of Road Repairs:	**12**
Other Work Orders:	**59**	Repair Hours:	**201.9**	Road Repair Hours:	**18.8**
Total Work Orders:	**63**	Fabrication Hours:	**22**	Misc. Hours:	**144.1**
PM Hours:	**18**				

 # Of Scheduled PM's:

 # Of Scheduled PM's: Completed:

Major Program Updates

MEASURE	May 2017	May 2016	DIFFERENCE
Fleet Maintenance - Scheduled Preventative Maintenance appointments being kept *(Quantity and Percentage)*	1 out of 33 3.03 %	15 out of 33 45.45 %	**- 42.42%**
Facilities Maintenance			
Facilities - Routine work orders completed within 5 days *(Quantity and Percentage)*	32 out of 32 100 %	28 out of 28 100 %	**0 %**
Facilities - Emergency work orders completed within 2 days *(Quantity and*	0 out of 0 100 %	5 out of 5 100 %	**0 %**

Water/Wastewater Divisions

	May 16	MAY 16	June 16	July 16	Aug 16	Oct 16	Sept 16
Total Water Prod.	146,101,000	159,483,000	172,331,000	204,088,000	203,656,000	173,574,000	176,510,000
Billed Consumpt.	125,105,000	141,806,000	147,393,000	181,484,000	179,460,000	159,687,000	184,214,000
Total Flow to County	161,418,000	129,035,000	129,309,000	129,725,000	158,799,000	169,995,000	125,583,000
City Readings	157,406,385	148,682,761	158,898,575	146,440,837	178,307,328	147,838,447	135,635,579

	Nov 16	Dec 16	Jan 17	Feb 17	March 17	MAY 17	May 17
Total Water Prod.	122,328,000	132,009,000	139,873,000	126,731,000	153,874,000	142,087,000	171,797,000
Billed Consumpt.	133,279,000	114,760,000	114,760,000	150,473,000	120,373,000	127,958,000	127,958,009
Total Flow to County	114,255,000	114,682,000	141,147,600	115,346,000	120,431,000	123,927,000	170,213,000
City Readings	150,270,118	136,196,345	142,470,400	148,506,989	134,835,733	135,076,400	168,499,897

ENGINEERING SUMMARY

Major Program Updates	MAY 17	MAY 16	DIFF	FY17 YTD	FY16 YTD
State and Federal Violations	0	0	0	0	0
Water Quality Complaints	2	9	- 7	114	97
Plan Review Completed Within 30 days of Submission	13	9	+ 4	77	93

OPERATIONAL SUMMARY

Task	MAY 17	MAY 16	CURRENT FY
Water Production - Daily Average	5,541,839	4,712,935	1,746,527,000
Average Field Response Time (goal is <30 minutes)	17.50	16.16	16.86
Water Mains Repaired	1	2	17
Water Service Lines Repaired	1	1	16
Wastewater Mains Repaired	0	1	4
Wastewater Service Lines Repaired	0	0	5
Sewer Lines Flushed - linear feet	87,511	110,856	552,807
Sewer Mains Videoed -linear feet	0	734	15,344
Total Fire Hydrants in Service	1,839	1,820	1,839
Total Water Meters in City Distribution System	14,600	14,436	14,600

Monthly Management Committee Update

May 2017

Prepared By:
Arline Holloway
Client Services Manager
Phone: 904-360-1347
Email: aholloway@teainc.org

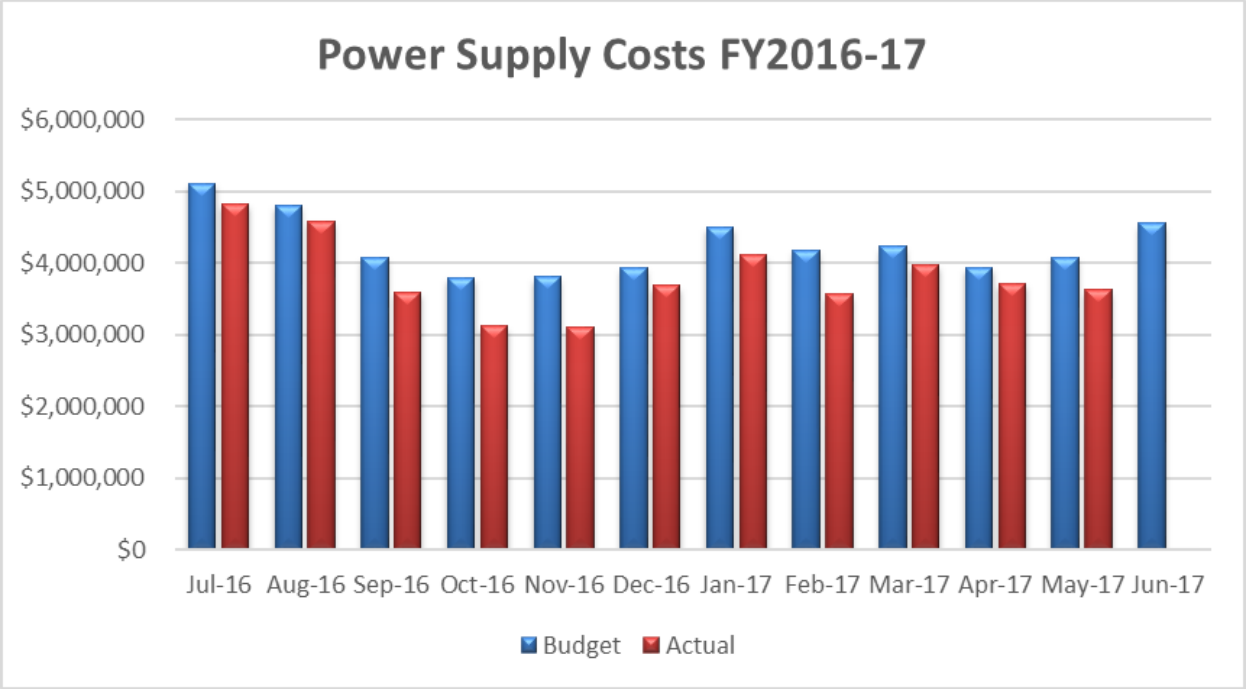
Date:
June 27, 2017

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Operations Summary 13
Appendix: PJM Invoice **32**

I. EXECUTIVE SUMMARY

POWER SUPPLY SUMMARY



Overall Power Supply costs were $457,944 below budget, predominantly driven by lower PJM-Energy, Congestion and Losses and PJM-ARR Transmission and Fees. PJM Energy, Congestion and Losses charges were $527,937.

Dover's budgeted cost for all power supply (capacity AND energy) was $67.07/MWh. The actual cost of all power supply (capacity AND energy) was $61.30/MWh.

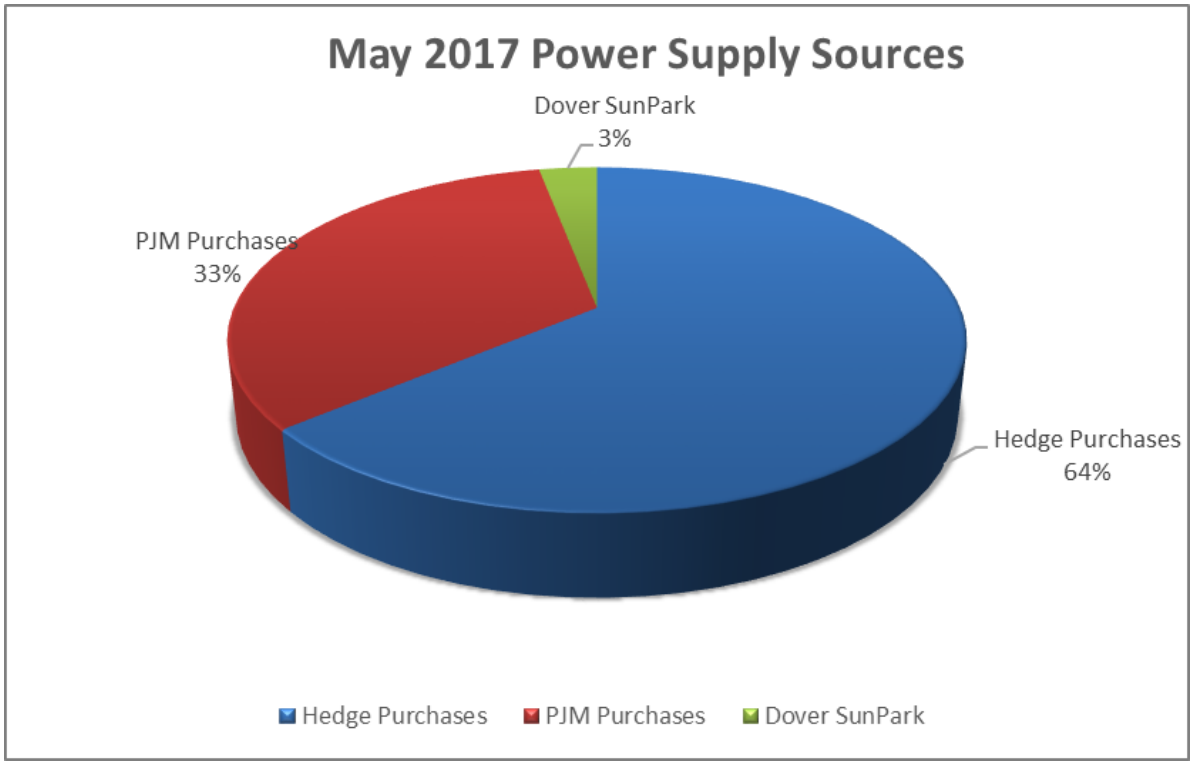
The actual cost of energy alone was $38.54/MWh as opposed to a budgeted energy cost of $39.70.

Dover's total load was 59,052 MWh versus a forecasted load of 60,800 MWh. Hedge purchases totaled 37,704 MWh, which was 64% of the actual load.

Dover's planned energy purchase from the SunPark solar installation was 1,927 MWhs. Dover's actual energy purchase from the SunPark installation was 1,790 MWhs.

Purchases from PJM (energy and fees) totaled $1,769,307. PJM Revenue (Generation Credits) totaled $769,497. The Grand Total owed to PJM for the month of May $999,810.

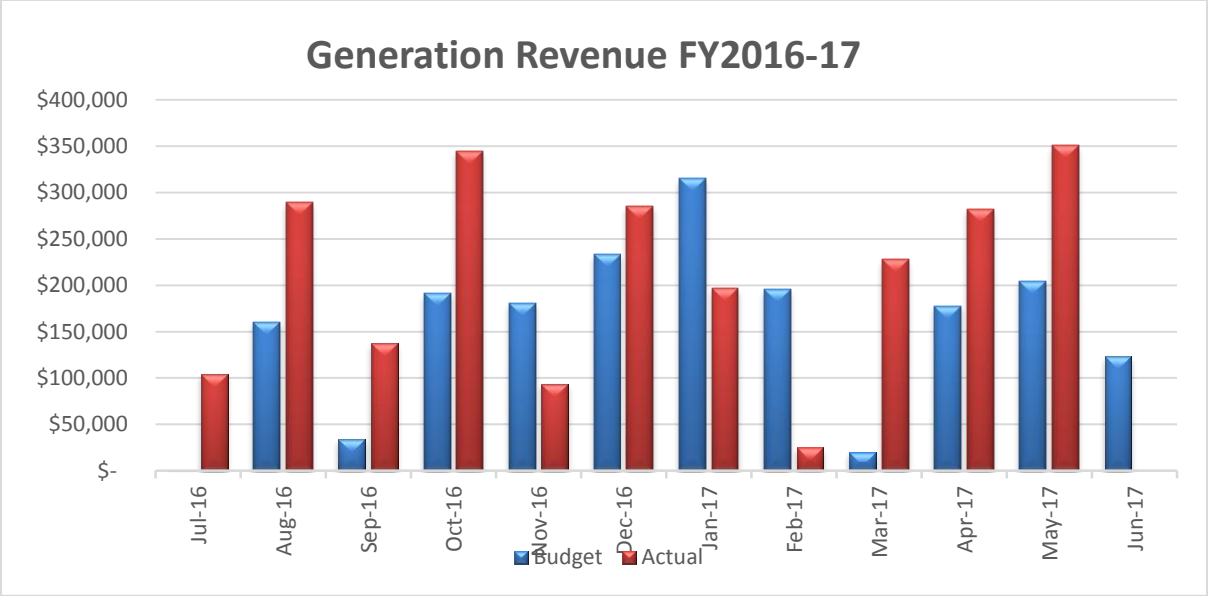
Supply Source Summary



Supply Variance

Purchased Power Variance Report:	May		
	Budget	Actual	Variance
Gross Load	60,800	59,052	1,748
Wholesale Load	58,873	57,262	1,611
Hedged Volume (MWh)	30,844	37,704	(6,860)
Unhedged Volume (MWh)	28,029	19,558	8,471
Dover SunPark Volume (MWh)	1,927	1,790	137
Renewable Energy Credits Volume	289	250	39
Hedged Cost ($/MWh)	$ 41.66	$ 40.12	$ 1.55
Unhedged Energy Cost ($/MWh)	$31.32	$26.99	$4.32
Solar Energy Cost ($/MWh)	$130.15	$131.33	($1.18)
Energy Costs ($/MWh)	**$39.70**	**$38.54**	**$1.16**
All-in Costs - Energy, Capacity and RECs ($/MWh)	**$67.07**	**$61.30**	**$5.77**

GENERATION SUMMARY



Net All Generation Revenue for the month of May was $350,776 versus a budgeted revenue of $204,733.

Generation Breakdown:

City of Dover

Monthly Wholesale Generation

May 2017

Net Generation
696.56

Production Margin

				Formula
PJM - Generation				
	Economic and Reliability Dispatch	$	57,931.05	A
Natural Gas & Oil Consumption				
	Purchases for Generation	$	(23,138.00)	
	Natural Gas Transport	$	(5,345.82)	
	Eastern Shore Cashout	$	(5,515.26)	
	Oil Consumption	$	-	
	Subtotal: Natural Gas & Oil Consumption	$	(33,999.08)	B
Gross Production Margin		$	23,931.97	C = (A + B)
$/MWh Generation Production Gross Margin		$	34.36	E = (C/D)
PJM - Capacity				
	Generation Capacity Credit	$	632,737.28	
	Reactive Supply and Transmission Losses	$	78,829.33	
	Subtotal: PJM - Capacity	$	711,566.61	F
All in Generation Margin				
	All in Generation Margin Total	$	735,498.58	(G = C + F)

EMISSIONS SUMMARY

Emissions Allowance and Solar Renewable Energy Summary through May 31, 2017

The reinstated Cross-State Air Pollution Rule (CSAPR) replaced the Clean Air Interstate Rule (CAIR) beginning January 1, 2015. The State of Delaware was included in the CAIR footprint but is not included in the CSAPR footprint.

The separate Clean Air Act acid rain deposition control program (CAA Title IV) which governs SO_2 national allowance trading program remains in effect for Dover. Beginning with the January 2015 report, TEA no longer includes a CAIR summary. It will continue to report on Dover's Clean Air Act Title IV SO_2 allowances.

Market liquidity for Title IV SO_2 allowances is very low, with few transactions occurring. The following table shows estimated values for Dover's banked allowances, based on a market price assessment published by SNL Energy.

Market Value for Clean Air Act Title IV Allowances			
Commodity	***$/Ton[1]***	***Tons***	***Market Value***
SO_2 Allowances – Title IV	$0.50	15,902	$7,951
Total			**$7,951**

Regional Greenhouse Gas Initiative

The State of Delaware is a participant in the Regional Greenhouse Gas Initiative (RGGI). The City of Dover must comply with RGGI by surrendering carbon dioxide (CO_2) allowances pursuant to the State of Delaware's laws (Title 7, Chapter 60, Sub-Title II-A).

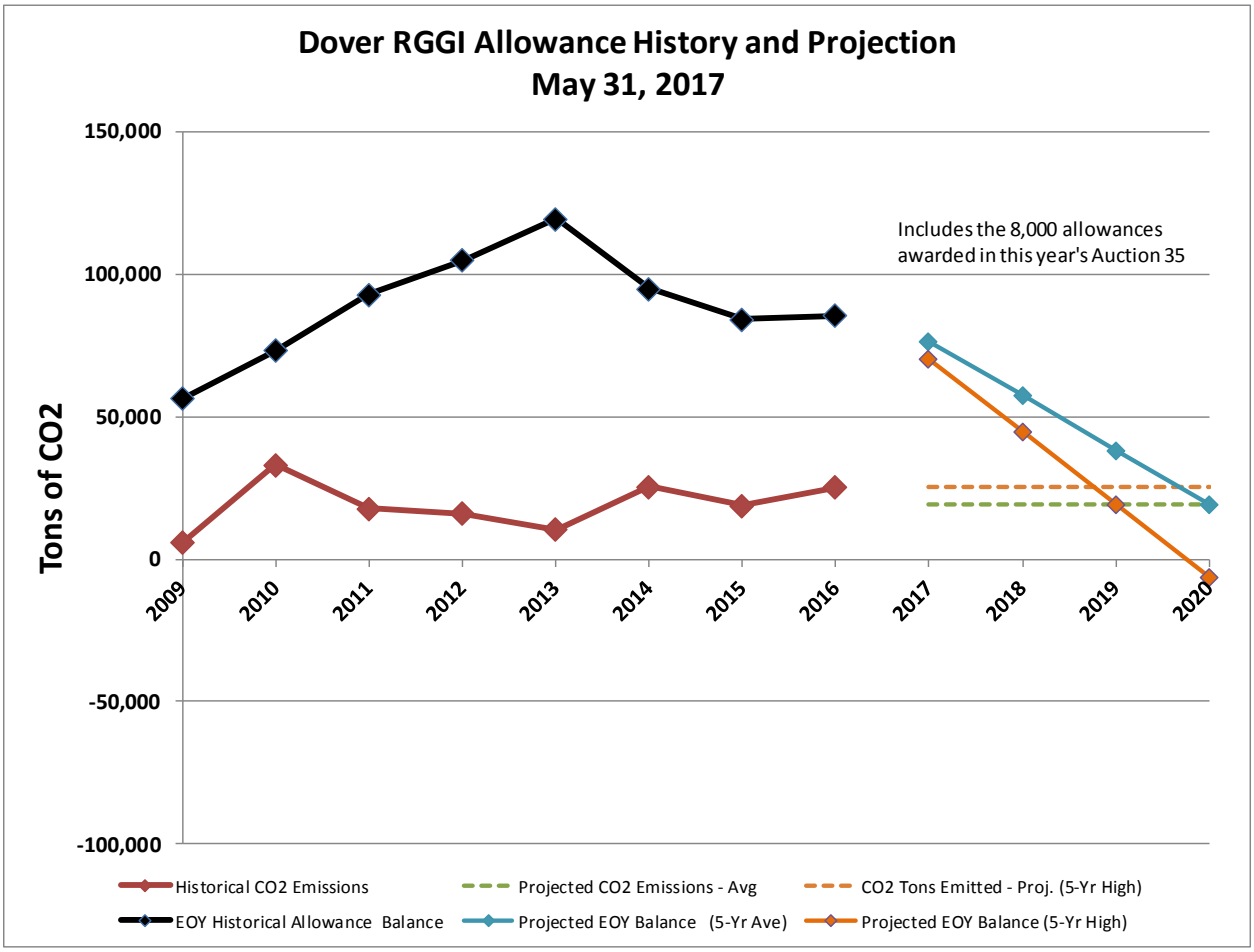
Dover had more than a sufficient number of RGGI allowances allocated to it to cover its requirements through the first compliance period (calendar years 2009-2011) and second compliance period (2012 – 2014). Any unused allowances are carried over ("banked") for subsequent years. The table below includes Dover's historical activities, and includes projections through 2020. Two projections are presented: (1) future annual emissions based on the average for 2009 – 2015, and (2) future annual emissions based on 2010 actual CO2 emissions which was the highest emissions year between 2009 and 2015.

The table and chart indicate that Dover could run out of banked allowances as early as the end of 2018 under the high emissions scenario and by the end of 2020 under the average scenario. Therefore, Dover has initiated a program to participate in RGGI's quarterly auctions to ensure it has adequate allowances in the future.

[1] June 21, 2017 Daily Power Report by SNL Energy

Dover, DE RGGI Allowance History and Forecast - May 2017									
Compliance Year (CY)	CO2 Allowances Sold	CO2 Allowances Purchased	Allocated CO2 Allowances	CO2 Tons Emitted & Adjustments-Historical	EOY Historical Allowance Balance	CO2 Tons Emitted - Proj. (5-Yr Avg)	CO2 Tons Emitted - Proj. (5-Yr High)	Projected EOY Balance (5-Yr Ave)	Projected EOY Balance (5-Yr High)
2009	0		62,184	5,796	56,388				
2010	0		49,747	32,971	73,164				
2011	0		37,311	17,746	92,729				
2012	0		27,983	15,957	104,755				
2013	0		24,818	10,230	119,343				
2014	0	**1,000**	N/A	25,426	94,917				
2015	0	**14,000**	N/A	18,828	84,070				
2016	0	**16,000**	N/A	25,134	85,503				
2017	0	**8,000**	N/A	73	95,502	19,115	25,426	76,388	70,076
2018	0		N/A			19,115	25,426	57,273	44,650
2019	0		N/A			19,115	25,426	38,158	19,224
2020	0		N/A			19,115	25,426	19,043	-6,202

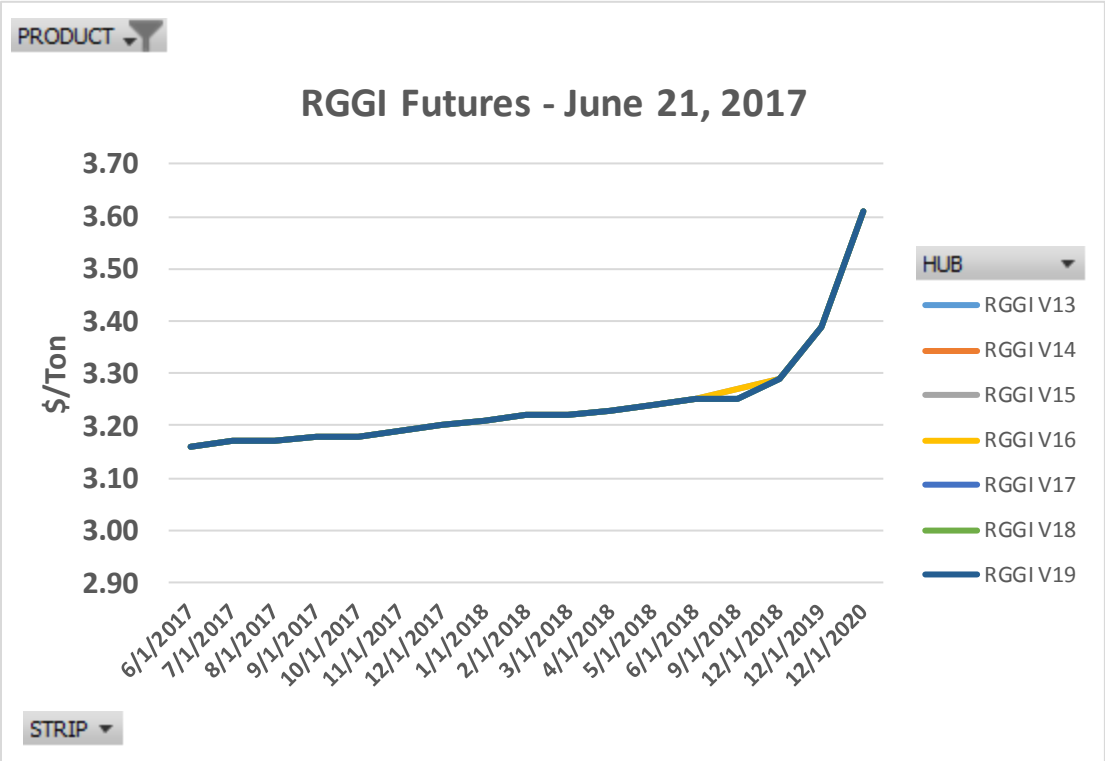
Subject to verification to NAES report
Does not include the June auction purchase of 2,000 allowances



In anticipation of needing additional RGGI allowances in the future, Dover has participated the nine out of the last eleven auctions and plans to continue to participate as required. The table below shows details for Dover's allowance purchases for each of these previous Auctions.

Dover's RGGI Allowance Purchase History				
RGGI Auction Number	***Auction Date***	***Auction Clearing Price ($/Ton)***	***Quantity of Allowances Awarded***	***Total Cost***
26	Dec 3, 2014	$5.21	1,000	$5,210
27	Mar 11, 2015	$5.41	6,000	$32,460
28	Jun 3, 2015	$5.50	4,000	$22,000
29	Sep 3, 2015	$6.02	4,000	$24,080
30	Dec 2, 2015	$7.50	0	$0
31	Mar 9, 2016	$5.25	8,000	$42,000
32	Jun 1, 2016	$4.53	6,000	$27,180
33	Sept 7, 2016	$4.54	2,000	$9,080
34	Dec 7, 2016	$3.55	0	$0
35	Mar 8, 2017	$3.00	8,000	$24,000
36	Jun 7, 2017	$2.53	2,000	$5,060
Totals			41,000	$191,070

RGGI prices hovered near the 2017 lows during the lead up to Auction 36, but they have since rebounded following the early June auction and are now trading back above $3.00 for the first time in two months. The clearing price for Auction 36 was $2.53, down 47 cents, or nearly 16%, from the March auction $3.00 clearing price. This was the lowest auction clearing price since December 2012, $1.93, and it was down 66% from the record high $7.50 auction clearing price from December 2015. The decline in prices is largely attributed to the uncertainty regarding the future structure of the RGGI program beyond 2020 and the uncertain status of the EPA's Clean Power Plan. The next RGGI Stakeholder Meeting is scheduled for June 27, 2017.



Based on the June 21, 2017 ICE price of $3.16/ton for the June 2017 futures contract, the estimated market value of Dover's existing 95,502[2] ton RGGI allowance bank is $301,786.

Renewable Energy Certificates

Dover owns two photovoltaic systems totaling 15 kW, consisting of one 5 kW unit at the Utilities Administration Building and two 5 kW units at the McKee Run generating station. Dover also receives solar energy produced by the 10 MW Dover Sun Park which is owned by White Oak Solar Energy, LLC. In addition to all of the physical energy produced by the Sun Park, Dover receives 15% of Sun Park's Solar Renewable Energy Credits (SRECS).

Dover participates in the Delaware Municipal Electric Renewable Portfolio Standard (DMERPS) for compliance with the State of Delaware's RPS laws applicable to municipal utilities. The first compliance period under DMERPS was for the 12 months ending May 2014 and the second compliance period was for the 12 months ending May 2015.

Through the end of generation month April 2017, Dover had accumulated a net total of 7,981 SRECs from these renewable energy resources. This total includes SRECs reported in PJM's GATS account and Bonus allowances for Sun Park labor. This total was reduced by 2,941 SREC transferred to DEMEC for surrender on October 3, 2014 for the first compliance period, 2,861 SRECs and 574 bonus SRECs for the second compliance period on November 9, 2015, and 2,093 SRECs and 207 bonus SRECs for the third compliance period on November 22, 2016.

[2] Subject to verification from RGGI COATS account.

[3] Note: Retroactive Bonus Allowances were not transferred within PJM's GATS system, but were used to offset 2014/2015 compliance obligation.

Delaware periodically holds SRECs auctions; however, these auctions are for size tiers N1 – N3, E1 and E2. The Dover Sun Park is in the N4 tier for large-scale facilities. State-wide carve outs for Tier 4 have been fully subscribed, so there is not a market for tier T4 SRECs in Delaware.

The nearest viable market for Dover's SRECs is Pennsylvania. The most recent pricing data for Pennsylvania SRECs from Karbone and Bloomberg are used in the table below.

SREC Vintage (June 1 – May 31)	Market Clearing Price	PJM-GATS Balance Before 2014/15 Compliance	10% Bonus SRECs for Sun Park Labor(3)	Transferred to DEMEC for 2014/15 Compliance		Net SREC Balance After Transfer and Surrender	Market Value
				GATs	Bonus		
2011/2012	$0.00	0	290.2		290.2	0	$0
2012/2013	$0.00	2,173	215.7	2,173	215.7	0	$0
2013/2014	$0.00	2,701	268	2701	268	0.0	0
2014/2015	$5.00	2,685	266.3	80	7.1	2,864.2	14,321
2015/2016	$5.00	2,586	168	0	0	2,754.0	13,770
2016/2017	$5.50	2,363	0	0	0	2,363.0	12,997
Totals		**12,508**	**1,208.20**	**4,954**	**781**	**7,981.2**	**$41,088**

TEA continues to recommend to Dover to retain these allowances for compliance with its Renewable Portfolio Standard (RPS). Additionally, Dover will need to acquire additional SRECs resources in future years. It is apparent that Dover's portion of SRECs produced by White Oak Solar Energy Center will not be sufficient future years as the compliance requirements increase. DEMEC has indicated that it expects to have excess SRECs available for Dover's compliance requirements. This and other alternatives will need to be evaluated in the near future.

Risk Management Summary

Forward prices have decreased month over month.

PY	Hedge Ratio	Blended Cost ($/MWh)	Monthly Change ($/MWh)
2016-17	68%	$ 37.13	($0.13)
2017-18	59%	$ 37.46	($0.91)
2018-19	88%	$ 37.32	($0.15)
2019-20	80%	$ 34.59	($0.17)
2020-21	56%	$ 33.48	($0.21)

II. BUDGET REPORT

	Budget May	Actual May	Variance
Gross Load	**60,800**	**59,052**	**1,748**
Power Supply			
Hedged Energy	$ 1,285,100	$1,512,617	$ (227,517)
PJM - Energy, Congestion & Losses	$ 877,800	$527,937	$349,863
PJM - ARR, Transmission and Fees	$ 633,650	347,964	$285,686
Dover SUN Park Energy	$ 250,800	$235,109	$15,691
Dover SUN Park RECs	$ 41,800	$33,273	$8,528
RECS (Solar and Non-Solar)	$ 56,100	$0	$56,100
RGGI Credit Costs	$ -	$0	$0
Management Fees	$ 69,583	$69,583	$0
PJM - Capacity UCAP Obligated Purchased	$ 863,000	$893,406	($30,406)
Subtotal - Power Supply	**4,077,833**	**$3,619,889**	**$457,944**
Power Generation O&M			
Plant O&M	$ 451,825	$ 384,723	$ 67,102
Subtotal Generation O&M	**451,825**	**$ 384,723**	**$ 67,102**
Power Generation Production Margin			
PJM - Economic and reliability dispatch	$ (600)	($57,931)	$57,331
Fuel Costs - Natural Gas	$ 200	$33,999	($33,799)
Fuel Costs - Oil	$ -	$0	$0
Testing Costs	$ 5,542	$0	$5,542
Subtotal Generation Production Margin	**5,142**	**($23,932)**	**$ 29,074**
Power Generation Non-Production Revenue			
PJM - Generation Capacity Credit	$ (631,700)	($632,737)	$1,037
Emissions Allowance Sales	$ -	$0	$0
Reactive Supply - Gas	$ (30,000)	($78,829)	$48,829
Subtotal - Non-Production Revenue	**(661,700)**	**($711,567)**	**$49,867**
SubTotal - All Generation	**$ (204,733)**	**($350,776)**	**$ 146,042**
Total - Utilities Cost	**$3,873,100**	**$3,269,114**	**$603,986**
Unit Costs			
Total - Power Supply	$67.07	$ 61.30	$5.77
Total - Power Generation	($3.37)	($5.94)	$2.57
Final Cost of Service to City of Dover Ratepayers	$63.70	$55.36	$8.34

May Variance Analysis

- **Power Supply**
  - Dover consumed 1,748 MWh less than forecasted for the month.
  - Dover saw an unfavorable variance for budgeted Hedged Energy of $227,517.
  - Dover experienced a favorable variance for budgeted PJM - Energy, Congestion & Losses of $349,863 and a favorable variance for PJM ARR, Transmission and Fees of $285,686.
  - Dover Sun Park generated 137 MWhs less than forecasted.
  - The City of Dover realized a favorable variance of $457,944 for power supply vs. the monthly budget.
  - This resulted in a net power supply cost positive budget variance of $5.77/MWh below budget.
- **Generation**
  - Non Production Revenue had a favorable variance of $49,867.
  - Net All Generation Revenue had a favorable variance of $146,042.

	Budget YTD	Actual YTD	Variance
Gross Load	**691,000**	**702,636**	**(11,636)**
Power Supply			
Hedged Energy	$ 15,295,000	$18,686,610	$ (3,391,610)
PJM - Energy, Congestion & Losses	$ 11,036,000	$4,717,876	$6,318,124
PJM - ARR, Transmission and Fees	$ 6,970,200	5,116,369	$1,853,831
Dover SUN Park Energy	$ 2,010,600	$2,105,829	($95,229)
Dover SUN Park RECs	$ 325,000	$311,493	$13,507
RECS (Solar and Non-Solar)	$ 617,100	$504,900	$112,200
RGGI Credit Costs	$ 96,975	$9,080	$87,895
Management Fees	$ 765,413	$765,413	$0
PJM - Capacity UCAP Obligated Purchased	$ 9,325,700	$9,653,658	($327,958)
Subtotal - Power Supply	**46,441,988**	**$41,871,226**	**$4,570,762**
Power Generation O&M			
Plant O&M	$ 5,935,975	$ 5,249,000	$ 686,975
Subtotal Generation O&M	**5,935,975**	**$ 5,249,000**	**$ 686,975**
Power Generation Production Margin			
PJM - Economic and reliability dispatch	$ (781,011)	($1,423,904)	$642,893
Fuel Costs - Natural Gas	$ 295,821	$1,289,621	($993,800)
Fuel Costs - Oil	$ -	$1,123	($1,123)
Testing Costs	$ 60,958	$0	$60,958
Subtotal Generation Production Margin	**(424,231)**	**($133,160)**	**$ (291,071)**
Power Generation Non-Production Revenue			
PJM - Generation Capacity Credit	$ (6,826,400)	($6,837,645)	$11,245
Emissions Allowance Sales	$ -	$0	$0
Reactive Supply - Gas	$ (330,000)	($615,521)	$285,521
Subtotal - Non-Production Revenue	**(7,156,400)**	**($7,453,166)**	**$296,766**
SubTotal - All Generation	**$ (1,644,656)**	**($2,337,326)**	**$ 692,670**
Total - Utilities Cost	**$44,797,332**	**$39,533,900**	**$5,263,432**
Unit Costs			
Total - Power Supply	$67.21	$ 59.59	$7.62
Total - Power Generation	($2.38)	($3.33)	$0.95
Final Cost of Service to City of Dover Ratepayers	$64.83	$56.27	$8.56

III. Operations Management

Operations Summary

Executive Summary:

During the month of May, there were no recordable accidents, lost time accidents or environmental incidents. The facility has gone 870 days through May 31, 2017 without a Lost Time Accident (LTI) and 776 days since the April 16, 2015 recordable accident. There were five (5) Near Misses reported in May 2017 at McKee Run and VanSant Generating Stations. One (1) Near Miss was reported at VanSant when an Auxiliary Operator reported a 69KV power line outside of Vansant's perimeter fence arcing. The Control Room Operator (CRO) called City of Dover operator and reported the incident. COD dispatched proper crew to fix the power line. A second Near Miss was reported at VanSant when an operator found the AED battery pack working properly but the AED battery pack was beyond the manufacturer's expiration date. A new pack was ordered and installed shortly afterward. A third Near Miss was reported at McKee Run when on shift Operators were planning and discussing the LOTO removal. The Group LOTO Sign-on Sheet wasn't properly filled out to remove the LOTO. A fourth Near Miss was reported when an Operations Supervisor noticed a LOTO tag-out occurred without the proper procedure review and signature. A fifth Near Miss was reported after a CRO debriefed his crew on daily duties and his chair broke causing the CRO to fall to the ground. The chair was thrown in the metal recycling roll-off container and a new one was purchased.

The McKee Run Unit 3 and VanSant Unit 11 completed one start-up each for PJM during the month of May. During the scheduled run on Unit 3 the boiler was discovered to have a tube leak. The Unit was de-rated to 44mw's and remained on-line to the scheduled shut-down time. The Unit entered a maintenance outage on Monday for boiler inspection and repairs. The Operations Team completed one boiler hydro test on Unit 3 to verify the tube repair was completed and the Unit was made available to PJM. The VanSant starting diesel was exercised three times during the month with no issues to report.

Monthly Budget Variance - The actual expenses for the month of May are $384,723 against a budgeted amount of $471,515 for a favorable variance of $86,792 or 18.41%. The variance was due to the following:

- PERSONNEL EXPENSES – A favorable monthly variance of $48,156 was due the change in employee staffing assignments and lower than anticipated increase in labor costs. As a result, this impacted three (3) labor accounts – Straight Time, Overtime, and Labor Burdens.

- MATERIALS AND SUPPLIES EXPENSES – A favorable monthly variance of $16,709 was due to not completing elevator inspections as planned.

- ADMINISTRATIVE EXPENSES – A favorable monthly variance of $21,927 was primarily due to the timing of the billing for the borescope inspection that was completed earlier than anticipated. A portion of this favorable variance was offset by higher than budgeted electricity costs.

The RGGI COATS table has been updated to reflect the information as it is currently in the RGGI system. Upon investigation there were found to be discrepancies between EDR submitted data and RGGI data. NAES will work with the our ESS team to discuss with RGGI on how these discrepancies can be handled. This will take a collective effort from NAES, TEA, and COD. Further updates will be distributed when possible.

NAES Corporation
Dover, Delaware

May 2017 Monthly Report

This Report Prepared by the Staff and Management of NAES Corp.





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Structural Preservation has made the VanSant Cooling Tower ready for Summer Operations!

Cover picture: NAES staff completed various painting projects, including the VanSant Cooling Tower. Shown above, the before and after picture indicate the impressive change and transformation. Plant preservation continues throughout the facility thanks to the dedicated Plant Staff.

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9.0 "Value Added" Accomplishments

1.0 Environmental, Health and Safety

During the month of May, there were no recordable accidents, lost time accidents or environmental incidents. The facility has gone 870 days through May 31, 2017 without a Lost Time Accident (LTI) and 776 days since the April 16, 2015 recordable accident.

There were five (5) Near Misses reported in May 2017 at McKee Run and VanSant Generating Stations. One (1) Near Miss was reported at VanSant when an Auxiliary Operator reported a 69KV power line outside of Vansant's perimeter fence arcing. The Control Room Operator (CRO) called City of Dover operator and reported the incident. COD dispatched proper crew to fix the power line. A second Near Miss as reported at VanSant when an operator found the AED battery pack working properly but the AED battery pack was beyond the manufacturer's expiration date. A new pack was ordered and installed shortly afterward. A third Near Miss was reported at McKee Run when on shift Operators were planning and discussing the LOTO removal. The Group LOTO Sign-on Sheet wasn't properly filled out to remove the LOTO. A fourth Near Miss was reported when an Operations Supervisor noticed a LOTO tag-out occurred without the proper procedure review and signature. A fifth Near Miss was reported after a CRO debriefed his crew on daily duties and his chair broke causing the CRO to fall to the ground. The chair was thrown in the metal recycling roll-off container and a new one was purchased.

During the month of May, McKee Run discharged industrial wastewater to the Kent County Department of Public Works sewer treatment plant. The discharge volume was below the daily allowable flow limit and a representative sample was collected. The sample was sent to a certified laboratory for analysis. Based on the laboratory analytical data and the loading calculations, McKee Run was below the discharge limitations of the permit. As required by the permit, the City of Dover submitted the Significant Industrial User (SIU) Monthly Monitoring Report.

The City of Dover (COD) submitted the monthly electronic NPDES Discharge Monitoring Report (e-DMR) to DNREC which indicated McKee Run did not collect storm water sample results from all outfalls. McKee Run is required to sample semi-annually.

On May 19, 2017, the VanSant Unit 11 was dispatched in the real time by PJM. Shortly after start-up, an alarm indicating that the water injection system was not operating properly sounded. There was no water flow to the injection system. Maintenance staff quickly began to troubleshoot the problem to resume water flow to the water injection system. Eventually, they discovered the water flow meters were not working properly. The maintenance staff set-up the spare water meter and restarted the water injection system. Due to the fact that operational permissive are not met when the unit is shut down, the unit was required to stay on for troubleshooting purposes. The whole process of troubleshooting and repair lasted approximately 1.5 hours.

On May 23, 2017, the City of Dover sent a non-certified initial notification letter to DNREC within the required 2-day time period claiming affirmative defense of malfunctioning water injection system under the Title V permit AQM-001/00076. A subsequent certified letter was sent by City of Dover to DNREC on May 25, 2017 within the 10-day time period indicating that a possible deviation occurred and that additional will be reviewed to confirm a possible deviation. On June 13, 2017, the final 30-day report was submitted by City of Dover to DNREC indicating that a deviation occurred because *"the water injection system shall be operating at all times that electrical power generation is being produced*". At the time of this report, no response has been received by DNREC.

All staff read and acknowledged a refresher training module that described the chemicals and wastes which are handled at both McKee Run and VanSant. This is required as part of hazardous communication and waste regulations.

1.1 Environmental, Health and Safety Tables

Environmental, Health and Safety Statistics			
	M	Fiscal Year to Date 7/1/2016-6/30/2017	
NOVs	0	0	
Opacity Deviations	0	0	
Environmental Deviations	1	1	
OSHA Recordable	0	0	
OSHA LTA's	0	0	
First Aid cases	1	1	
Restricted Workday Accident	0	0	
Near Miss	5	14	
Man Hours Worked	**4054.5**	**44973.75**	
Date of OSHA Recordable:	4/16/2015	**Days since last Recordable:**	**776**
Date of Lost Time Accident:	1/12/2015	**Days since last LTA:**	**870**

SO_2 Allowance Summary							
SO_2 Allowance Vintage	SO_2 Allowances Sold - YTD	SO_2 Allowances Available (Per Unit, Prior to Sale & Reconciliation)		SO_2 Tons Emitted	SO_2 Tons Emitted	Total SO_2 Tons Emitted	SO_2 Allowance Balance
		Unit #3	Unit #11	Unit #3	Unit #11		
2014 and earlier	0	12,202	825				13,027
2015	0	14,052	963	12.1	1.338	13.43	15,001.56
2016	0	15,902	1,101	0.1	0.0	0.1	15,902
2017	0	17,752	1,239	0.0	0.0		15,902
			Total SO2 Allowance Balance:				**15,902**

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CO2 Allowance Summary											
CO2 Allowances	**Quarterly Unit CO2 Emitted**				**Current Period CO2 Purchases**	**Reporting Period CO2 Allowances**		**Total CO2 Emitted**		**RGGI-COATS Account Balances***	
	U1	U2	U3	U11	New Purch	MR	VS	MR	VS	MR	VS
2016 Total	0	0	24,1410	996	15,928			24,140	996	79,212	6,290
RGGI True-up and transfer 1/4/2017**						-2000	2000			77,212	8,290
2017-1	0	0	19.5	54.3	8,000			19.5	54.3	85,193	8,236
2017-2											
2017-3											
2017-4											
2017 Total	0	0	019.5	54.3	8,000			19.5	54.3	**85,193**	**8,236**

AES Corp

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*Information included in the table came directly from past EDR submitted to EPA. Information provided in the table is inconsistent with information shown in the RGGI account balances.

1.2 Title V Air Permit Fuel Operation Compliance

McKee Run Generating Station: The Title V Permit dictates that natural gas is the primary fuel source for the unit operations and stipulates that by April 16, 2015, the boiler shall not combust oil for more than 10.0% of the average annual heat value (MMBtu) input during any 3 calendar years or no for more than 15% of the annual heat rate during any single calendar year. The tables below track fuel combustion operations to ensure compliance with the respective MRGS Title V permits are maintained. Up to 48 hours can be used for valid "testing" purposes and gas curtailments are an allowable exception to the rule. The plant is communicating with Eastern Shore to obtain any required written confirmation of NG outages for compliance purposes. We are determining how many operating hours were done for "testing" which will also reduce the required natural gas to combust to be in compliance for Unit 3.

McKee Run Unit 3 - 2017				
Month	**Gas Combusted (MMBtu)**	**#2 FO Combusted (MMBtu)**	**Net Generation (WM)**	**Gas Combustion Needed (Mcf)**
Jan	0	70.71	0	609.9
Feb	0	0	0	609.9
Mar	0	0	0	609.9
Apr	0	0	0	609.9
May	4,401.96	0	323,991	-3,562.6
Jun				
Jul				
Aug				
Sept				
Oct				
Nov				
Dec				
	YTD Fuel Oil Combustion in MMBtu = >	**70.71 (MMBtu)**	**Gas Combustion required for Title V Compliance (Mcf) = >**	**-3,562.6 (Mcf)**

Van Sant Station: The Title V Air permit restrictions with regards to operations, is limited to 70,080 MW-hr. per calendar year with a rolling average of 35,040 MW-hr. over the previous 3 calendar years.

Van Sant Unit 11				
Year	**Months Included**	**Total MW Generation on #2 Fuel Oil**	**MW Generation Allowed on #2 Fuel Oil**	**3 Yr. Rolling Average**
2014	January-December	1,316.11 MW	68,163.89 MW	1,316.11 MW
2015	January-December	2,237.05 MW	67,842.95 MW	1,776.58 MW
2016	January-December	483.12 MW	69,596.88 MW	1,316.77 MW
2017	January-December	0.568 MW	70,079.43 MW	1,345.43 MW

2.0 Financials

Monthly and year to date financial results as compared with the approved power plant budget for the Generation Units are provided below.

May 2017			
	Actual	**Budget**	**Variance**
Personnel	$221,944	$270,100	$48,156
Materials & Supplies	$11,891	$28,600	$16,709
Administrative Expenses	$150,888	$172,815	$21,927
Total	**$384,723**	**$471,515**	**$86,792**

July 2016 thru May 2017			
	Actual	**Budget**	**Variance**
Personnel	$2,827,114	$3,371,400	$544,286
Materials & Supplies	$240,406	$233,700	($6,706)
Administrative Expenses	$2,181,479	$2,165,065	($16,414)
Total	**$5,248,999**	**$5,770,165**	**$521,166**

2.1 Variance analysis:

The actual expenses for the month of May are $384,723 against a budgeted amount of $471,515 for a favorable variance of $86,792 or 18.41%. The variance was due to the following:

PERSONNEL EXPENSES – A favorable monthly variance of $48,156 was due the change in employee staffing assignments and lower than anticipated increase in labor costs. As a result, this impacted three (3) labor accounts – Straight Time, Overtime, and Labor Burdens.

MATERIALS AND SUPPLIES EXPENSES – A favorable monthly variance of $16,709 was due to not completing elevator inspections as planned.

ADMINISTRATIVE EXPENSES – A favorable monthly variance of $21,927 was primarily due to the timing of the billing for the borescope inspection that was completed earlier than anticipated. A portion of this favorable variance was offset by higher than budgeted electricity costs.

3.0 Operations

Unit Operations / Outages / Trips: The McKee Run Unit 3 and VanSant Unit 11 completed one start-up each for PJM during the month of May. During the scheduled run on Unit 3 the boiler was discovered to have a tube leak. The Unit was de-rated to 44mw's and remained on-line to the scheduled shut-down time. The Unit entered a maintenance outage on Monday for boiler inspection and repairs. The Operations Team completed one boiler hydro test on Unit 3 to verify the tube repair was completed and the Unit was made available to PJM. The VanSant starting diesel was exercised three times during the month with no issues to report.

Month of May 2017							
		McKee Unit 1	McKee Unit 2	McKee Unit 3	MRGS TOTAL	VanSant Unit 11	Total ALL Units
Capacity:	(MW)	17	17	102	136	43	179
On Line Hours:	(HRS)	0	0	10.817	10.817	9.040	19.857
Starts:	(#)	0	0	1	1	1	2
Gross Generation:	(MWh)	0	0	359,036	359,036	374,311	733,347
Net Generation:	(MWh)	0	0	323,991	323,991	372,561	696,552
Total Auxiliaries:	(MWh)	0	0	35,045	35,045	1,750	36,795
Auxiliaries purchased:	(MWh)	41,609	41,609	166,046	249,264	24.872	249.289
Fuel Gas Used:	(MMBTU)	0	0	4,400,081	4,400,081	4,587,336	8,987,417
Fuel Oil Used:	(MMBTU)	0	0	0	0	0	0
Fuel Oil Used:	(Gallons)	0	0	0	0	0	0
Total Fuel:	(MMBTU)	0	0	4,400,081	4,400,081	4,587,336	8,987,417
Net Heat Rate:	(BTU/KWh)	0	0	13,581	13,581	12,313	
Unit Trips:	(#)	0	0	0	0	0	0
Capacity Factor:	(%)	0%	0%	0%	0%	0%	0%
Availability Factor:	(%)	100.00%	100.00%	86.42%	95.47%	98.79%	96.30%
Commercial Unavailability :	(%)	0%	0%	13.58%	4.53%	1.21%	3.70%
Planned Outage Hours	(HRS)	0	0	0	0	0	0
Maintenance Outage Hours:	(HRS)	0	0	101	101	9	120
Forced Outage Hours:	(HRS)	0.0	0.0	0.0	0.0	0.0	0.0
Equivalent Derate Hours:	(HRS)	0.0	0.0	50.61	37.96	0.0	29.0
Reserve Shutdown Hours:	(HRS)	744	744	632.183	2,120.183	725.960	2,846.143
HW Boiler Gas Usage:	(MMBTU)				0		0

2016-2017 Fiscal Year - July 2016 thru May 2017							
		McKee Unit 1	McKee Unit 2	McKee Unit 3	MRGS TOTAL	VanSant Unit 11	Total ALL Units
Capacity:	(MW)	17	17	102	136	42	178
On Line Hours:	(HRS)	6.450	4.250	710.341	721.041	30.745	751.786
Starts:	(#)	1	2	33	36	9	45
Gross Generation:	(MWh)	72.382	55.948	33,381.055	33,509.385	1,1136.775	34,646.160
Net Generation:	(MWh)	69.226	53.897	30,245.057	30,368.180	1,134.109	31,502.289
Total Auxiliaries:	(MWh)	3.156	2.051	3,135.998	3,141.205	2,666	3,178.916
Auxiliaries purchased:	(MWh)	365.128	365.128	2,056.425	2,786.677	223.969	2,786.901
Fuel Gas Used:	(MMBTU)	1,231.944	1,019.223	355,797.789	358,261.677	14,517.995	372,779.672
Fuel Oil Used:	(MMBTU)	0	0	70.652	70.652	55.337	129.989
Fuel Oil Used:	(Gallons)	0	0	513	513	389	513
Total Fuel:	(MMBTU)	1,231.944	1,019.223	355,868.441	362,732.410	14,573.332	377,305.742
Net Heat Rate:	(BTU/KWh)	17,796	18,911	12,272	12,283	13,143	12,745
Unit Trips:	(#)	0	1	6	7	1	8
Capacity Factor:	(%)	0.05%	0.04%	3.34%	2.51%	0.31%	1.99%
Availability Factor:	(%)	97.06%	97.06%	68.68%	87.60%	89.90%	88.17%
Commercial Unavailability :	(%)	2.94%	2.94%	31.32%	12.40%	10.10%	11.83%
Planned Outage Hours	(HRS)	0	0	2,416	2,416	387	2,803
Maintenance Outage Hrs:	(HRS)	241	241	301	783	426	1209
Forced Outage Hours:	(HRS)	0.0	0.0	0.0	0.0	0.0	0.0
Equivalent Derate Hours:	(HRS)	0.0	0.0	50.61	37.96	0.0	29.0
Reserve Shutdown Hours:	(HRS)	7,791.550	7,793.750	4,800.659	20,385.959	7,195.255	27,581.214
HW Boiler Gas Usage:	(MMBTU)				3,655.576		3,655.576

Fuel Oil Inventory (#2 Fuel Oil)							
	Monthly Starting Inventory	Monthly Ending Inventory	Fuel Monthly Purchase	Monthly Inventory Change	FY16-17 Starting Inventory	Fuel Purchase FYTD	FY16-17 Inventory Change
McKee Run	857,456	858,338	0	882	862,307	0	3,969
Van Sant	221,053	220,801	0	(252)	222,992	0	2,191

Van Sant Lifetime through May 2017			
	Actual Starts	**Factored Starts**	**Fired Hours**
Van Sant	1,438	2457.15	4,460.80
Since HGP–2004	297	789.45	1,077.22

[5]

3.1 Team Report:

The Operations Department continues to utilize the on duty Day Shift Team to support plant operations, general maintenance of the plant and support the maintenance department by successfully completing Preventative Maintenance (PM) work orders and other plant related PM tasks.

The Operations Team completed GPI Learning courses for the month of May. GPI online training will be utilized monthly to complete NAES SMP (Safety & Environmental) Training. The Operations Team will review the plant's safety and environmental permits/policies/manuals and complete a final test for knowledge and familiarity with the subject material.

4.0 Maintenance

During the month of May, the Plant Maintenance staff continues to address the backlog of work orders, preventative maintenance (PM's) and new work orders received during the month. Back logged Work Orders are work orders that have been open for greater than thirty days. There were 113 new work orders issued with 100 work orders being completed, and 53 of the back logged work orders completed during the month. There were 2 new Safety Work Orders entered into the plant's Computerized Maintenance Management System (MP2) for the McKee Run site during the month. These safety work orders were completed during the month. The table below summarizes the monthly work order activities based on MP2 work order records and will continue to improve with time. This table gives a representation of identified outstanding work; Preventative Maintenance tasks completion and remaining corrective work and back logged work orders that require attention.

[5] *Hot Gas Path inspection

McKee Run Work Order Statistics									
	WO Type	Starting Backlog	Recv'd WO	Total WO	Comp WO	Comp Rcvd	Total Comp	Ending Backlog	OPEN WO's
McKee Run	ADM	5	4	9	4	0	4	1	5
	CM	24	19	43	3	10	13	21	30
	EW	2	0	2	0	0	0	2	2
	PM	18	61	79	3	51	54	15	25
	SW	0	1	1	0	1	1	0	0
Site Totals		**49**	**85**	**134**	**10**	**62**	**72**	**39**	**62**

City of Dover – Van Sant Work Order Statistics									
	WO Type	Starting Backlog	Recv'd WO	Total WO	Comp WO	Comp Rcvd	Total Comp	Ending Backlog	OPEN WO's
Van Sant	ADM	0	0	0	0	0	0	0	0
	CM	5	2	7	3	1	4	2	3
	EW	0	0	0	0	0	0	0	0
	PM	9	24	33	2	16	18	7	15
	SW	0	1	1	0	1	1	0	0
Site Totals		**18**	**28**	**46**	**4**	**24**	**28**	**14**	**18**

Notable activities during the month include:

A tube leak was discovered on the northwest corner on the ground floor of Unit 3 boiler. The maintenance staff removed the lagging from the boiler after the unit had shut down to determine where the leak was located. The leak was found on the second tube from the corner of the boiler. APEX Piping made the repairs to the boiler by removing a section of boiler tube and installing a new boiler tube in the place of the old one. The Operation staff completed an operating pressure hydro of the boiler. There were no leaks discovered inside or outside of the boiler.

EIA 860 and EIA 923 annual reports were entered into the US Energy Information Administration's electronic system prior to their due dates.

The daily generation data power meter report system was offline for approximately 5 days during the month. This problem caused the control room operator to manually input hourly system data into reporting spreadsheets until the problem could be investigated and addressed by the meter vendor. The problem was fixed by the vendor and automatic reporting capabilities were restored.

Forest Fence was contracted to remove and replace the fence on the east, north side of the facility and around the buss yard. Miss Utility was contacted to locate underground lines. A temporary fence was installed before any of the old fence was removed. The NAES IC&E staff removed and replaced all of the grounding on the fence for the buss yard. Once all this was completed the old fence was removed and the new fence was installed. New gates were installed and adjusted for proper operation.

The Maintenance staff started the prepping and then painting the structure of the gas turbine at VanSant. The structures were cleaned and rust removed from areas on the turbine. The surfaces of the structures were then painted with a coat of primer. The finish coat was painted on. The structures were painted with a machine gray color. This work enhanced the facility look and preserves the structures.

A concern was brought to the attention of the safety committee about the entering and exiting the shop trucks. The trucks are 3/4 ton trucks and the height of the trucks is taller than a normal 1/2-ton truck. It was suggested that running boards be installed on the trucks for the safety of the employees entering and exiting the vehicles. The running boards were purchased and installed. The running boards do make it safer for employees entering and exiting the vehicles.

5.0 Capital Improvement Projects (CIP)

This month's report for CIP project planned and budgeted for the current budget year 2016/2017 with the status to date for the project.

Project Number	Description	2016-2017 CIP Status Update
EG1407	Metering System Upgrades	Progress: Firmware patch released and updated on both cell modem meters. There has not been a meter outage since the firmware was updated. Schedule: Currently validating meter data reporting calculations.
EG1416	Van Sant Capacity Increase	Progress: Completed. Schedule: Completed.
EG1612	Van Sant Exhaust Plenum Replacement	Progress: Work completed. Schedule: Need invoices for scaffolding support services.
EG1613	McKee Run Unit #3 Boiler Stack Repairs	Progress: Completed. Schedule: Completed.
EG1701	Van Sant Major Overhaul	Progress: Received multiple quotes and options for recommended spare parts. Council Action Form completed for the recommended parts to be purchased. Schedule: Order long lead time capital components for combustion section upon city council approval.
EG1702	Unit #3 Boiler System Repairs	Progress: Riley Power conducted inspection on Unit #3 buck stay arrangement and issued inspection reports. Schedule: Awaiting Quotes for buck stay repairs and induced draft fan expansion joints.
EG1703	McKee Run Building Equipment Replacement	Progress: Order equipment replacements. Schedule: Past CIP EG1601. Administrative building heating and cooling systems, and LED lighting replacement.
EG1704	U3 Hydrogen Purity Analyzer	Progress: Proton Energy Systems / On-Site Gas provided information on hydrogen conditioner and purity analyzers during a vendor site visit. Schedule: Have received (3) quotes with different options for this equipment.
EG1706	U3 Accelerated Unit Start	Progress: Awaiting decision on the need to pursue this project any further based on operating profile. Schedule: If this project is to be completed determine vendor for a low pressure electric steam boiler required to supply gland sealing steam source. No funding 2017 but work must be done to be ready for 2018.
EG1707	McKee Run Unit #3 Auxiliary Equipment Replacement	Progress: Received (3) quotes for different options for this equipment. The original pumps cannot be replaced in kind as they are both obsolete. Schedule: This project was EG1607. Place order for replacement pumps for cooling water booster and service water pumps.
EG1709	U3 Circ Water Piping Inspection/Repairs	Progress: Reports received. Work completed. Schedule: Decision made to purchase internal pipe rehabilitation kits to have on hand in the event there is a leak. On order.
EG1710	McKee Run / Van Sant Safety and Compliance Improvements	Progress: Fence installation completed. Schedule: Complete installation of privacy slats in June. Purchase stone for visitor parking area along east side fence.
EG1711	McKee Run / Van Sant Structural Preservation	Progress: Duct work and tanks at Van Sant station have been completed. Schedule: Continue with surface preparation and painting as weather and man power allows.
EG1712	Van Sant Remote Start	Progress: Phase one completed and fully functional. Testing completed. Submitted budget amendment to transfer funds to complete system modifications. Schedule: Obtain quotes for the integrated VARS / MW control and add an audible alarm at McKee Run to sound when alarm conditions are present.

Prepared by TEA/AES Corp

6.0 General Plant Information

Operations Supervisor Lawrence Sheranko attended the 2017 O&M Conference in San Antonio, Texas. This conference was help from May 15 through May 18, 2017. This conference gives an opportunity to learn valuable O&M skills and provides networking capabilities with other facilities within the fleet and around the country.

Maintenance Mechanic Eric Carrow had his 15-year Plant anniversary as of May 13, 2017. During his time with McKee Run, Eric worked his way up to Senior Operator before transitioning to Maintenance Mechanic in 2016. His broad knowledge of Operations and Maintenance make him an invaluable team member, and we are pleased he continues to share his knowledge and professionalism.

Five (5) Near Misses were reported this month and a total of fourteen (14) have been reported since the start of the fiscal calendar.

7.0 Training

The May Safety Committee meeting topic “Proper Use of Propane Grill During Summer Months” was reviewed and discussed in Team meetings and by the entire staff. All staff read and acknowledged a refresher training module that described the chemicals and wastes which are handled at both McKee Run and VanSant. This is required as part of hazardous communication and waste regulations.

Operations Staff has been busy completing PJM required NERC training and OES-NA certified NERC Training for PJM CEH’s.

8.0 Calendar of Upcoming Events

A forecast of general event dates for the power plant projects, outages and various agency reporting dates are listed below.

Calendar of Upcoming Events	Date
PJM Winter Capacity Test Period	December 1, 2016 thru February 28, 2017
2016 Q4 EDR to EPA - COMPLETED	February 1, 2017
RGGI COATS True Up - COMPLETED	March 1, 2017
2016 Q4 EDR to EPA - COMPLETED	February 1, 2017
Title V Air Permit Renewal COMPLETED	April 20, 2017
DNREC SLEIS Report COMPLETED	May 1, 2017
Q1 EDR COMPLETED	May 1, 2017
FRP Notification Drill COMPLETED	Complete by June 30, 2017
NPDES Semi Annual Outfall Sampling COMPLETED	Complete by July 31, 2017
Toxic Release Inventory Report (TRI)	July 1, 2017
DNREC Semi-Annual Certification	July 2017
DNREC Semi-Annual Audit	July 2017
Stack testing for new Title V Permit	July 11-13, 2017

9.0 "Value Added" Accomplishments during May

During the month the power plant staff accomplished the normal preventative and corrective maintenance for the generation units. We are responsible for maintaining and protecting the City of Dover power generation assets, and keeping them "available", for dispatch when called.

Listed below are some of the work accomplishments that have been completed this past month that NAES feels added value to the generation assets, protected them from deterioration or inoperability, and overall increased their life expectancy through improved equipment maintenance practices which include preventative and predictive maintenance tasks (see Section 4 - Maintenance Work Orders) for the City of Dover units.

- The Operations Teams continues painting the outside hand rails. The plan is to gradually improve the plant appearance and equipment for both generation sites over the course of the next couple of years.
- The Operations and IC&E Team completed a successful natural gas purge of Units one and two natural gas piping systems for decommissioning work required by DNREC.
- The Operations Team has been installing fencing privacy slats on the east side of the plant. Utilizing the NAES staff for this project is a cost savings to NAES and the client, City of Dover.
- The Maintenance staff started the structure preservation at The VanSant Generating Station. The structures have been cleaned and painting has begun. The pictures below are just some of the improvements that have been made during the month.







APPENDIX: PJM INVOICE

REPORT NAME:	Monthly Billing Statement - CSV and XML
CUSTOMER ACCOUNT:	City of Dover, Delaware
CUSTOMER CODE:	DOVDE
CUSTOMER ID:	76.000000
FINAL BILLING STATEMENT ISSUED:	6/7/2017 9:06
BILLING PERIOD START DATE:	5/1/2017
BILLING PERIOD END DATE:	5/31/2017
INVOICE NUMBER:	2017053100076.000000
INVOICE DUE DATE:	6/16/2017 12:00

CHARGES	ADJ	BILLING LINE ITEM NAME	SOURCE	BILLING PERIOD START	AMOUNT ($)
1100.000000		Network Integration Transmission Service			416352.630000
1108.000000		Transmission Enhancement			73063.210000
1130.000000		Firm Point-to-Point Transmission Service			0.000000
1140.000000		Non-Firm Point-to-Point Transmission Service			0.000000
1200.000000		Day-ahead Spot Market Energy			567416.050000
1205.000000		Balancing Spot Market Energy			11051.450000
1210.000000		Day-ahead Transmission Congestion			-86203.960000
1215.000000		Balancing Transmission Congestion			3003.450000
1220.000000		Day-ahead Transmission Losses			-29623.460000
1225.000000		Balancing Transmission Losses			-934.680000
1230.000000		Inadvertent Interchange			1025.590000
1242.000000		Day-Ahead Load Response Charge Allocation			43.850000
1243.000000		Real-Time Load Response Charge Allocation			38.160000
1250.000000		Meter Error Correction			-3742.920000
1301.000000		PJM Scheduling, System Control and Dispatch Service - Control Area Administration			12217.620000
1302.000000		PJM Scheduling, System Control and Dispatch Service - FTR Administration			0.000000
1303.000000		PJM Scheduling, System Control and Dispatch Service - Market Support			2867.620000
1304.000000		PJM Scheduling, System Control and Dispatch Service - Regulation Market Administration			104.000000
1305.000000		PJM Scheduling, System Control and Dispatch Service - Capacity Resource/Obligation Mgmt.			1183.580000
1307.000000		PJM Scheduling, System Control and Dispatch Service - Market Support Offset			-206.080000
1313.000000		PJM Settlement, Inc.			206.080000
1314.000000		Market Monitoring Unit (MMU) Funding			358.180000
1315.000000		FERC Annual Recovery			4415.800000
1316.000000		Organization of PJM States, Inc. (OPSI) Funding			40.720000
1317.000000		North American Electric Reliability Corporation (NERC)			733.060000
1318.000000		Reliability First Corporation (RFC)			1175.200000
1320.000000		Transmission Owner Scheduling, System Control and Dispatch Service			4322.700000

1330.000000		Reactive Supply and Voltage Control from Generation and Other Sources Service		40201.390000
1340.000000		Regulation and Frequency Response Service		8995.370000
1360.000000		Synchronized Reserve		4771.710000
1362.000000		Non-Synchronized Reserve		837.000000
1365.000000		Day-ahead Scheduling Reserve		6624.690000
1370.000000		Day-ahead Operating Reserve		843.350000
1375.000000		Balancing Operating Reserve		3340.100000
1376.000000		Balancing Operating Reserve for Load Response		3.460000
1378.000000		Reactive Services		5791.240000
1380.000000		Black Start Service		7476.270000
1400.000000		Load Reconciliation for Spot Market Energy		-1816.020000
1410.000000		Load Reconciliation for Transmission Congestion		167.770000
1420.000000		Load Reconciliation for Transmission Losses		8.420000
1430.000000		Load Reconciliation for Inadvertent Interchange		0.510000
1440.000000		Load Reconciliation for PJM Scheduling, System Control and Dispatch Service		-17.540000
1441.000000		Load Reconciliation for PJM Scheduling, System Control and Dispatch Service Refund		0.870000
1444.000000		Load Reconciliation for Market Monitoring Unit (MMU) Funding		-0.420000
1445.000000		Load Reconciliation for FERC Annual Recovery		-5.190000
1446.000000		Load Reconciliation for Organization of PJM States, Inc. (OPSI) Funding		-0.050000
1447.000000		Load Reconciliation for North American Electric Reliability Corporation (NERC)		-0.860000
1448.000000		Load Reconciliation for Reliability First Corporation (RFC)		-1.380000
1450.000000		Load Reconciliation for Transmission Owner Scheduling, System Control and Dispatch Service		-5.080000
1460.000000		Load Reconciliation for Regulation and Frequency Response Service		-4.640000
1470.000000		Load Reconciliation for Synchronized Reserve		-2.200000
1472.000000		Load Reconciliation for Non-Synchronized Reserve		0.110000
1475.000000		Load Reconciliation for Day-ahead Scheduling Reserve		0.030000
1478.000000		Load Reconciliation for Balancing Operating Reserve		-3.200000
1490.000000		Load Reconciliation for Reactive Services		-0.840000
1600.000000		RPM Auction		14785.450000
1610.000000		Locational Reliability		676685.670000
1611.000000		CP Transitional Locational Reliability		218542.250000
1250.000000	A	Meter Error Correction	42826.000000	10011.230000
1304.000000	A	PJM Scheduling, System Control and Dispatch Service - Regulation Market Administration	42705.000000	0.140000
1304.000000	A	PJM Scheduling, System Control and Dispatch Service - Regulation Market Administration	42736.000000	0.040000
1304.000000	A	PJM Scheduling, System Control and Dispatch Service - Regulation Market Administration	42767.000000	0.060000
1304.000000	A	PJM Scheduling, System Control and Dispatch Service - Regulation Market Administration	42795.000000	0.090000
1304.000000	A	PJM Scheduling, System Control and Dispatch Service - Regulation Market Administration	42826.000000	0.260000

1311.000000	A	PJM Scheduling, System Control and Dispatch Service Refund - Regulation Market Administration	42767.000000	-0.010000
1311.000000	A	PJM Scheduling, System Control and Dispatch Service Refund - Regulation Market Administration	42795.000000	-0.010000
1316.000000	A	Organization of PJM States, Inc. (OPSI) Funding	42736.000000	-6.470000
1316.000000	A	Organization of PJM States, Inc. (OPSI) Funding	42767.000000	-5.570000
1316.000000	A	Organization of PJM States, Inc. (OPSI) Funding	42795.000000	-6.060000
1316.000000	A	Organization of PJM States, Inc. (OPSI) Funding	42826.000000	-5.420000
1340.000000	A	Regulation and Frequency Response Service	42705.000000	17.290000
1340.000000	A	Regulation and Frequency Response Service	42736.000000	26.720000
1340.000000	A	Regulation and Frequency Response Service	42767.000000	5.100000
1340.000000	A	Regulation and Frequency Response Service	42795.000000	20.100000
1340.000000	A	Regulation and Frequency Response Service	42826.000000	18.350000
1360.000000	A	Synchronized Reserve	42826.000000	0.060000
1362.000000	A	Non-Synchronized Reserve	42736.000000	-1.470000
1365.000000	A	Day-ahead Scheduling Reserve	42736.000000	-0.010000
1370.000000	A	Day-ahead Operating Reserve	42583.000000	-0.530000
1370.000000	A	Day-ahead Operating Reserve	42795.000000	33.600000
1375.000000	A	Balancing Operating Reserve	42125.000000	1.100000
1375.000000	A	Balancing Operating Reserve	42156.000000	2.290000
1375.000000	A	Balancing Operating Reserve	42186.000000	5.490000
1375.000000	A	Balancing Operating Reserve	42583.000000	0.100000
1375.000000	A	Balancing Operating Reserve	42736.000000	-2.990000
1375.000000	A	Balancing Operating Reserve	42795.000000	-17.110000
1375.000000	A	Balancing Operating Reserve	42826.000000	20.760000
1378.000000	A	Reactive Services	42826.000000	-167749.000000
1930.000000	A	Generation Deactivation	42826.000000	209.380000
		Total Charges		1808703.600000

CREDITS	ADJ	BILLING LINE ITEM NAME	SOURCE BILLING PERIOD START	AMOUNT ($)
2100.000000		Network Integration Transmission Service		0.000000
2108.000000		Transmission Enhancement		15130.110000
2130.000000		Firm Point-to-Point Transmission Service		0.000000
2140.000000		Non-Firm Point-to-Point Transmission Service		429.230000
2210.000000		Transmission Congestion		0.000000
2220.000000		Transmission Losses		17565.780000
2320.000000		Transmission Owner Scheduling, System Control and Dispatch Service		0.000000
2330.000000		Reactive Supply and Voltage Control from Generation and Other Sources Service		29388.000000
2340.000000		Regulation and Frequency Response Service		0.000000
2360.000000		Synchronized Reserve		113.210000
2365.000000		Day-ahead Scheduling Reserve		31761.930000
2370.000000		Day-ahead Operating Reserve		0.000000
2375.000000		Balancing Operating Reserve		316.620000
2380.000000		Black Start Service		0.000000
2420.000000		Load Reconciliation for Transmission Losses		-19.170000
2510.000000		Auction Revenue Rights		64550.990000
2600.000000		RPM Auction		647522.730000
2640.000000		Incremental Capacity Transfer Rights		1592.160000
2661.000000		Capacity Resource Deficiency		229.300000

2666.000000		Load Management Test Failure		280.520000
2140.000000	A	Non-Firm Point-to-Point Transmission Service	42736.000000	-4.080000
2140.000000	A	Non-Firm Point-to-Point Transmission Service	42826.000000	35.630000
2220.000000	A	Transmission Losses	42583.000000	0.410000
		Total Credits		808893.370000
		Monthly Billing Net Total		**999810.23**
		Previous Weekly Billing Net Total		839626.180000
		Total Due / Receivable		160184.050000

End of Report

City Planner's Monthly Report

Planning, Inspections & Recreation

MAY 2017

Planning, Inspections & Recreation Highlights

The monthly report contains a wealth of information about the departments that demonstrate the volume of activity and the scope of our responsibilities. But there are also excellent indicators of the general economic health of the community as well.

There are obvious signs of an increasingly healthy economy in Dover during FY17:

- Building permit revenues are up 141% over last year
- $860,000+ in building permit fees received so far this year v. $600,000 last year
- This year 111 permits have been issued for new residential units and over $37 million in new commercial investment has been approved
- Over $21,000 in fee waivers were approved within the DDD area, indicating a renewed interest in downtown

Inspections and Code Enforcement numbers are also up significantly:

- There were 407 code enforcement inspections in May and 1638 YTD
- 21 additional properties were identified and registered as vacant
- A number of dangerous buildings are being demolished helping to eliminate blight
- Building related inspections are up by almost 1000 compared to this time last year
- 2187 business licenses were issued so far this year versus only 1256 last year

Park and Recreation activities' and participation are steady compared to last year but a renewed interest in our parks system has resulted in two community meetings, submission of grant requests for planning and park development, with a focus on reestablishing Dover Park to its anchor park status.

Planning staff is working diligently to improve processes and clarifying ordinance provisions to make the community more business friendly. Increased coordination with various stakeholders regarding economic activity, housing, and redevelopment are also ongoing priorities.

- Dawn Melson-Williams attended the **Plan4Health Roundtable Summit** on May 12, 2017. Presentations at the event included Mapping of Assets, the Statewide Health and Equity Assessment, collaborative partnerships and brainstorming of ideas for healthy living with a prioritization of future tasks related to Health. The Plan4Health is a grant-funded program that will result in recommendations for incorporating healthy living into the City's Comprehensive Plan. http://deplan4health.org

- Dave Hugg attended the **Downtown Development District Workshop** on May 31, 2017 to report on activities in Dover's Downton Development District and to learn about our Districts throughout the State.

PROGRESS IN PICTURES



1365 N. DuPont Highway—T. Mobile



“Dover Behavioral Health” 725 Horsepond Rd.-

PROGRESS IN PICTURES



231 Nob Hill Road—Clearview Meadows



344-365 Tribbitt Street-
Cannon Mills

Planning, Inspections & Recreation Revenue

Revenue Stream	FY '17 Budget	FY '17 Actual YTD thru May	
Business License	$1,467,000	$ 1,455,252	**99%**
Trailer License	$21,000	$ 18,294	**87%**
Building Permits	$609,000	$ 860,869	**141%**
Cert. of Occupancy	$10,000	$ 14,800	**148%**
Public Occupancy	$21,000	$ 23,703	**113%**
Lodging House	$14,100	$ 13,640	**97%**
Plumbing/Heating/Air	$115,000	$ 120,926	**105%**
Rental Inspection Fee	$437,000	$ 398,969	**91%**
Miscellaneous	$27,000	$ 27,567	**102%**
Fire Protection Fees	$65,000	$ 62,339	**96%**
Code Enf. Fines	$35,000	$ 27,400	**78%**
Vacant Building Reg.	$150,000	$ 257,585	**172%**
Total P&I Revenue	**$2,971,100**	$ 3,281,344	**110%**
Recreation	$150,000	$ 131,330	**88%**

PERFORMING ARTS ON THE GREEN SERIES-is kicking off the 41st season! Be sure to join us on Thursdays now until September 7th at 7pm.

PERSONNEL AND TRAINING

⇒ Wayne Voshell completed three days of training on May 21-23 to renew the Certified Playground Safety Inspector license.

⇒ Sherwanda Rachal Speaks completed food safety training with the Food Bank of Delaware in order to remain eligible to receive free breakfast lunch services for the summer day camps.

PLANNING OFFICE

The Planning Office is part of the review process for certain types of construction activity permits (Building Permits, Sign Permits, etc.) and Certificate of Occupancy permits. For May 2017, Planning Staff was involved with review of 105 Permits and 14 Certificates of Occupancy permits. This results in a 2017 calendar year to date total of 448 Permits and Certificates of Occupancy (2016 calendar year to date total of 451 Permits and COs compared to 374 for 2015). Planning Staff also reviews new applications for Business Licenses and Rental Dwelling Permits.

COMPREHENSIVE PLAN IMPLEMENTATION

Planning Staff continues to focus on the various implementation items identified in the *2008 Comprehensive Plan* as amended.

- The Planning Office continues to be involved in the following studies and projects: Restoring Central Dover Community Plan implementation, the Dover/Kent County MPO Regional Bicycle Plan Update project, and Downton Parking Study.
- The Planning Office is utilizing the data collection from fieldwork for the study of "Non-conforming Uses" to identify non-compliant uses in specific residential zones. The first set of non-conforming property owners (Round 1) received Notification Letters in August 2016 with December 31, 2016 as the sunsetting date for the nonconforming uses. A number of the identified properties took action to resolve the non-conformity. The second set of non-conforming properties (Round 2) were sent letters on February 24, 2017 to notify them of the non-conformity with June 30, 2017 as the sunsetting date for the nonconforming uses if not resolved. In May a rezoning application was in the review process to resolve a non-conformity at a property (Z-17-03). Planning Staff was in contact with several remaining property owners to assist them in beginning the process to take action to resolve their non-conformities.

Construction Activity

- Construction activities continue at several multi-family residential projects including the Tall Pines project at 1655 and 1665 Kenton Road (S-14-18), Leander Lakes Apartments (S-12-18), and Phase 2 of the Blue Hen Apartment Complex.
- There is residential construction activity in Clearview Meadows PND, Nottingham Meadows, Senators Lake, Seskinore, Village of Cannon Mill, Village of Westover and Chestnut Grove Farms. Certificates of Occupancy were issued to a total of 9 residential projects including 2 one family detached dwellings, 5 townhouse units, and 2 apartment buildings in the month of May.
- A Building Permit was also issued for the following project: Panera Bread Restaurant at 545 North DuPont Highway (S-16-23).

	MAY FY17	TOTAL FOR FY17
New Home Permits Issued	14	125
Value of Commercial Projects	2,545,909.00	39,903,647.00
Downtown Incentives (Fees Waived)	$759.00	$21,965.25

BOARD AND COMMISSION ACTIVITY

Planning Commission

The Planning Commission met on May 15, 2017. The next Planning Commission meeting is scheduled for June 19, 2017.

S-15-05 North Street Mini Storage at 1351 West North Street – Planning Commission moved to grant a one-year extension of the Planning Commission approval granted on May 18, 2015 of a Site Development Plan to construct a self-storage facility consisting of three (3) buildings totaling 108,940 S.F. to include an office building and two (2) storage buildings with 519 units, and associated site improvements.

Z-17-03 Lands of Most Worshipful Prince Hall Grand Lodge at 1408, 1412, and 1416 College Road – Planning Commission moved to approve recommendation to City Council for rezoning of three parcels located on the southeast side of College Road.

SB-17-01 Minor Subdivision Plan at 749 West North Street -Planning Commission moved to approve a Minor Subdivision Plan application to permit subdivision of a 23,144 S.F. lot into three (3) new lots of approximately 7,400 S.F. +/- each.

S-17-13 Longhorn Steakhouse at 505 North DuPont Highway -Planning Commission moved to approve a Site Development Plan to permit construction of a 5,842 S.F. Longhorn Steakhouse restaurant and related site improvements**.**

Board of Adjustment

The Board of Adjustment met on May 19, 2017. The next regular scheduled meeting of the Board of Adjustment is scheduled for May 18, 2017. The following Applications were considered:

Applicant #V-17-08 Revised Day Care Center at 868 South State Street: Shell's Early Learning Center–The Board moved to approve a variance from the requirements of the *Zoning Ordinance*, Article 5 §14.31 pertaining to maximum number of children in a day care center in a residential zone; and Article 3, §1.14(a)(v) pertaining to maximum building coverage of a conditional use in a residential zone. The requested variances are to allow the number of children in the day care center to increase from a maximum of 50 children to 83 children, and to allow the permitted total building coverage of the lot to increase from a maximum of 20% to 23.7%.

Historic District Commission

The Historic District Commission met on May 18, 2017. The next Historic District Commission meeting is scheduled for June 15, 2017. The Commission heard presentations of the Summary of Applications and Permits with Architectural Review Certifications for calendar year 2016 and 2017. Updates on Research Consultation on Proposed Project Fence Project at 2 North State Street: Fence Height and Materials. There were also updates on the Certified Local Government (CLG) Program application for CLG Grant Funding for FFY2017.

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

CDBG FY16 Projects

The following projects are underway:

Homeownership Assistance Program

CDBG funds will be used to provide homeownership assistance to first-time homebuyers who purchase affordable housing in the City of Dover. Four (4) families purchased homes.

Dover Interfaith Mission for Housing

CDBG funds will be used to provide operation costs for the shelter. One hundred (100%) of funds have been expended year to date. This project is complete.

Connections Community Support Program

CDBG funds will be used to provide rapid re-housing/rental assistance services for homeless households within the City.

Milford Housing Homeowner Rehabilitation/Emergency Home Repair Programs

CDBG funds will be used to rehabilitate existing owner occupied housing in the City that is in violation of the City's Housing Code and to complete emergency home repairs to eliminate housing conditions that threaten the health and safety of low income homeowners. Rehabs of two (2) single family homes are underway and emergency home repairs have been completed for six (6) families.

Code Enforcement Activity—MAY

Case Type	# cases current month	# cases YTD (July to July)	% staff initiated current month	% staff initiated YTD
No valid Rental Permit	48	209	100%	99%
No valid Building Permit	9	52	75%	82%
Tall grass and weeds	143	329	75%	71%
Unregistered vehicle	9	59	95%	91%
Abandoned vehicle	1	34	100%	75%
Annual Housing Inspection	30	423	97%	89%
Property Maintenance – Exterior	30	309	60%	69%
Electric Termination	20	122	95%	90%
Dover Code of Ordinances	29	359	48%	70%
Zoning	5	36	20%	61%
Total Cases	**324**	**1962**		
Total # of Inspections For Month	**455**			

Dangerous Buildings, Vacant Buildings & Demolitions

- *35 N. Queen Street*—The structure has been demolished.
- *126 N. Ann Avenue*—All renovation and plumbing permits have been closed and approved. The property is currently vacant and for sale.
- *131 N. Kirkwood Street* —The property was condemned and taken forward to City Council as a dangerous building on November 7, 2016. Council ordered the owner to demolish the structure by December 7, 2016. The asbestos survey and abatement have been completed with the demolition of the structure scheduled for June.
- *954 Lincoln Street*—The property was condemned and taking forward to City Council as a dangerous building on November 7, 2016. Council ordered the owner to demolish the structure by December 7, 2016. The asbestos survey and abatement have been completed . The mortgage company has requested time to make renovations. The demolition has been put on hold.
- *801 North State Street*—The property was condemned on October 21, 2016 due to fire damage. A demolition permit has been obtained by the owner.
- *1175 Horsepond Road*—The property was condemned on November 14, 2016 due to the dilapidated condition of the home. Notice was sent to the owner to repair or demolish the structure by February 23, 2017, or City Staff would take the property forward to City Council as a dangerous building. Property was presented to City Council on March 6, 2017; Council declared the property dangerous and ordered the owner to demolish by April 7, 2017. The owner is working to have the building demolished.
- *236 Eisenhower Drive*—The property was condemned on August 29, 2016, due to the dilapidated condition of the home. Notice was sent to the owner to repair or demolish the structure by February 23, 2017, or City Staff would take the property forward to City Council as a dangerous building. Property was presented to City Council on March 6, 2017; Council declared the property dangerous and ordered the owner to demolish by April 7, 2017. The demolition of the structure has been scheduled for late June, 2017.

- *Vacant Buildings*—During the month of May, twenty one (21) additional buildings were registered as vacant, and $10,750.00 in vacant building registration fees were collected.

Building Inspections & Licensing Summary

	Current	July 16-June17	May 2016	July 15-June16
	MAY 17	**FYTD 17**	**MAY 16**	**FYTD 16**
PERMITTING AND LICENSING				
Permits Issued	**MAY 17**	**FYTD 17**	**MAY 16**	**FYTD 16**
Administrative Permit	3	56	5	49
Building Addition/Renovation Permits	42	355	44	342
Building Permits	45	308	37	247
Demolition Permits	5	35	2	58
Fence Permits	16	102	21	99
Fire Prevention Permits	6	96	4	113
Mechanical Permits	25	470	35	433
Plumbing Permits	46	457	19	422
Sign Permits	10	158	27	255
Swimming Pool Permits	2	121	2	5
Business Licenses	26	2213	66	1322
Merchant Licenses	2	369	1	285
Contractor Licenses	28	216	26	930
Lodging House Licenses	1	66	0	47
Manufactured Homes	2	397	1	274
Public Occupancy	13	458	33	435
Rental Dwelling	71	3237	92	3331
BUILDING INSPECTIONS				
Inspections	**MAY 17**	**FYTD 17**	**MAY 16**	**FYTD 16**
Building	375	4431	280	3370
Plumbing/Mechanical	665	5546	326	3492
Certificate of Occupancy	14	187	11	153

Fire Marshal's Office—At a Glance

The Fire Marshal's Office investigated a total of five (5) incidents in the month of May to include a major fire loss at 856 Forest St and 411 Collins Dr.

The Fire Marshal's Office made 2 arrests in the month of May with the assistance of the Dover Police Department.

The Fire Marshal attended a 2 week Fire Investigation Interview and Testimony class at the National Fire Academy.



	Month	Year to Date	Previous Year to Date
Annual Fire & Life Safety Inspections	18	264	403
Deficiencies From the Above Inspections	73	889	983
Fire Code Violations/Deficiencies/Complaints	6	319	478
C/O & Fire Equipment Acceptance Tests	7	132	118
Meetings & Walk Through	21	440	106
Fire Plan Review & DAC	8	135	-

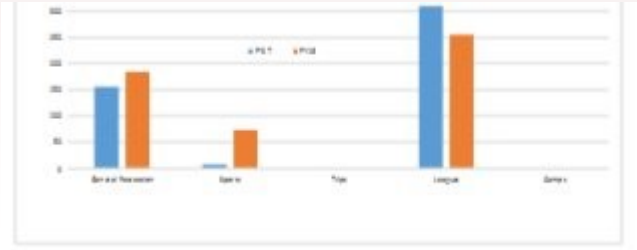
	Month	Year to Date	Previous Year to Date
Accidental	2 totaling $11,000	29 totaling $612,003	$421,000
Undetermined	0	6 totaling $805,501	$22,900
Incendiary	3 totaling $381,000	10 totaling $552,600	$73,600
Arrest Made with DPD	2	4	-
Investigation Time	35 hours	307 hours	-
Injuries	1	6	-
Deaths	0	0	-

Please feel free to contact our office at any time with any questions or concerns. Thank you!

Recreation Division

Enrollment Summary

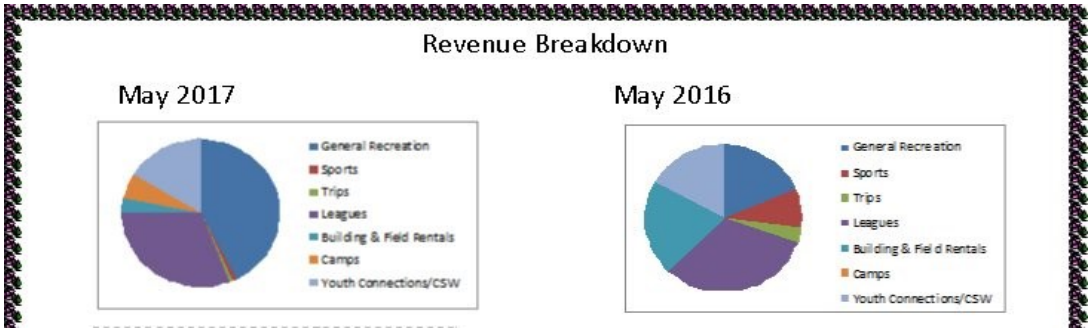
MAY FY17 verses MAY FY16





Category	FY/17	FY/16
General Recreation	156	184
Sports	7	74
Trips	0	0
Leagues	310	255
Camps	0	20

Revenue Breakdown: May 2017 verses May 2016



General Recreation	**$1858.00**
Sports	**$0.00**
Trips	**$0.00**
Leagues	**$19,735.00**
Building & Field Rentals	**$800.00**
Camps	**$2765.00**
Youth Connections/CSW	**$16,742.78**

General Recreation	**$2988.50**
Sports	**$420.00**
Trips	**$333.00**
Leagues	**$14,430.00**
Building & Field Rentals	**$1050.00**
Camps	**$3840.00**
Youth Connections/CSW	**$17,753.00**



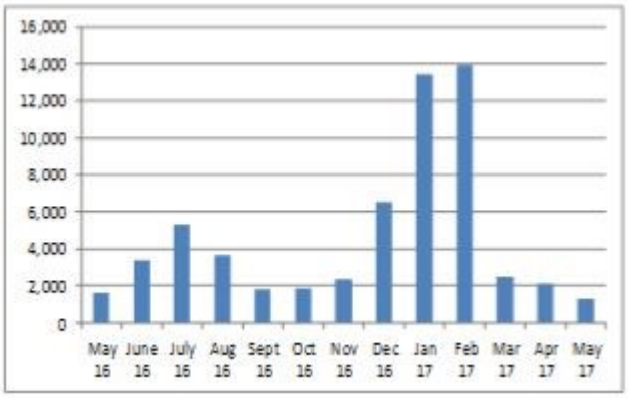






John W. Pitts Recreation Center – MAY 2017

Total Program Attendance



Facility Usage By The Hour



** Program Attendance figures includes daily participants, parents and spectators in the facility.

Facility Usage By The Hour	MAY 17		FYTD 17		MAY 16		FYTD 16
Open Gym	498		4,009.5		477		4,105.25
Fitness Classes	32		351.5		28		372.5
Leagues	47		1,204		41.5		1,174
Camps	0		1,011.5		0		998
Sports Classes	0		145.5		12		160.5
Meetings & Rentals	20		179.5		35		267
Enrichment Classes	2		9.5		2		27
Total Facility Usage Hours	599		6,911		595.5		7,104.25

Daily Program Attendance**	MAY 16		FYTD 17		MAY 16		FYTD 16
Total	1,340		54,905		1,632		56,940
Open Gym	477		4,164		478		4,170
Fitness Classes	122		1,386		143		2,116
Leagues	704		44,276		576		44,508
Camps	0		1,310		25		1,231
Sports Classes	0		2,247		95		2,126
Meetings & Rentals	25		1,472		332		2,656
Enrichment Classes	12		50		8		133

Since our opening in late April 2008, we have had 501,758 guests at the John W. Pitts Recreation Center.

Open Gym Registrations and Packages Sold

PACKAGES SOLD:	MAY	MTD	YTD	FYTD
Daily:	5	$15	151	$165
Individual Quarterly:	0	$0	57	$105
Individual Annual:	0	$0	0	0
Family Quarterly:	0	$0	0	0
Family Annual:	0	$0	0	0
Revenue	**5**	**$15**	**208**	**$270**



City of Dover

Finance and Procurement & Inventory Departments — Monthly Budget Reports

MAY 2017









PLEASE NOTE – THIS REPORT PROVIDES TOP LINE INFORMATION ON THE OPERATING FUNDS. IF YOU WOULD LIKE ADDITIONAL INFORMATION, PLEASE FEEL FREE TO CONTACT THE FINANCE DEPARTMENT.

CITY OF DOVER
ACTIVITY REPORTS
MAY 2017

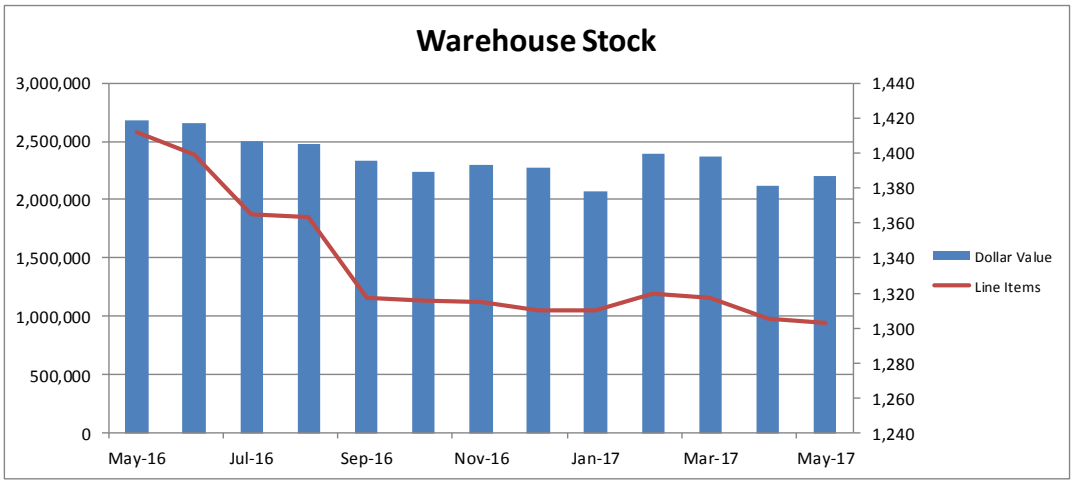
FINANCE DEPARTMENT ACTIVITY LEVELS

	FY16 YTD			FY17 YTD		
BANK TRENDS						
Number of Deposits Made (Hand, ACH & Wire, Lockbox)	6,532			6,486		
Total Amount of All Deposits	$ 119,295,349			$120,379,759		
PAYROLL						
	Hours	%	Amount	Hours	%	Amount
Gross wages per registers	**825,303**	**100.0%**	**$ 118,060,354**	**832,783**	**100.0%**	**$ 124,032,419**
Wages and Hours Worked						
Regular	681,709	82.6%	$ 15,311,794	684,573	82.2%	$ 15,695,891
All over time	32,250	3.9%	$ 1,397,411	30,385	3.6%	$ 1,333,340
Other Paid or Unpaid Wages and Hours						
Vacation	38,317	4.6%	$ 1,064,745	39,261	4.7%	$ 1,116,975
Sick	14,987	1.8%	$ 378,829	18,231	2.2%	$ 487,424
Terminal Leave - Retiree Vacation/Sick Payout	16,976	2.1%	$ 554,213	23,856	2.9%	$ 774,362
Comp Time	6,953	0.8%	$ 209,181	6,715	0.8%	$ 191,604
Personal	2,996	0.4%	$ 98,399	5,530	0.7%	$ 184,102
Leave Without Pay	2,665	0.3%	$ -	2,736	0.3%	$ -
Other (description below)	28,451	3.4%	$ 1,019,890	21,498	2.6%	$ 751,546

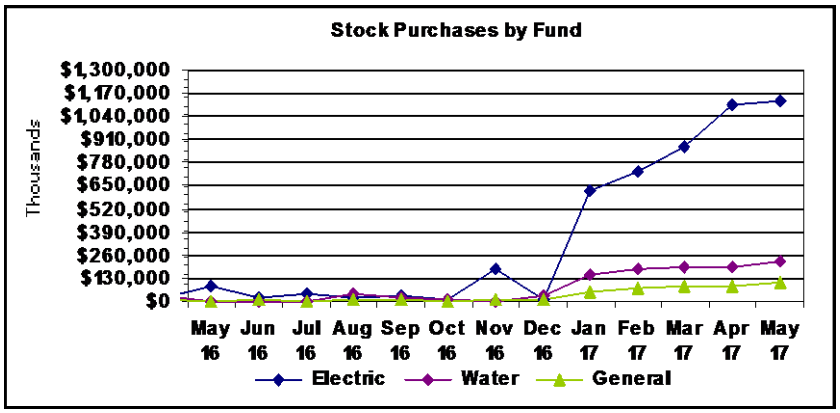
Other includes: pay adjustments, military differential pay, training, committee meetings, worker compensation tracking/adjustments, etc.

Other Activity						
Number of Pay Periods	24			24		
Number of Payroll Checks & Direct Deposits Issued	9,342			9,579		
Number of Pension Checks Issued	16,735			16,652		
Total Pension Benefits Paid - Defined Benefit Plan	$ 28,735,848			$ 28,775,456		
ACCOUNTS PAYABLE						
Number of Check Vouchers	5,693			5,724		
Number of EFT Vouchers	2,376			2,498		
Vouchers Dollar Amount Disbursed	$ 66,896,095			$ 62,848,376		

PROCUREMENT & INVENTORY ACTIVITY LEVELS



Value: $2,199,632.05 Line Items: 1,303



Fuel Use		
Unleaded:	121,523.1	gallons
Diesel:	71,456.9	gallons
Total Cost:	$ 315,170.26	

City of Dover
Finance Department
Monthly Report - May 2017
General Fund Summary

	Budget	Revised Budget	YTD	Balance	92% Budget
Beginning Balance	$ 4,493,900	$ 5,424,800	$ 5,424,751	$ 49	100.0%
Revenues					
Court of Chancery Fees	1,100,000	1,100,000	1,093,800	6,200	99.4%
Police Extra Duty, Fines & Revenue	1,288,300	1,288,300	858,481	429,819	66.6%
Franchise Fees	680,000	680,000	517,123	162,877	76.0%
Grants	623,500	623,500	321,618	301,882	51.6%
Intrafund Services	5,218,700	5,299,300	4,537,366	761,934	85.6%
Library & Recreation Revenues	532,900	532,900	516,091	16,809	96.8%
Licenses & Permits	3,129,100	3,129,100	3,339,132	(210,032)	106.7%
Property Taxes (1)	12,895,100	12,895,100	12,892,106	2,994	100.0%
Miscellaneous Revenues	146,800	146,800	215,520	(68,720)	146.8%
Sanitation Revenues	2,538,300	2,538,300	2,303,229	235,071	90.7%
Garrison Farm Rent Revenue	94,500	94,500	95,739	(1,239)	101.3%
Transfers-In from Special Funds & Utilities					
Municipal Street Aid Fund	673,100	673,100	505,091	168,009	75.0%
Civil Traffic Penalties	496,900	496,900	349,733	147,167	70.4%
Transfer Taxes	1,672,700	1,672,700	1,485,239	187,461	88.8%
Police Grants/Extra Duty	258,600	258,600	224,943	33,657	87.0%
Water/Wastewater Fund	875,000	875,000	875,000	-	100.0%
Electric Fund	10,000,000	10,000,000	10,000,000	-	100.0%
Total Revenues	42,223,500	42,304,100	40,130,211	2,173,889	94.9%
Total Beginning Balance & Revenues	**$ 46,717,400**	**$ 47,728,900**	**$ 45,554,962**	**$ 2,173,938**	95.4%
Expenditures					
City Clerk & Council	$ 553,400	$ 557,300	$ 467,463	$ 89,837	83.9%
Mayor, City Manager & Human Resources	1,258,900	1,274,200	1,139,581	134,619	89.4%
Police & Police Extra Duty	16,875,200	17,075,800	14,918,307	2,157,493	87.4%
Public Services	5,077,600	5,007,600	4,005,271	1,002,329	80.0%
Engineering	207,000	207,000	193,281	13,719	93.4%
Procurement & Inventory, Facilities Mgmt., Fleet Maint.	1,968,500	2,051,700	1,815,489	236,211	88.5%
Planning, Inspections, Life Safety, & Code Enf.	2,151,000	2,167,600	1,762,434	405,166	81.3%
Finance, Info Tech & Customer Services	2,871,200	2,983,100	2,461,724	521,376	82.5%
Library & Recreation	2,385,900	2,424,000	2,061,013	362,987	85.0%
Fire Department	721,700	721,700	642,035	79,665	89.0%
Assessor	244,000	247,400	191,478	55,922	77.4%
Miscellaneous Grant Expense	25,000	25,000	15,815	9,185	63.3%
Other Employment Expenses	400,700	118,700	-	118,700	0.0%
Bank & CC Fees	15,000	15,000	14,829	171	98.9%
Insurance	700,000	700,000	689,797	10,203	98.5%
Street Lights	804,000	804,000	743,930	60,070	92.5%
Debt Service	685,300	685,300	654,593	30,707	95.5%
Transfers Out					
Contribution to DDP	150,000	150,000	112,500	37,500	75.0%
OPEB - Retiree's Health Care Contribution	2,039,700	2,039,700	1,699,975	339,725	83.3%
Appropriation to Police Pension Fund	670,000	670,000	503,833	166,167	75.2%
Police Pension Trust Contribution - State Grant	500,000	500,000	211,728	288,272	42.3%
Capital Asset Reserve	-	253,400	253,400	-	100.0%
Inventory Write-offs	10,000	10,000	10,000	-	100.0%
Capital Projects Fund	1,859,400	2,344,400	1,869,500	474,900	79.7%
Uncollectibles: Trash & Other	50,000	50,000	50,000	-	100.0%
Total Expenditures	42,223,500	43,082,900	36,487,976	6,594,924	84.7%
Budget Balance -Working Capital	4,493,900	4,646,000	-	4,646,000	0.0%
Total Budget Balance & Expenditures	**$ 46,717,400**	**$ 47,728,900**	**$ 36,487,976**	**$ 11,240,924**	76.4%
Reserve Balances					
Contingency	$ 741,000	$ 742,900	$ 742,645		

(1) Property Taxes are the taxes billed and not cash received. The outstanding receivable balance as of 5/31/17 is $94,598 as compared to $122,437 in May 2016.

City of Dover
Finance Department
Monthly Report - May 2017
Water/Wastewater Fund Summary

	Budget	Revised Budget	YTD	Balance	92% Budget
Beginning Balance - Water	$ 566,500	$ 881,300	$ 881,297	$ 3	100.0%
Beginning Balance - Wastewater	663,200	719,200	719,132	68	100.0%
	1,229,700	1,600,500	1,600,429	71	100.0%
Revenues					
Water Services	5,800,000	5,800,000	5,248,554	551,446	90.5%
Wastewater Services	3,800,000	3,800,000	3,394,224	405,776	89.3%
Wastewater Treatment Services	3,000,000	3,000,000	2,657,547	342,453	88.6%
Groundwater Inflow Adjustment	1,938,000	1,938,000	1,700,073	237,927	87.7%
Water Tank Space Leases	366,200	366,200	353,677	12,523	96.6%
Miscellaneous Receipts	83,000	83,000	88,474	(5,474)	106.6%
Impact Fees - Water	252,000	228,000	634,328	(406,328)	278.2%
Impact Fees - Wastewater	228,000	252,000	577,600	(325,600)	229.2%
Total Revenues	15,467,200	15,467,200	14,654,477	812,723	94.7%
Total Beginning Balance & Revenues	**$ 16,696,900**	**$ 17,067,700**	**$ 16,254,906**	**$ 812,794**	95.2%
Expenses					
Water/Wastewater Operating Divisions					
Engineering & Inspection	$ 516,500	$ 521,900	$ 419,897	$ 102,003	80.5%
Water Department	655,400	670,200	563,152	107,048	84.0%
Water Treatment Plant	1,727,400	1,744,000	1,574,732	169,268	90.3%
Wastewater Department	962,400	983,500	816,119	167,381	83.0%
Kent County Treatment Charge	4,130,000	4,130,000	3,359,913	770,087	81.4%
Intrafund Service Fees	1,653,800	1,673,400	1,426,567	246,833	85.2%
OPEB Unfunded Liability	-	101,800	-	101,800	0.0%
Retiree's Health Care	192,400	192,400	192,400	-	100.0%
Debt Service	1,227,200	1,227,200	1,085,289	141,911	88.4%
Other Employment Expenses	21,200	3,300	-	3,300	0.0%
Bank & CC Fees	25,000	25,000	23,957	1,043	95.8%
Bond Issuance Cost	40,000	40,000	-	40,000	0.0%
Transfers Out					
Water I & E Fund	1,000,000	980,000	980,000	-	100.0%
Wastewater I & E Fund	1,000,000	980,000	980,000	-	100.0%
General Fund	875,000	875,000	875,000	-	100.0%
Contingency Reserve - Water	110,000	131,100	131,100	-	100.0%
Contingency Reserve - Wastewater	60,000	60,000	60,000	-	100.0%
Electric Improv. & Ext.	231,200	231,200	-	231,200	0.0%
Total Expenses	14,427,500	14,570,000	12,488,126	2,081,874	85.7%
Budget Balances					
Budget Balance - Work. Cap Water	1,103,100	1,330,900	-	1,330,900	0.0%
Budget Balance - Work. Cap WW	1,166,300	1,166,800	-	1,166,800	0.0%
Total Budget Balances	2,269,400	2,497,700	-	2,497,700	0.0%
Total Budget Balances & Expenses	**$ 16,696,900**	**$ 17,067,700**	**$ 12,488,126**	**$ 4,579,574**	73.2%
Reserve Balances					
Contingency-Water	$ 249,000	$ 250,000	$ 251,412		
Contingency-Wastewater	$ 253,100	$ 276,200	$ 277,943		
Impact Fee Reserve - Water	$ 243,200	$ 246,700	$ 607,663		
Impact Fee Reserve - Wastewater	$ 1,391,800	$ 2,876,400	$ 3,541,538		
Bond Coverage Ratio (Covenant 1.20)	3.44	4.30	4.71		

City of Dover
Finance Department
Monthly Report - May 2017
Electric Revenue Fund Summary

	Budget	Revised Budget	YTD	Balance	92% Budget
Beginning Balance	$ 13,302,200	$ 19,896,400	$ 19,896,366	$ 34	100.0%
Revenues					
Direct Sales to Customers	77,193,200	77,193,200	72,306,214	4,886,986	93.7%
Utility Tax	1,287,900	1,287,900	1,209,717	78,183	93.9%
Weyandt Hall Rents	223,000	223,000	162,328	60,672	72.8%
Miscellaneous Revenues	676,600	676,600	643,569	33,031	95.1%
Interest Earnings	47,900	47,900	203,026	(155,126)	423.9%
Total Revenues	79,428,600	79,428,600	74,524,854	4,903,746	93.8%
Total Beginning Balance & Revenues	**$ 92,730,800**	**$ 99,325,000**	**$ 94,421,220**	**$ 4,903,780**	95.1%
Expenses					
Power Supply & Generation					
Hedged Energy	$ 16,557,600	$ 16,557,600	$ 18,686,610	$ (2,129,010)	112.9%
Power Supply Management	996,000	931,000	765,413	165,587	82.2%
Capacity Charges	10,160,600	10,160,600	9,653,658	506,942	95.0%
Dover Sun Park Energy	2,313,900	2,313,900	1,870,719	443,181	80.8%
Renewal Energy Credits (Incl. Solar)	1,036,800	1,036,800	278,721	758,079	26.9%
RGGI	129,300	129,300	-	129,300	0.0%
PJM Charges - Energy	12,357,900	12,357,900	4,717,876	7,640,024	38.2%
PJM Charges - Transmission & Fees	7,603,800	7,603,800	5,116,369	2,487,431	67.3%
Total Power Supply	51,155,900	51,090,900	41,089,366	10,001,534	80.4%
Plant Operations	6,215,700	6,280,700	5,248,999	1,031,701	83.6%
Generation Fuels	302,600	302,600	1,267,246	(964,646)	418.8%
Capacity Credits	(7,355,100)	(7,355,100)	(6,837,645)	(517,455)	93.0%
PJM Spot Market Energy	(804,900)	(804,900)	(1,423,904)	619,004	176.9%
PJM Credits	(360,000)	(360,000)	(615,521)	255,521	171.0%
Total Generation	(2,001,700)	(1,936,700)	(2,360,825)	424,125	121.9%
Total Power Supply & Generation	49,154,200	49,154,200	38,728,541	10,425,659	78.8%
Electric Operating Divisions:					
Transmission/Distribution	3,605,700	3,616,300	3,218,949	397,351	89.0%
Electrical Engineering	1,247,900	1,250,900	928,751	322,149	74.2%
Administration	929,700	934,200	723,630	210,570	77.5%
Meter Reading	378,600	379,600	338,585	41,015	89.2%
Systems Operations	651,700	662,100	567,196	94,904	85.7%
Interfund Services	3,564,900	3,625,900	3,110,799	515,101	85.8%
Utility Tax	1,287,900	1,287,900	1,209,717	78,183	93.9%
Retirees Health Care	600,000	600,000	600,000	-	100.0%
Interest on Deposits	21,000	21,000	15,570	5,430	74.1%
Green Energy Payment to DEMEC	128,000	128,000	120,984	7,016	94.5%
Accounts Receivable Write-Offs	250,000	250,000	250,000	-	100.0%
Other Employee Expenses	58,900	29,400	-	29,400	0.0%
OPEB Unfunded Liability	-	109,300	-	109,300	0.0%
Bank & CC Fees	275,000	275,000	271,550	3,450	98.7%
Debt Service	1,618,000	1,618,000	1,512,062	105,938	93.5%
Transfers Out:					
General Fund	10,000,000	10,000,000	10,000,000	-	100.0%
Electric Improvement & Extension Fund	2,500,000	2,500,000	1,875,000	625,000	75.0%
Future Capacity Reserve	750,000	2,750,000	2,750,000	-	100.0%
Depreciation Reserve	750,000	2,750,000	2,750,000	-	100.0%
Rate Stabilization Reserve	1,250,000	3,250,000	3,250,000	-	100.0%
Total Expenses	79,021,500	85,191,800	72,221,334	12,970,466	84.8%
Budget Balance - Work. Capital	13,709,300	14,133,200	-	14,133,200	0.0%
Total Budget Balance & Expenses	**$ 92,730,800**	**$ 99,325,000**	**$ 72,221,334**	**$ 27,103,666**	72.7%
Reserve Balances					
Contingency Reserve	$ 848,300	$ 856,400	$ 861,500		
Insurance Reserve	$ 762,000	$ 769,300	$ 773,863		
Rate Stabilization Reserve	$ 8,511,900	$ 10,574,000	$ 10,625,449		
Bond Coverage Ratio (Covenant 1.25)	4.22	1.64	6.46		
Megawatt Hours Sold & Purchased					
Sales to Customers MWh (excluding Street Light MWh)	713,501	713,501	676,182		94.8%
Sales per MWh	$ 108.19	$ 108.19	$ 106.93		98.8%
Purchased/Generated MWh	763,129	763,129	702,635		92.1%
All In MWh Supply & Generation	$ 64.41	$ 64.41	$ 55.12		85.6%

City of Dover
Finance Department
Monthly Report - May 2017
Governmental Capital Project Fund Summary

	Budget	Revised Budget	YTD	Balance	92% Budget
Beginning Balance - Projects	$ 383,900	$ 1,472,100	$ 1,472,016	$ 84	100.0%
Revenues					
State Grant - Other	105,000	105,000	31,350	73,650	29.9%
Interest Earnings	5,000	5,000	15,705	(10,705)	314.1%
Transfer from General Fund for Projects	1,859,400	2,344,400	1,869,500	474,900	79.7%
Miscellaneous Receipts	-	16,700	20,984	(4,284)	125.7%
Income from Sale of Assets	-	109,100	104,947	4,153	96.2%
Transfer from Parkland Reserve	80,000	80,000	-	80,000	0.0%
Total Revenues	2,049,400	2,660,200	2,042,486	617,714	76.8%
Total Beginning Balance & Revenue	**$ 2,433,300**	**$ 4,132,300**	**$ 3,514,502**	**$ 617,798**	85.0%
Expenditures					
Fire	$ 145,700	$ 145,700	$ 145,614	$ 86	99.9%
Grounds Maintenance	58,200	153,800	149,735	4,065	97.4%
Library	-	15,000	677	14,323	4.5%
Recreation	165,000	165,000	-	165,000	0.0%
Life Safety	29,500	29,500	-	29,500	0.0%
Police	299,800	299,800	257,324	42,476	85.8%
Streets	1,026,000	2,027,600	413,813	1,613,787	20.4%
Sanitation	261,500	261,500	-	261,500	0.0%
City Manager	-	502,800	452,975	49,825	90.1%
Public Services - Administration	-	-	4,354	(4,354)	0.0%
Facilities Management	27,700	27,700	24,263	3,437	87.6%
Procurement & Inventory	-	-	12,480	(12,480)	0.0%
Fleet Maintenance	31,000	31,000	27,391	3,609	88.4%
Transfer to Parkland Reserve	-	-	5,000	(5,000)	0.0%
Total Expenditures	2,044,400	3,659,400	1,493,626	2,165,774	40.8%
Budget Balance - Projects	388,900	472,900	-	472,900	0.0%
Total Budget Balance & Expenditures	**$ 2,433,300**	**$ 4,132,300**	**$ 1,493,626**	**$ 2,638,674**	36.1%
Reserve Balances					
Capital Asset Replacement Reserve	$ 1,266,300	$ 1,522,200	$ 1,524,552		
Parkland/Recreation	$ 247,900	$ 249,400	$ 335,884		

City of Dover
Finance Department
Monthly Report - May 2017
Water/Wastewater Improvement & Extension Fund Summary

	Budget	Revised Budget	YTD	Balance	92% Budget
Beginning Balance - Water	$ 1,179,900	$ 3,584,500	$ 3,584,464	$ 36	100.0%
Beginning Balance - Wastewater	952,600	3,129,800	3,129,719	81	100.0%
	2,132,500	6,714,300	6,714,183	117	
Revenues					
Interest Earnings	20,000	20,000	86,489	(66,489)	432.4%
Income from Sale of Assets	-	-	2,104	(2,104)	0.0%
Transfer from Operating Fund for Water	1,000,000	980,000	980,000	-	100.0%
Transfer from Operating Fund for Wastewater	1,000,000	980,000	980,000	-	100.0%
Transfer from Impact Fee Reserve - Water	190,800	190,800	-	190,800	0.0%
Transfer from Impact Fee Reserve - Wastewater	211,200	211,200	-	211,200	0.0%
State Loan-Water	2,400,000	2,400,000	-	2,400,000	0.0%
State Loan-Wastewater	884,000	884,000	-	884,000	0.0%
Total Revenues	5,706,000	5,666,000	2,048,593	3,617,407	36.2%
Total Beginning Balance & Revenues	**$ 7,838,500**	**$ 12,380,300**	**$ 8,762,776**	**$ 3,617,524**	70.8%
Expenses					
Engineering & Inspection	$ 30,400	$ 30,400	$ 26,831	$ 3,569	88.3%
Water	1,338,800	3,908,100	677,001	3,231,099	17.3%
Wastewater	2,021,200	4,004,700	1,494,963	2,509,737	37.3%
Water Treatment Plant	1,200,000	1,200,000	84,808	1,115,192	7.1%
Total Expenses	4,590,400	9,143,200	2,283,603	6,859,597	25.0%
Budget Balance Water - Working Capital	2,226,700	2,042,000	-	2,042,000	0.0%
Budget Balance Wastewater - Working Capital	1,021,400	1,195,100	-	1,195,100	0.0%
Total Budget Balances	3,248,100	3,237,100	-	3,237,100	0.0%
Total Budget Balances & Expenses	**$ 7,838,500**	**$ 12,380,300**	**$ 2,283,603**	**$ 10,096,697**	18.4%
Reserve Balances					
Capital Asset Replacement - Water	$ 518,500	$ 523,500	$ 526,584		
Capital Asset Replacement - Wastewater	$ 517,300	$ 522,300	$ 525,379		

City of Dover
Finance Department
Monthly Report - May 2017
Electric Improvement & Extension Fund Summary

	Budget	Revised Budget	YTD	Balance	92% Budget
Beginning Balance	$ 5,540,500	$ 9,314,400	$ 9,314,351	$ 49	100.0%
Revenues					
Interest Earnings	40,000	40,000	103,513	(63,513)	258.8%
Development Grants	5,000	5,000	20,000	(15,000)	400.0%
Transfer from Electric Revenue Fund	2,500,000	2,500,000	1,875,000	625,000	75.0%
Transfer from Water/Wastewater Fund	231,200	231,200	-	231,200	0.0%
Income from Sale of Assets	-	28,000	34,845	(6,845)	124.4%
General Service Billing	900,000	900,000	540,277	359,723	60.0%
Total Revenues	3,676,200	3,704,200	2,573,635	1,130,565	69.5%
Total Beginning Balance & Revenues	**$ 9,216,700**	**$ 13,018,600**	**$ 11,887,986**	**$ 1,130,614**	91.3%
Expenses					
Electric Generation	$ 1,842,800	$ 2,389,100	$ 848,275	$ 1,540,825	35.5%
Transmission/Distribution	1,975,000	2,175,000	549,252	1,625,748	25.3%
Electrical Engineering	910,700	1,731,700	734,687	997,013	42.4%
Meter Reading	41,800	64,800	17,993	46,807	27.8%
ERP System	1,000,000	1,000,000	47,644	952,356	4.8%
Administration	-	23,000	-	23,000	0.0%
Total Expenses	5,770,300	7,383,600	2,197,851	5,185,749	29.8%
Budget Balance Bond - Work. Capital	3,446,400	5,635,000	-	5,635,000	0.0%
Total Budget Balance & Expenses	**$ 9,216,700**	**$ 13,018,600**	**$ 2,197,851**	**$ 10,820,749**	16.9%
Reserve Balances					
Depreciation Reserve	$ 10,910,200	$ 12,957,300	$ 13,023,696		
Future Capacity Reserve	$ 10,961,700	$ 13,110,300	$ 13,178,389		

City of Dover
Electric Revenue Fund
FY17 - White Oak Solar Park Incremental Cost

	Original Budget	YTD	Balance
Power Supply & Generation			
Dover Sun Park - Energy	$ 2,446,700	$ 2,123,829	$ 322,872
Dover Sun Park - REC's	362,400	267,179	95,221
Total Power Supply Cost	2,809,100	2,391,007	418,093
Non-Solar Power Supply Cost	(1,191,300)	(858,421)	(332,879)
Incremental Energy Cost	$ 1,617,800	$ 1,532,586	$ 85,214
Revenues			
Customer Sales - Electricity	(93,900)	(94,647)	747
Rent Receipts	(94,500)	(63,005)	(31,495)
Total Revenues	(188,400)	(157,652)	(30,748)
Incremental Sun Park Cost	$ 1,429,400	$ 1,374,934	$ 54,466
MWh Purchased/Generated - Solar	18,159.000	15,180.938	
MWh $ Solar Energy	$ 134.74	139.90	
Solar REC's MWh		2,343.000	
MWh $ Solar REC (one month lag)*		114.03	

City of Dover
Finance Department
Monthly Report - May 2017
Community Transportation Improvement Fund

	Budget	Revised Budget	YTD	Balance	92% Budget
Beginning Balance	$ 92,100	$ 90,700	$ 90,699	$ 1	100.0%
Revenues					
Grants Revenue	500,000	500,000	135,000	365,000	27.0%
Interest Earned	-	-	280	(280)	0.0%
Total Revenues	500,000	500,000	135,280	364,720	27.1%
Total Beginning Balance & Revenues	**$ 592,100**	**$ 590,700**	**$ 225,979**	**$ 364,721**	38.3%
Expenses					
Program Expenses - Grant Related	$ 500,000	$ 505,500	$ 185,069	$ 320,431	36.6%
Total Expenses	500,000	505,500	185,069	320,431	36.6%
Budget Balance - Working Capital	92,100	85,200	-	85,200	0.0%
Total Budget Balances & Expenses	**$ 592,100**	**$ 590,700**	**$ 185,069**	**$ 405,631**	31.3%

City of Dover
Finance Department
Monthly Report - May 2017
Police Grant Funds

	Budget	Revised Budget	YTD	Balance	92% Budget
Beginning Balance	$ 295,300	$ 513,000	$ 512,917	$ 83	100.0%
Revenues					
State & Federal Grants Received	319,000	519,200	263,576	255,624	50.8%
Interest Earnings	-	-	2,373	(2,373)	0.0%
Total Revenues	319,000	519,200	265,949	253,251	51.2%
Total Beginning Balance & Revenues	**$ 614,300**	**$ 1,032,200**	**$ 778,866**	**$ 253,334**	75.5%
Expenses					
Cadet Program	$ 81,100	$ 81,100	$ 41,024	$ 40,076	50.6%
Equipment & Program Supplies	284,000	524,000	226,277	297,723	43.2%
Telephone/Fax	16,000	16,000	16,316	(316)	102.0%
Training/Conference/Food/Travel	17,000	58,100	33,942	24,158	58.4%
Consulting/Audit Fees	1,000	1,000	-	1,000	0.0%
Contractual services	5,000	78,000	73,328	4,672	94.0%
Operating Transfers - Out	82,000	250,000	224,943	25,057	90.0%
Total Expenses	486,100	1,008,200	615,830	392,370	61.1%
Budget Balance - Working Capital (Unaudited)	128,200	24,000	-	24,000	0.0%
Total Budget Balances & Expenses	**$ 614,300**	**$ 1,032,200**	**$ 615,830**	**$ 416,370**	59.7%

City of Dover
Finance Department
Monthly Report - May 2017
Library Grant Fund

	Budget	Revised Budget	YTD	Balance	92% Budget
Beginning Balance	$ 17,300	$ 37,600	$ 37,525	$ 75	99.8%
Revenues					
Grants Received	305,500	297,100	297,027	73	100.0%
Federal Grants	2,500	2,500	2,920	(420)	116.8%
Total Revenues	308,000	299,600	299,947	(347)	100.1%
Total Beginning Balance & Revenues	**$ 325,300**	**$ 337,200**	**$ 337,472**	**$ (272)**	100.1%
Expenses					
Program Expenses/Supplies-State Grants	$ 27,500	$ 30,000	$ 21,328	$ 8,672	71.1%
Program Expenses/Supplies-Federal Grants	2,500	2,500	3,000	(500)	120.0%
Office Supplies	30,800	30,800	28,620	2,180	92.9%
Printing/Duplicating	12,500	14,000	13,167	833	94.1%
Postage	100	200	108	92	54.0%
Books	150,600	150,300	115,025	35,275	76.5%
Furniture	10,500	12,500	7,516	4,984	60.1%
Audio Visual Supplies	77,200	77,200	66,025	11,175	85.5%
Training/Conference/Food/Travel	5,300	6,000	4,239	1,761	70.7%
Computer Software	-	1,000	360	640	36.0%
Computer Hardware	-	4,400	3,457	943	78.6%
Office Equipment/Repairs & Maintenance	6,300	6,300	4,051	2,249	64.3%
Other Equipment - Lease	2,000	2,000	1,780	220	89.0%
Total Expenses	325,300	337,200	268,676	68,524	79.7%
Total Budget Balances & Expenses	**$ 325,300**	**$ 337,200**	**$ 268,676**	**$ 68,524**	79.7%

City of Dover
Finance Department
Monthly Report - May 2017
After School Program/Substance Abuse Prevention Fund

	Budget	Revised Budget	YTD	Balance	92% Budget
Beginning Balance	$ 60,300	$ 99,500	$ 99,453	$ 47	100.0%
Revenues					
Grants Received	28,000	28,000	21,023	6,977	75.1%
Recreation Revenue	33,000	33,000	45,072	(12,072)	136.6%
Total Revenues	61,000	61,000	66,095	(5,095)	108.4%
Total Beginning Balance & Revenues	**$ 121,300**	**$ 160,500**	**$ 165,548**	**$ (5,048)**	103.1%
Expenses					
Temporary Help/Benefits	$ 60,200	$ 60,200	$ 45,582	$ 14,618	75.7%
Program Expenses/Supplies	55,000	55,000	29,718	25,282	54.0%
Total Expenses	115,200	115,200	75,300	39,900	65.4%
Budget Balance - Working Capital	6,100	45,300	-	45,300	0.0%
Total Budget Balances & Expenses	**$ 121,300**	**$ 160,500**	**$ 75,300**	**$ 85,200**	46.9%

City of Dover
Finance Department
Monthly Report - May 2017
CDBG Fund

	Budget	Revised Budget	YTD	Balance	92% Budget
Beginning Balance	$ 2,100	$ 2,100	$ 17,338	$ (15,238)	825.6%
Revenues					
Grants Received	236,500	279,700	159,070	120,630	56.9%
Interest Earnings	-	-	244	(244)	0.0%
Total Revenues	236,500	279,700	159,314	120,386	57.0%
Total Beginning Balance & Revenues	**$ 238,600**	**$ 281,800**	**$ 176,652**	**$ 105,148**	62.7%
Expenses					
Closing Cost/Down Payment Program	$ 50,000	$ 80,900	$ 69,102	$ 11,798	85.4%
Connection Community Support Program	7,200	9,800	2,945	6,855	30.1%
Dover Interfaith Ministry	22,000	22,000	22,000	-	100.0%
MHDC Emergency Home Repair	25,000	47,300	32,356	14,944	68.4%
Habitat For Humanity	30,000	3,000	2,953	47	98.4%
NCALL Research Inc.	-	1,000	991	9	99.1%
Milford Housing H/O Rehabilitation	55,000	68,400	32,554	35,846	47.6%
Salaries	47,300	47,300	32,848	14,452	69.4%
NSP Expense	-	-	7,619	(7,619)	0.0%
Total Expenses	236,500	279,700	203,368	76,332	72.7%
Budget Balance - Working Capital	2,100	2,100	-	2,100	0.0%
Total Budget Balances & Expenses	**$ 238,600**	**$ 281,800**	**$ 203,368**	**$ 78,432**	72.2%

MONTHLY REPORT



May 2017

Incident Run Log

Dover Fire Department

Date Range: From 05/01/2017 to 05/31/2017
Company: All Companies
Sorted by: Not selected

Date	FDID	Incident#	Alarm	###	Address	Suite	Type	Lgth
05/01/2017	30046	2017-000411	12:32	879	N DUPONT HWY		Public service assistance, other	0.6
05/01/2017	30046	2017-000412	19:07	59	PRIMROSE DR		Building fire	1.2
05/01/2017	30046	2017-000413	23:49	1200	N DUPONT HWY		False alarm or false call, other	0.1
05/02/2017	30046	2017-000414	18:51		BRADLEY RD		Public service	1.2
05/03/2017	30046	2017-000415	14:42	1131	N DUPONT HWY		Vicinity alarm (incident in other location)	0.3
05/03/2017	30046	2017-000416	19:18	120	HAMAN DR		Heat from short circuit (wiring), defective/worn	0.5
05/03/2017	30046	2017-000417	19:46	1178	MADISON CT		Overheated motor	0.3
05/04/2017	30046	2017-000418	09:40	360	TRIBBITT ST		Dispatched & canceled en route	0.1
05/04/2017	30046	2017-000419	09:46	856	FOREST ST		Fires in structure other than in a building	5.6
05/04/2017	30046	2017-000420	17:12	1210	WHITEOAK RD		Good intent call, other	0.4
05/05/2017	30046	2017-000421	13:19	209	THORNTON ST		Good intent call, other	0.6
05/06/2017	30046	2017-000422	09:09	50	N DUPONT HWY		Sprinkler activation due to malfunction	0.3
05/06/2017	30046	2017-000423	12:10	419	S STATE ST		Smoke detector activation, no fire - unintentional	0.3
05/06/2017	30046	2017-000424	21:46	225	S STATE ST		Good intent call, other	0.3
05/08/2017	30046	2017-000425	11:04	120	N STATE ST		Smoke detector activation, no fire - unintentional	0.1
05/09/2017	30046	2017-000426	22:20	125	HAMAN DR		Smoke detector activation, no fire - unintentional	0.4
05/11/2017	30046	2017-000427	15:18	561	N DUPONT HWY		Smoke detector activation due to malfunction	0.5
05/12/2017	30046	2017-000428	01:19	800	N STATE ST		Malicious, mischievous false call, other	0.3
05/12/2017	30046	2017-000429	02:29	43	PINE ST		Public service	0.3
05/12/2017	30046	2017-000430	07:27	541	BUCKSON DR		Dispatched & canceled en route	0.0
05/12/2017	30046	2017-000431	12:26	121	S STATE ST		System malfunction, other	0.2
05/12/2017	30046	2017-000432	12:36	207	W LOOCKERMAN ST		Smoke detector activation, no fire - unintentional	0.1
05/12/2017	30046	2017-000433	21:11	642	S QUEEN ST	102	Good intent call, other	0.3
05/13/2017	30046	2017-000434	00:37	561	N DUPONT HWY		Alarm system activation, no fire - unintentional	0.3
05/13/2017	30046	2017-000435	08:29	446	COUNTRY DR		Cooking fire, confined to container	0.5
05/13/2017	30046	2017-000436	09:37	550	OTIS DR		Overheated motor	0.6
05/13/2017	30046	2017-000437	10:43	1568	N DUPONT HWY		Detector activation, no fire - unintentional	0.5
05/13/2017	30046	2017-000438	15:08	1	N AMERICAN AVE		Cooking fire, confined to container	0.3
05/13/2017	30046	2017-000439	15:36	207	S GOVERNORS AVE		Building or structure weakened or collapsed	0.8
05/13/2017	30046	2017-000440	18:36		STATE ROUTE1		Vehicle accident, general cleanup	0.5
05/13/2017	30046	2017-000441	22:52	1200	N DUPONT HWY		Detector activation, no fire - unintentional	0.1
05/14/2017	30046	2017-000442	03:38	2800	N DUPONT HWY		Cooking fire, confined to container	0.5
05/15/2017	30046	2017-000443	08:08	120	N STATE ST		Smoke detector activation, no fire - unintentional	0.1
05/15/2017	30046	2017-000444	16:18	111	WOLF CREEK BLVD		Outside rubbish, trash or waste fire	0.4
05/15/2017	30046	2017-000445	20:20	30	BACON CT		Outside rubbish, trash or waste fire	0.4
05/16/2017	30046	2017-000446	19:52	20	N BRADFORD ST		Fire, other	1.1
05/17/2017	30046	2017-000447	08:27	411	COLLINS DR		Fires in structure other than in a building	3.1
05/17/2017	30046	2017-000448	14:11	414	FEDERAL ST		Good intent call, other	0.2
05/17/2017	30046	2017-000449	19:53	1574	N DUPONT HWY		Malicious, mischievous false call, other	0.4
05/18/2017	30046	2017-000450	14:39	820	CARVEL DR	F	Steam, vapor, fog or dust thought to be smoke	0.3
05/18/2017	30046	2017-000451	16:20	1200	N DUPONT HWY		Unintentional transmission of alarm, other	0.1
05/18/2017	30046	2017-000452	22:34	1155	WALKER RD		Cooking fire, confined to container	0.3
05/19/2017	30046	2017-000453	11:39	899	WOODCREST DR		Cooking fire, confined to container	0.3
05/19/2017	30046	2017-000454	12:59	2800	N DUPONT HWY		Good intent call, other	0.4
05/19/2017	30046	2017-000455	14:54	1001	S BRADFORD ST	5	Brush or brush-and-grass mixture fire	0.2
05/19/2017	30046	2017-000456	18:55	435	S NEW ST		Emergency medical service incident, other	0.6
05/20/2017	30046	2017-000457	08:40	823	W NORTH ST		Authorized controlled burning	0.2
05/20/2017	30046	2017-000458	11:57		STATE ROUTE 1		Vicinity alarm (incident in other location)	0.5
05/20/2017	30046	2017-000459	12:46	734	BICENTENNIAL BLVD		Medical assist, assist EMS crew	0.6
05/20/2017	30046	2017-000460	19:51	430	COLLEGE RD	100	Smoke scare, odor of smoke	0.4
05/20/2017	30046	2017-000461	21:11	39	N AMERICAN AVE		Gas leak (natural gas or LPG)	0.4
05/21/2017	30046	2017-000462	11:17	506	E LOOCKERMAN ST		Cooking fire, confined to container	0.3
05/21/2017	30046	2017-000463	12:49	739	HAZLETTEVILLE RD			0.7
05/21/2017	30046	2017-000464	16:47	735	BACON AVE		Water or steam leak	1.0
05/21/2017	30046	2017-000465	23:17	320	BILLY MITCHELL LN		Cooking fire, confined to container	0.5
05/22/2017	30046	2017-000466	02:35	1210	WHITEOAK RD		Passenger vehicle fire	1.4
05/22/2017	30046	2017-000467	08:11	65	CARVER RD			0.7
05/22/2017	30046	2017-000468	10:03	600	JEFFERIC BLVD		Smoke detector activation, no fire - unintentional	0.3
05/22/2017	30046	2017-000469	11:58	1368	ROSE VALLEY SCHOOL RD		Lock-out	0.4

Date	FDID	Incident#	Alarm	###	Address	Suite	Type	Lgth
05/23/2017	30046	2017-000470	09:02		COLLEGE RD		Good intent call, other	0.3
05/23/2017	30046	2017-000471	20:13	400	COUNTRY DR		Smoke detector activation, no fire - unintentional	0.3
05/24/2017	30046	2017-000472	11:32	1200	N DUPONT HWY		Smoke detector activation due to malfunction	0.5
05/24/2017	30046	2017-000473	13:20	851	CARVEL DR		Public service assistance, other	0.2
05/24/2017	30046	2017-000474	21:25	1703	E LEBANON RD		Extrication of victim(s) from vehicle	0.7
05/25/2017	30046	2017-000475	09:03		SHARON HILL RD		Motor vehicle accident with injuries	0.5
05/25/2017	30046	2017-000476	18:07	1001	N DUPONT HWY	13	Hazardous condition, other	0.7
05/26/2017	30046	2017-000477	15:49	100	HAMAN DR		Malicious, mischievous false call, other	0.1
05/26/2017	30046	2017-000478	16:55	280	COWGILL ST		Animal rescue	0.5
05/27/2017	30046	2017-000479	18:11	237	PINE ST		Smoke detector activation, no fire - unintentional	0.3
05/28/2017	30046	2017-000480	00:38	396	PARADEE DR		Smoke detector activation, no fire - unintentional	0.4
05/28/2017	30046	2017-000481	13:34	135	LADY BUG DR		Medical assist, assist EMS crew	0.4
05/28/2017	30046	2017-000482	17:06		NAULT RD		Good intent call, other	0.3
05/28/2017	30046	2017-000483	17:21	1255	S STATE ST		System malfunction, other	0.3
05/28/2017	30046	2017-000484	23:46	1255	S STATE ST		Heat from short circuit (wiring), defective/worn	1.1
05/28/2017	30046	2017-000485	23:50	347	FREAR DR		Smoke scare, odor of smoke	0.2
05/29/2017	30046	2017-000486	20:17	110	HAMAN DR		Smoke detector activation, no fire - unintentional	0.2
05/29/2017	30046	2017-000487	21:05	990	WYOMING MILL RD		Power line down	1.3
05/30/2017	30046	2017-000488	10:48	34	STARLIFTER AVE		Alarm system activation, no fire - unintentional	0.3
05/30/2017	30046	2017-000489	16:36	2735	FORREST AVE		Cooking fire, confined to container	0.4
05/30/2017	30046	2017-000490	18:09	1200	N DUPONT HWY		Cooking fire, confined to container	0.8
05/30/2017	30046	2017-000491	18:31	1200	N DUPONT HWY		Smoke detector activation, no fire - unintentional	0.2
05/30/2017	30046	2017-000492	20:38	425	COUNTRY DR		Cooking fire, confined to container	0.7
05/31/2017	30046	2017-000493	06:16	114	LINDEN CT		Good intent call, other	0.5
05/31/2017	30046	2017-000494	08:07	2	S BRADFORD ST		Hazardous condition, other	0.3
05/31/2017	30046	2017-000495	13:29	209	S STATE ST		Detector activation, no fire - unintentional	0.4
05/31/2017	30046	2017-000496	21:10	418	E WATER ST		Detector activation, no fire - unintentional	0.3

Total Number of Incidents: 86
Total Length of Incidents: 45.0 Hours

FY 16-17 City Funded Account Balance Sheet

ACCOUNT	BUDGET	SPENT	BALANCE	
Apparatus Repairs & Maintenance	$ 91,300.00	$ 124,003.89	**$ (32,703.89)**	
Building Maintenance Supplies	$ 1,500.00	$ 567.48	$ 932.52	
Contract Services-Admin Assist	$ 16,000.00	$ 3,669.13	$ 12,330.87	
Contractual Services	$ 9,000.00		$ 9,000.00	
Electricity	$ 45,000.00	$ 33,873.95	$ 11,126.05	
Gasoline	$ 15,000.00	$ 9,952.93	$ 5,047.07	
Heating Expenses- Gas	$ 12,000.00	$ 9,902.23	$ 2,097.77	
Medical Supplies	$ 1,000.00	$ 438.38	$ 561.62	
Office Supplies	$ 1,500.00	$ 451.94	$ 1,048.06	
Other Equipment Repairs	$ 1,500.00	$ 5,113.48	**$ (3,613.48)**	
Program Expenses	$ 45,000.00	$ 40,381.85	$ 4,618.15	
Radio Repairs	$ 2,000.00	$ 1,000.45	$ 999.55	
Safety & Security	$ 1,500.00	$ 401.45	$ 1,098.55	
Small Tools	$ 3,500.00	$ 5,025.06	**$ (1,525.06)**	
Telephone	$ 9,000.00	$ 6,911.33	$ 2,088.67	
Training & Travel	$ 10,000.00	$ 10,364.95	$ (364.95)	
Uniforms & Firefighting Gear	$ 30,000.00	$ 4,612.11	$ 25,387.89	Gear money taken out of Company budget
Water/ Sewer	$ 2,500.00	$ 2,189.07	$ 310.93	

Robbins Hose Company # 1, Inc.
Profit & Loss Detail
May 2017

	Type	Date	Num	Name
Ordinary Income/Expense				
Expense				
Apparatus Repairs & Maintenance				
	Check	05/07/2017	1796	Atlantic Emergency Solutions
	Check	05/14/2017	1802	Atlantic Emergency Solutions
	Check	05/14/2017	1802	Atlantic Emergency Solutions
	Check	05/14/2017	1806	Mr. Tire Auto Centers
	Check	05/14/2017	1806	Mr. Tire Auto Centers
Total Apparatus Repairs & Maintenance				
Contract Employee				
	Check	05/12/2017		Carter Knotts
	Check	05/14/2017	1808	Raymond F. Book & Associates
	Check	05/26/2017		Carter Knotts
Total Contract Employee				
Electricity				
	Check	05/07/2017	1799	City of Dover Utility
	Check	05/14/2017	1804	City of Dover Utility
Total Electricity				
Heating Expenses- Gas				
	Check	05/07/2017	1801	Chesapeake Utilities
	Check	05/14/2017	1803	Chesapeake Utilities
Total Heating Expenses- Gas				
Other Equipment Repairs				
	Check	05/14/2017	1805	Municipal Emergency Services
Total Other Equipment Repairs				
Program Expenses				
	Check	05/14/2017	1807	Witmer Public Safety
Total Program Expenses				
Safety & Security Material				
	Check	05/07/2017	1797	American Trade Mark Co.
	Check	05/20/2017	1809	American Trade Mark Co.
Total Safety & Security Material				
Small Tools				
	Check	05/14/2017	1807	Witmer Public Safety
Total Small Tools				
Telephone				
	Check	05/07/2017	1798	BEI
	Check	05/26/2017	1811	Verizon Wireless

Robbins Hose Company # 1, Inc.
Profit & Loss Detail
May 2017

	Type	Date	Num	Name
Total Telephone				
Training & Travel Expenses				
	Check	05/07/2017	1800	Delaware State Fire School
	Check	05/07/2017	1800	Delaware State Fire School
	Check	05/26/2017	1810	Delaware State Fire School
	Check	05/26/2017	1810	Delaware State Fire School
Total Training & Travel Expenses				
Water/Sewer				
	Check	05/07/2017	1799	City of Dover Utility
	Check	05/07/2017	1799	City of Dover Utility
	Check	05/14/2017	1804	City of Dover Utility
Total Water/Sewer				
Total Expense				
Net Ordinary Income				
Net Income				

Robbins Hose Company # 1, Inc.
Profit & Loss Detail
May 2017

	Memo	Clr	Split
Ordinary Income/Expense			
Expense			
Apparatus Repairs & Maintenance			
	Invoice # 12132DEL- L-2 DOT and annual service		City Fund Account
	Invoice # 12162DEL- E-3 steering and exhaust leak		City Fund Account
	Invoice # 12155DEL- L-1 DOT and PM		City Fund Account
	Invoice # 189304- E-6 flat tire		City Fund Account
	Invoice # 189974- E-6 new tires L rear		City Fund Account
Total Apparatus Repairs & Maintenance			
Contract Employee			
			City Fund Account
	May- monthly accounting service- Carter Knotts		City Fund Account
			City Fund Account
Total Contract Employee			
Electricity			
	Acct # 44343-32052		City Fund Account
	Acct # 44255-31966		City Fund Account
Total Electricity			
Heating Expenses- Gas			
	Station 2 from 03/27 to 04/24		City Fund Account
	Station1 from 04/04 to 05/03		City Fund Account
Total Heating Expenses- Gas			
Other Equipment Repairs			
	Invoice # IN1127275		City Fund Account
Total Other Equipment Repairs			
Program Expenses			
	Invoice # 1772604- SCBA reapirs		City Fund Account
Total Program Expenses			
Safety & Security Material			
	Accountability tags for trucks		City Fund Account
	Freight charges for shipping accountability tags		City Fund Account
Total Safety & Security Material			
Small Tools			
	Hand light repairs		City Fund Account
Total Small Tools			
Telephone			
	Invoice # 402551		City Fund Account
	IPAD charges Apr 21 to May 20		City Fund Account

Robbins Hose Company # 1, Inc.
Profit & Loss Detail
May 2017

	Memo	Clr	Split
Total Telephone			
Training & Travel Expenses			
	Invoice # 17-2315- HazMat, Basic F/F Skills,Advance Veh F		City Fund Account
	Invoice # 17-2396- 4 EMT recert fees		City Fund Account
	Invoice # 17-2517		City Fund Account
	Invoice # 17-2518		City Fund Account
Total Training & Travel Expenses			
Water/Sewer			
	Acct # 44345-32054		City Fund Account
	Acct # 44341-32050		City Fund Account
	Acct # 44253-31964		City Fund Account
Total Water/Sewer			
Total Expense			
Net Ordinary Income			
Net Income			

Robbins Hose Company # 1, Inc.
Profit & Loss Detail
May 2017

	Amount	Balance
Ordinary Income/Expense		
Expense		
Apparatus Repairs & Maintenance		
	7,147.36	7,147.36
	362.63	7,509.99
	6,984.17	14,494.16
	120.00	14,614.16
	1,507.70	16,121.86
Total Apparatus Repairs & Maintenance	16,121.86	16,121.86
Contract Employee		
	1,112.24	1,112.24
	85.00	1,197.24
	1,023.96	2,221.20
Total Contract Employee	2,221.20	2,221.20
Electricity		
	2,300.89	2,300.89
	500.67	2,801.56
Total Electricity	2,801.56	2,801.56
Heating Expenses- Gas		
	77.08	77.08
	282.35	359.43
Total Heating Expenses- Gas	359.43	359.43
Other Equipment Repairs		
	2,804.00	2,804.00
Total Other Equipment Repairs	2,804.00	2,804.00
Program Expenses		
	462.40	462.40
Total Program Expenses	462.40	462.40
Safety & Security Material		
	308.00	308.00
	13.45	321.45
Total Safety & Security Material	321.45	321.45
Small Tools		
	1,224.88	1,224.88
Total Small Tools	1,224.88	1,224.88
Telephone		
	25.00	25.00
	150.20	175.20

Robbins Hose Company # 1, Inc.
Profit & Loss Detail
May 2017

	Amount	Balance
Total Telephone	175.20	175.20
Training & Travel Expenses		
	950.00	950.00
	20.00	970.00
	730.00	1,700.00
	400.00	2,100.00
Total Training & Travel Expenses	2,100.00	2,100.00
Water/Sewer		
	50.50	50.50
	14.49	64.99
	23.98	88.97
Total Water/Sewer	88.97	88.97
Total Expense	28,680.95	28,680.95
Net Ordinary Income	-28,680.95	-28,680.95
Net Income	**-28,680.95**	**-28,680.95**







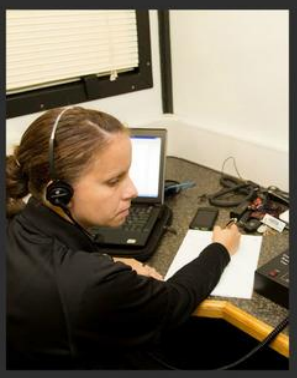
Dover Police Department Monthly Report

May 2017

Chief Marvin C. Mailey







DEPARTMENT OF POLICE

Marvin C. Mailey
Chief of Police

400 South Queen Street
Dover, Delaware 19904
302-736-7111
Fax: 302-672-1842

July 10, 2017

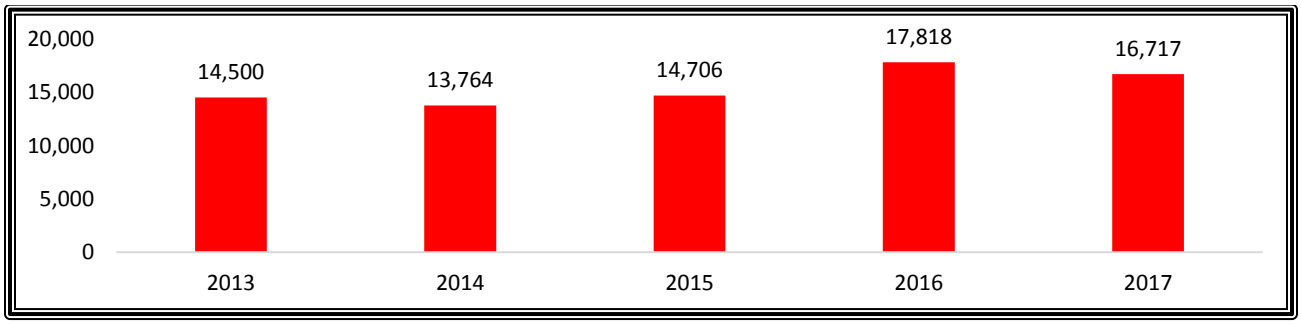
Honorable Robin Christiansen, Mayor
Member of Dover City Council
City Hall
Dover, DE 19901

Mayor Christiansen and Council Members:

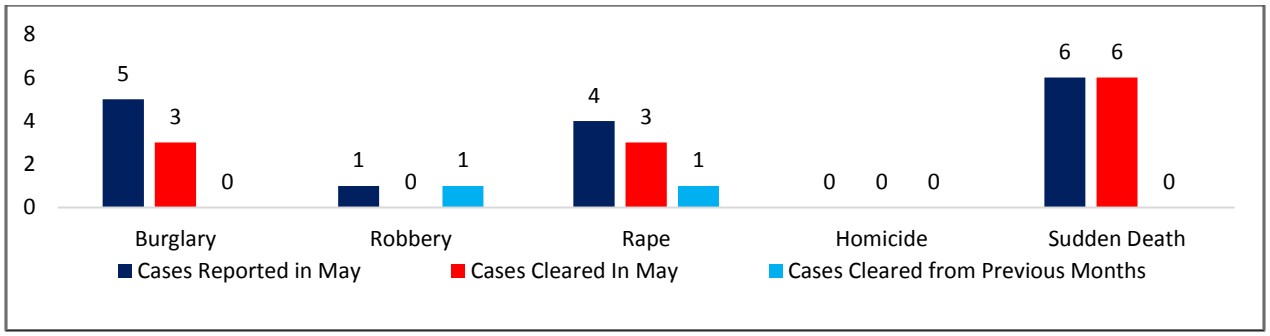
The following is the monthly report for Dover Police Department activities for the month of May 2017:

COMPLAINTS

Total complaints received through May 2017, numbered 16,717 this is a decrease of 1,101 complaints over the same period last year.

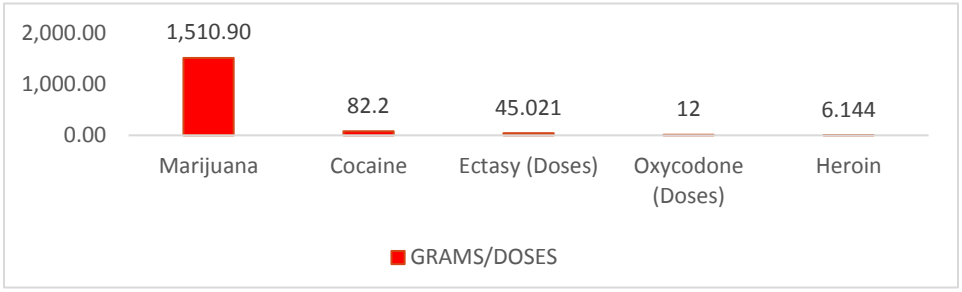


CRIMINAL INVESTIGATIONS

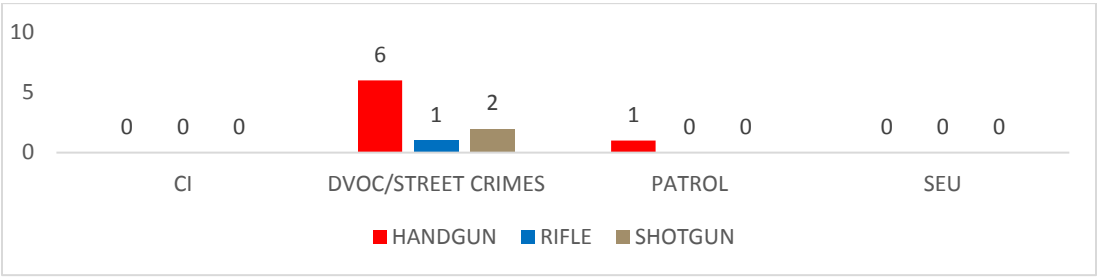


DRUGS, VICE, & ORGANIZED CRIME (DVOC) AND STREET CRIMES SECTION SEIZURES

Along with the drug seizures below, the units also recovered 135.756 grams of miscellaneous other drugs and $13,640.00 USD during the month of May.



FIREARM SEIZURES



COMMUNITY POLICING

COMMUNITY POLICING	***CONTACTS***
ABANDONED VEHICLES	*5*
ALCOHOL VIOLATIONS/DUI'S	*0*
ASSIST OTHER	*29*
WARRANTS ON FILE	*0*
CITY PARK VIOLATIONS	*1*
CRIMINAL ARRESTS	*0*
DRUG RELATED ARRESTS	*0*
LOUD MUSIC	*0*
MISCELLANEOUS VIOLATIONS	*2*
PARKING VIOLATIONS	*3*
PEDDLER	*0*
MEETINGS	*66*
CRIME PREVENTION CHECK	*0*
TRAFFIC ARRESTS	*3*
WARNINGS	*0*
FUGITIVE	*0*
DCO	*1*
PROSTITUTION	*0*
TOTAL CONTACTS	***110***

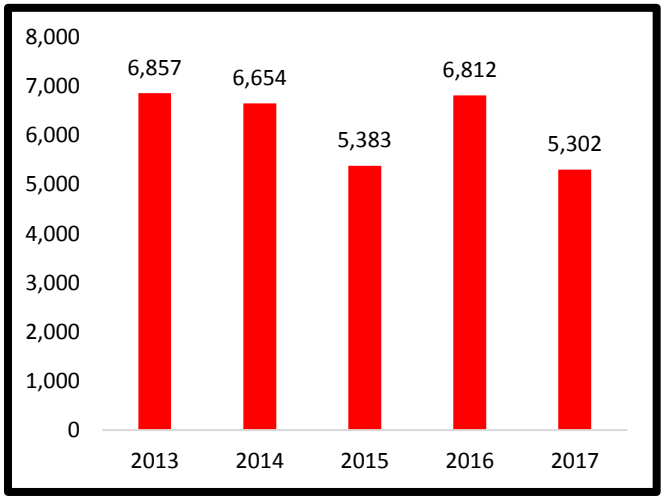
CADETS	***CONTACTS***
PARKING	*3*
DCO'S	*7*
OPEN CONTAINER	*4*
LOUD NOISE	*0*
LEWDNESS	*0*
OTHER	*0*
BUSINESS CONTACTS	*28*
LIBRARY CHECKS	*0*
COMPLAINTS ASSIGNED	*13*
SPECIAL EVENT	*0*
TOTAL CONTACTS	***55***

STREET CRIMES

STREET CRIMES ENFORCEMENT	CONTACTS
ABANDONED VEHICLES	0
ALCOHOL VIOLATIONS/DUI'S	0
ASSIST OTHER	11
WARRANTS ON FILE	0
CITY PARK VIOLATIONS	0
CRIMINAL ARRESTS	26
DRUG RELATED ARRESTS	36
LOUD MUSIC	0
MISCELLANEOUS VIOLATIONS	0
PARKING VIOLATIONS	0
PEDDLER	0
MEETINGS	0
CURFEW CHECKS	120
CRIME PREVENTION CHECKS	22
TRAFFIC ARRESTS	23
WARNINGS	6
FUGITIVES	0
DCO'S	0
PROSTITUTION	0
TOTAL CONTACTS	244

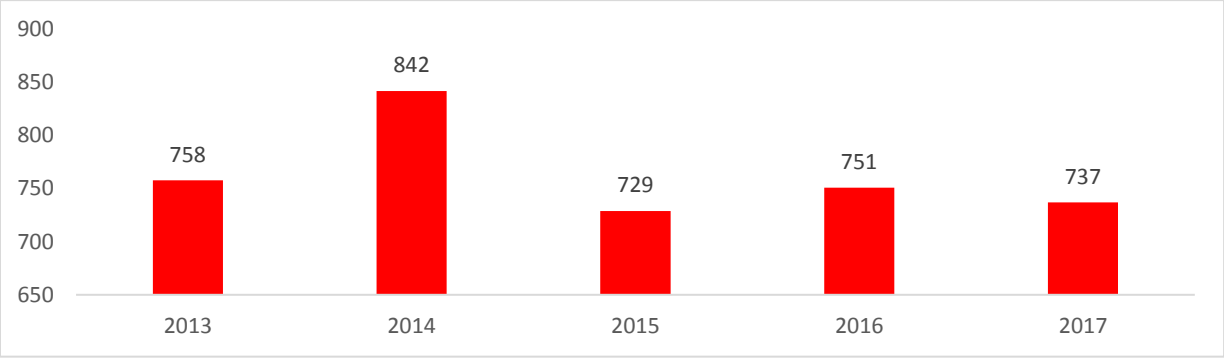
TRAFFIC ARRESTS

The department issued 5,302 traffic citations through this reporting period; this is a decrease of 1,510 citations over the number issued during the same period last year.



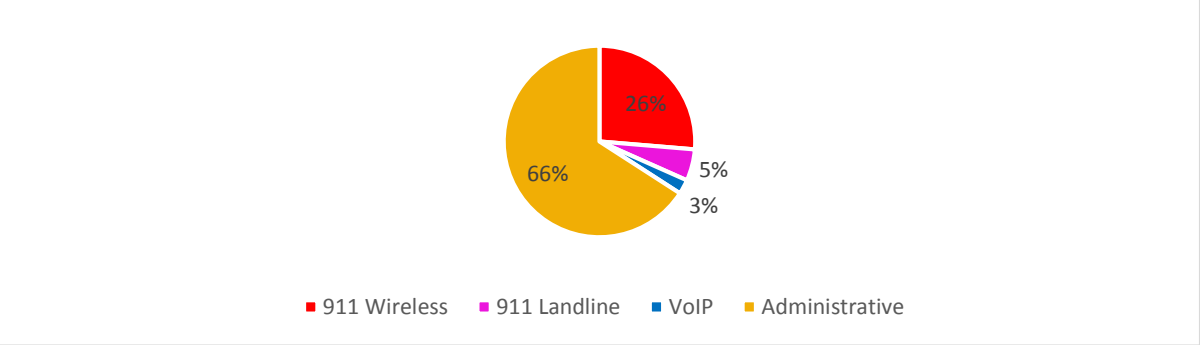
TRAFFIC CRASHES

Through May 31st, 2017, the Dover Police investigated 737 traffic crashes, a decrease of 14 crashes investigated during the same period last year.



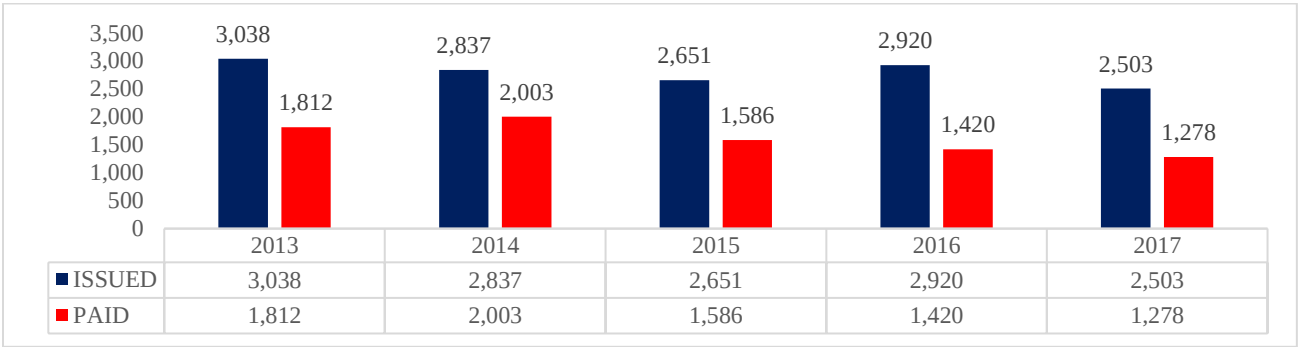
911 Center

During the month of May, the Dover Police Department handled a total of 9,025 calls averaging 292 calls per day. Dispatchers handled 2,376 on the 911 wireless lines, 481 on the 911 landlines, and 222 on the Voice over Internet Protocol lines, the remaining 5,946 were administrative calls.



CITY ORDINANCE SUMMONS

Through May 31, 2017, we issued 2,503 city ordinance summons, a decrease of 417 summonses for the same period last year. Note: Of those summonses issued in May, 6 DCO's were issued for handicapped parking violations and 0 for fire lane parking violations, 155 for false alarms (114 for 1-2 alarms, 34 for 3-5 alarms, 7 for 6-9 alarms, 0 for 10-15 alarms, and 0 for 16 or more alarms) and 6 for noise violations 6 for vehicle violations and 0 for residence violations).

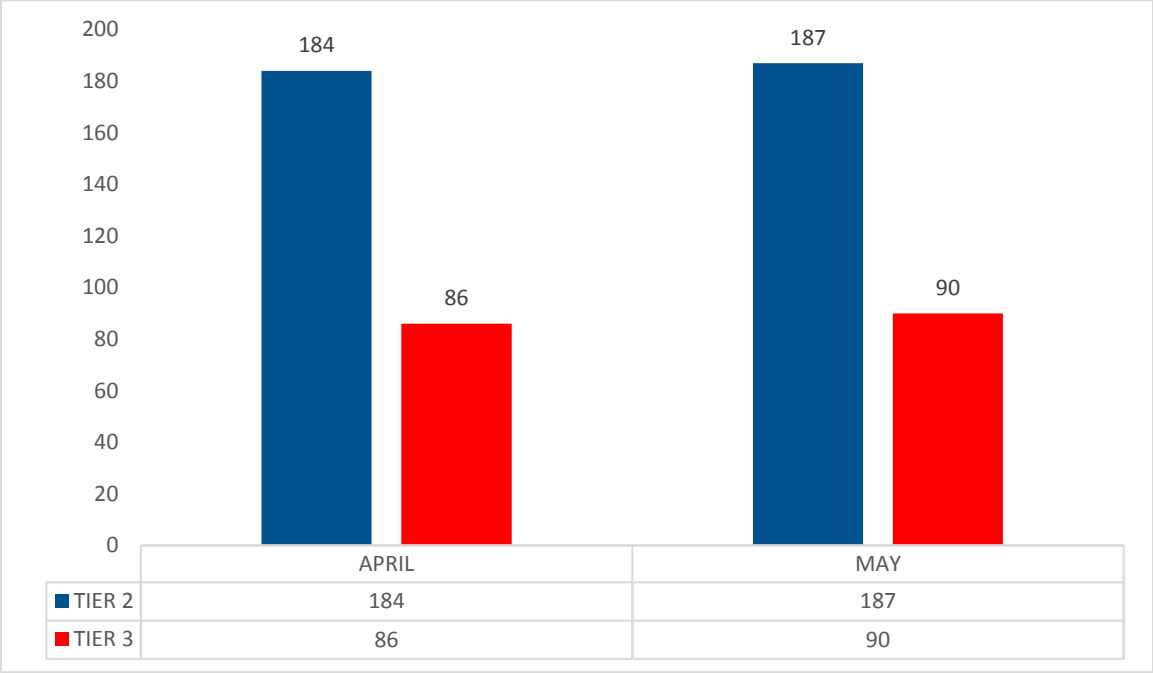


	2013	2014	2015	2016	2017
ISSUED	3,038	2,837	2,651	2,920	2,503
PAID	1,812	2,003	1,586	1,420	1,278

SEX OFFENDER STATISTICS/MAY

	VERIFICATIONS	NOTIFICATIONS	MONTHLY REVERIFICATIONS	NON COMPLIANT WARRANTS
TIER 1	0	0	0	1
TIER 2	13	1,302	32	2
TIER 3	17	1,881	30	1

ACTIVE SEX OFFENDERS THAT RESIDE IN THE CITY OF DOVER *(please note, Tier 1 offenders are not contacted by Dover Police Sex Offender Agents).*



(Please note, Tier 1 offenders are not contacted by Dover Police Sex Offender Agents).

Please visit our website at www.doverpolice.org for up to date information on crimes and activities in the City of Dover.

Respectfully Submitted,

Marvin C. Mailey
Chief of Police

CITY OF DOVER
FISCAL YEAR JULY 1, 2016 TO JUNE 30, 2017
QUARTERLY REVENUE REPORT
As of June 30, 2017
PRELIMINARY

			FY17		100.0%			
	GENERAL FUND	**FY17 BUDGET**	**REVISED BUDGET**	**YTD REVENUES**	**% BUDGET RECEIVED**	**COMMENTS**	**FY15 REVENUES**	**FY16 REVENUES**
1	Property Taxes	$ 12,481,900	$ 12,481,900	$ 12,524,000	100.3%		$ 10,841,200	$ 12,434,600
2	Payment In Lieu of Taxes	413,200	413,200	370,100	89.6%	Full DHA PILOT not yet received	335,500	412,200
3	Transfer from Electric Fund	10,000,000	10,000,000	10,000,000	100.0%		10,000,000	10,000,000
4	Intrafund Service Receipts Electric	3,564,900	3,625,900	3,110,800	85.8%		3,478,800	3,628,000
5	Transfer from Transfer Tax Fund	1,672,700	1,672,700	1,601,500	95.7%		1,713,800	2,188,600
6	Business Licenses	1,467,000	1,467,000	1,462,400	99.7%		1,403,100	1,475,800
7	Intrafund Service Receipts Water/Wastewater	1,653,800	1,673,400	1,426,600	85.3%		1,341,600	1,422,000
8	Sanitation Fees	2,538,300	2,538,300	2,514,600	99.1%		2,578,900	2,527,500
9	Permits & Other Licenses	1,662,100	1,662,100	2,069,700	124.5%		1,490,200	1,735,800
10	Transfer from Municipal Street Aid Fund	673,100	673,100	673,400	100.0%		664,300	673,300
11	Fines & Police Revenue	763,300	763,300	676,700	88.7%		666,700	652,000
12	Police Extra Duty Fees	525,000	525,000	497,200	94.7%		503,000	541,600
13	Transfer from Police Grant Funds	258,600	258,600	239,800	92.7%		127,100	159,600
14	Court of Chancery Fees	1,100,000	1,100,000	1,211,900	110.2%	June fees not yet received	1,118,700	1,123,700
15	Transfer from Water/Wastewater Fund	875,000	875,000	875,000	100.0%		500,000	850,000
16	Transfer from Civil Traffic Penalties Fund	496,900	496,900	419,000	84.3%	June redlight revenue not yet received	495,200	442,800
17	Library Revenues & County Reciprocal Pymt	382,900	382,900	380,600	99.4%		480,800	419,700
18	Franchise Fees	680,000	680,000	517,100	76.0%	Q4 franchise fees not yet received	683,400	510,600
19	General Fund Grant Receipts	623,500	623,500	554,200	88.9%		733,900	572,500
20	Recreation Revenue	150,000	150,000	169,100	112.7%		149,300	183,200
21	Other Miscellaneous Receipts	151,300	151,300	220,600	145.8%		257,500	173,600
22	Interest Income	90,000	90,000	145,100	161.2%		35,100	172,100
	TOTALS	$ 42,223,500	$ 42,304,100	$ 41,659,400	98.7%		$ 40,123,100	$ 42,299,200
	Final Budget						**$ 39,795,600**	**$ 41,936,100**

CITY OF DOVER
FISCAL YEAR JULY 1, 2016 TO JUNE 30, 2017
QUARTERLY REVENUE REPORT
As of June 30, 2017
PRELIMINARY

	WATER/WASTEWATER FUND	FY17 BUDGET	FY17 REVISED BUDGET	YTD REVENUES	100.0% % BUDGET RECEIVED	COMMENTS	FY15 REVENUES	FY16 REVENUES
1	Water Fees	$ 5,800,000	$ 5,800,000	$ 5,776,100	99.6%		$ 4,889,000	$ 5,457,100
2	Wastewater Fees	3,800,000	3,800,000	3,718,700	97.9%		3,735,900	3,745,500
3	Wastewater Adjustment Fees - County Trtmt	3,000,000	3,000,000	2,912,700	97.1%		2,952,900	2,936,800
4	Groundwater Inflow Adjustment	1,938,000	1,938,000	1,863,100	96.1%		1,831,800	1,878,100
5	Water Impact Fees	252,000	252,000	672,100	266.7%		536,900	238,000
6	Wastewater Impact Fees	228,000	228,000	611,800	268.3%		482,200	207,500
7	Water Tank Space Leasing	366,200	366,200	394,400	107.7%		344,800	338,000
8	Interest Income	20,000	20,000	14,400	72.0%		2,300	4,600
9	Other Miscellaneous Revenues	63,000	63,000	84,700	134.4%		75,000	70,000
	TOTALS	$ 15,467,200	$ 15,467,200	$ 16,048,000	103.8%		$ 14,850,800	$ 14,875,600
	Final Budget						**$ 14,386,300**	**$ 15,037,500**

	ELECTRIC REVENUE FUND	FY17 BUDGET	FY17 REVISED BUDGET	YTD REVENUES	100.0% % BUDGET RECEIVED	COMMENTS	FY15 REVENUES	FY16 REVENUES
1	Sales to Customers	$ 78,991,200	$ 78,991,200	$ 80,624,300	102.1%		$ 77,011,700	$ 77,844,900
2	Purchased Power Adjustment	(1,798,000)	(1,798,000)	(1,845,900)	0.0%		-	-
3	Utility Tax	1,287,900	1,287,900	1,322,000	102.6%		1,266,900	1,309,700
4	Transfer from Rate Stabilization Reserve	-	-	-	0.0%		3,000,000	750,000
5	Miscellaneous Revenue	899,600	899,600	935,800	104.0%		1,389,400	1,211,600
6	Interest Income	47,900	47,900	206,200	430.5%		21,200	65,700
	TOTALS	$ 79,428,600	$ 79,428,600	$ 81,242,400	102.3%		$ 82,689,200	$ 81,181,900
	Final Budget						**$ 81,766,000**	**$ 81,830,400**

ACTION FORM

PROCEEDING: City Council
DEPARTMENT OF ORIGIN: Fire/Robbins Hose **DATE SUBMITTED**: June 14, 2017
PREPARED BY: Chief Carleton Carey Jr
SUBJECT: Replacement of Engine 7
REFERENCE: Capital Investment Plan
RELATED PROJECT: N/A
REVIEWED BY: Donna Mitchell, Acting City Manager
EXHIBITS:
EXPENDITURE REQUIRED: $635,300 **AMOUNT BUDGETED**: $ 635,300 (est. $77,400 annual payments for 10 years) **FUNDING SOURCE (Dept./Page in CIP & Budget)**: Fire Department Budget
TIMETABLE: Upon approval the Apparatus will be ordered. Estimated Delivery would be mid- 2018.
RECOMMENDED ACTION: Staff recommends approval of the purchase of Engine 7

BACKGROUND AND ANALYSIS

In accordance with the CIP for fiscal year 2017/2018, the Robbins Hose Company is requesting the replacement of Engine 7 a 1997 Pierce Dash Engine.

In January 2017, Chief Carey, Councilman Hosfelt and Controller/Treasurer Donna Mitchell met regarding the Robbins Hose Company/City of Dover fire apparatus replacement program. Controller/Treasurer Mitchell advised the Fire Chief to appoint a committee create a spec for the Engine to be bid out though HGAC (a Governmental Cooperative Purchasing Agency) and a price back by March 1st prior to budget hearings. The Fire Chief complied with the request, a spec was created based off the current apparatus that we currently have with a few fire suppression and safety upgrades to the apparatus.

The apparatus will be financed with a ten-year bank qualified tax exempt loan. Annual payments will be reflected in future budgets. A Bond Resolution will be presented to City Council prior to the apparatus delivery. The price of the apparatus was known at the time of the budget preparation.

On City of Dover letterhead

July 18, 2017

Mr. Gregory Fields
Chichester DuPont Foundation
5720 Kennett Pike
P.O. Box #3598
Wilmington, DE 19807

Dear Mr. Fields:

It is my sincere pleasure to write this letter of support on behalf of the TNR organization Forgotten Cats for their proposal submitted to the Chichester DuPont Foundation. Through their initiative and dedicated hard work, Forgotten Cats will address some of the disadvantaged areas within the City of Dover, areas that have recently become known to the City as having a serious widespread homeless cat population. Mr. Fields, through your generosity, the proposed grant funds will be used to help the City of Dover ultimately reduce ("Humanely") a population explosion of feral cats. The City of Dover strongly supports this grant application and the focus on the Trap – Neuter – Release operational procedures.

Forgotten Cats is the most experienced and effective TNR organization currently serving Delaware and the neighboring / surrounding states. Statistically speaking, through their high volume clinics, they have been able to sterilize more than 10,000 animals annually. Unlike other spay / neuter efforts in the State of Delaware, Forgotten Cats systematically uses a targeted approach to ensure that each and every cat, or the high majority of the cats in a colony or located in a neighborhood are all captured before releasing / returning the sterilized cats back into the community. As the City is keenly aware, using this approach is the only sure way to humanly ensure the cat population growth.

The City of Dover is committed to partnering with the Forgotten Cats Organization on this project to help achieve success. Additionally, The City is committed to the vision of the development of programs to reduce pet homelessness, excellence in the field of animal control & sheltering, and the advancement of policies and services that help protect animals from abuse and neglect.

BACKGROUND:

The Forgotten Cats Organization specializes in targeted TNR and has a track record of partnering with other City Governments to perform City-Wide TNR programs (ie.. City of Coatesville, PA, Harrington, DE, Newark, DE, New Castle, DE, Bear, DE Bridgeville, DE, Sussex County, DE).

The City of Dover has never had a targeted effort to control the free-roaming and stray cat population which has led to a cat population to grow exponentially. The City of Dover currently has a relatively high poverty level, and almost half of our citizens' rent their homes. Unfortunately, over the years, many of these residents adopt cats, then move or get evicted and dump their unsterilized cats outside when they leave the area. As such, these individuals and/or

DRAFT

families can no longer care for their pets thus being forced into leaving these animals to fend for themselves and breed uncontrollably. In short, the cats are free to roam and they create tons of other cats. Based on the City of Dover's population of approximately 38,000 people, Forgotten Cats estimates that there are between 2000 -to- 2500 free roaming / stray cats needing to be sterilized.

Through this letter, the City of Dover acknowledge specific roles and responsibilities that we will fulfill in this partnership. In the event the Forgotten Cats grant application and proposal is funded, the City would expect our role in the City of Dover TNR Project to include:

1. Forming a genuine partnership with the Forgotten Cats organization to humanely control & reduce the feral cat and stray population in the City of Dover.
2. At least one City representative will be designated to work on this project with the Forgotten Cats organization.
3. The City will request and hold a press conference with media outlets to help launch this project.
4. The City will encourage other municipalities to follow the same path in a humanely managing community cat populations.
5. The City Will include information about the project on our website, the City's in-house electronic billboard monitors, and press release to promote the City of Dover TNR Program.
6. The City will leverage its relationship with community organizations, churches, schools and HOA's to pitch a City-Wide TNR Program that will benefit all citizens of Dover.
7. The City's Departments will refer all stray / feral spay and neuter requests received from the various communities to the Forgotten Cats organization.

We hope the Chichester DuPont Foundation will award grant funding to the Forgotten Cats organization thereby, supporting the City of Dover's efforts to address its feral cat problem.

Please feel free to call me if you should have any questions or concerns, my contact information is below.

Best regards, take care and have a great day,

Kirby A. Hudson, M.P.I.A
Assistant City Manager
The City of Dover
P.O. Box 475
Dover, DE 19903-0475
Phone: (302) 736-7005
Fax: (302) 736-7002
(Email) khudson@dover.de.us

DRAFT

On City of Dover letterhead

July 18, 2017

Nancy Bassett
The Elinor Patterson Baker Foundation
P.O. Box #2505
Greenwich, CT 06836

Dear Ms. Bassett:

It is my sincere pleasure to write this letter of support on behalf of the TNR organization Forgotten Cats for their proposal submitted to the Elinor Patterson Baker Foundation. Through their initiative and dedicated hard work, Forgotten Cats will address some of the disadvantaged areas within the City of Dover, areas that have recently become known to the City as having a serious widespread homeless cat population. Ms. Bassett, through your generosity, the proposed grant funds will be used to help the City of Dover ultimately reduce ("Humanely") a population explosion of feral cats. The City of Dover strongly supports this grant application and the focus on the Trap – Neuter – Release operational procedures.

Forgotten Cats is the most experienced and effective TNR organization currently serving Delaware and the neighboring / surrounding states. Statistically speaking, through their high volume clinics, they have been able to sterilize more than 10,000 animals annually. Unlike other spay / neuter efforts in the State of Delaware, Forgotten Cats systematically uses a targeted approach to ensure that each and every cat, or the high majority of the cats in a colony or located in a neighborhood are all captured before releasing / returning the sterilized cats back into the community. As the City is keenly aware, using this approach is the only sure way to humanly ensure the cat population growth.

The City of Dover is committed to partnering with the Forgotten Cats Organization on this project to help achieve success. Additionally, The City is committed to the vision of the development of programs to reduce pet homelessness, excellence in the field of animal control & sheltering, and the advancement of policies and services that help protect animals from abuse and neglect.

BACKGROUND:

The Forgotten Cats Organization specializes in targeted TNR and has a track record of partnering with other City Governments to perform City-Wide TNR programs (ie.. City of Coatesville, PA, Harrington, DE, Newark, DE, New Castle, DE, Bear, DE Bridgeville, DE, Sussex County, DE).

The City of Dover has never had a targeted effort to control the free-roaming and stray cat population which has led to a cat population to grow exponentially. The City of Dover currently has a relatively high poverty level, and almost half of our citizens' rent their homes. Unfortunately, over the years, many of these residents adopt cats, then move or get evicted and dump their unsterilized cats outside when they leave the area. As such, these individuals and/or families can no longer care for their pets thus being forced into leaving these animals to fend for

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themselves and breed uncontrollably. In short, the cats are free to roam and they create tons of other cats. Based on the City of Dover's population of approximately 38,000 people, Forgotten Cats estimates that there are between 2000 -to- 2500 free roaming / stray cats needing to be sterilized.

Through this letter, the City of Dover acknowledge specific roles and responsibilities that we will fulfill in this partnership. In the event the Forgotten Cats grant application and proposal is funded, the City would expect our role in the City of Dover TNR Project to include:

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2. At least one City representative will be designated to work on this project with the Forgotten Cats organization.
3. The City will request and hold a press conference with media outlets to help launch this project.
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6. The City will leverage its relationship with community organizations, churches, schools and HOA's to pitch a City-Wide TNR Program that will benefit all citizens of Dover.
7. The City's Departments will refer all stray / feral spay and neuter requests received from the various communities to the Forgotten Cats organization.

We hope the Elinor Patterson Baker Foundation will award grant funding to the Forgotten Cats organization thereby, supporting the City of Dover's efforts to address its feral cat problem.

Please feel free to call me if you should have any questions or concerns, my contact information is below.

Best regards, take care and have a great day,

Kirby A. Hudson, M.P.I.A
Assistant City Manager
The City of Dover
P.O. Box 475
Dover, DE 19903-0475
Phone: (302) 736-7005
Fax: (302) 736-7002
(Email) khudson@dover.de.us

DRAFT

ACTION FORM

PROCEEDING: City Council	**AGENDA ITEM NO.:**
DEPARTMENT OF ORIGIN: Public Works	**DATE SUBMITTED**: 7/14/17
PREPARED BY: Sharon Duca, P.E., Public Works Director/City Engineer	
SUBJECT: Evaluation of Bids – Silver Lake Dam Improvements	
REFERENCE: Silver Lake Dam Improvements	
RELATED PROJECT: N/A	
APPROVALS: City Manager, Controller	
EXHIBITS: Attachment A – Aerial Map	
EXPENDITURE REQUIRED: $265,400	**BUDGET REMAINING**: $111,400
FUNDING SOURCE (Dept./Page in CIP & Budget): Account No.: 147-1800-554.40-31, ST1703 Silver Lake Dam Improvements with supplemental funding from Account No.: 147-1800-554.40-31, ST1801 Street and Alley Program (see breakdown below)	
TIME TABLE: Notice to proceed to be issued within thirty (30) days of Council approval. Project anticipated to be completed in 60 calendar days.	
RECOMMENDED ACTION: Award the contract to Guardian Environmental for the City of Dover Silver Lake Dam Improvements Project, Bid #17-0037PW, for the amount of $265,400.	

BACKGROUND AND ANALYSIS

The purpose of this project is to improve certain aspects of the existing Silver Lake Dam in Silver Lake Park. The issues were identified by a review conducted by JMT, consulting engineer in 2014. This project includes removal of vegetation, repairing the eroded shoreline with rip rap, filling of void space under the boat ramp, repair/rehabilitation of concrete piers, slabs, and fish ladder, and various tree and tree stump removal. Work shall be completed at the Silver Lake Dam, along the southern tip of Silver Lake. This project will enhance the safety of the dam and would be beneficial for the public that utilize the park.

The bid was advertised to the public as an Invitation to Bid in accordance with the City's purchasing policy by the City's Purchasing Agent under ITB #17-0037PW. Bids were opened on May 30, 2017. The City of Dover received two (2) bids. The contract values are as follows:

CONTRACTOR	LOCATION	BID PRICE
GUARDIAN ENVIRONMENTAL	**NEWARK, DE**	**$265,387.50**
DISSEN & JUHN	STEVENSVILLE, MD	$331,620.00

While the project cost far exceeded the estimates provided by the City's consulting engineer, JMT, staff believes that it is imperative that this project be constructed to alleviate potential safety risks that could arise from the dam.

City staff reviewed the submissions and found that the Guardian Environmental bid met all requirements for the qualifications of the project. Staff recommends awarding the contract to Gaurdian Environmental in the amount of $265,387.50 for the Silver Lake Dam Improvement Project. A breakdown of the funding sources is provided below:

FUNDING SOURCE	DESCRIPTION	ORIGINAL BUDGET	REVISED BUDGET	ENCUMBERED / SPENT	SAVINGS / REMAINING	REQUESTED CHANGE	PROPOSED BUDGET REMAINING
General	ST1703 Silver Lake Dam Improvements	$126,000	$126,000	$14,600	$111,400	$154,000	$265,400
General	ST1801 Street and Alley Program	$950,000	$950,000	$0	$950,000	($154,000)	$796,000

CAF Map

Silver Lake Dam Improvements



0 40 80 160 Feet

N

Date Printed: July 11, 2017
File: m:\gis_data\projects\tech_mxds
\jason_lyon_maps\caf_maps
\caf_silver_lake_dam_improvements
Department: Public Works GIS
City of Dover, Delaware

Legend

Dover Parcels

ACTION FORM

PROCEEDING: City Council	**AGENDA ITEM NO.:**
DEPARTMENT OF ORIGIN: Public Works	**DATE SUBMITTED**: 7/14/17
PREPARED BY: Sharon Duca, P.E., Public Works Director/City Engineer	
SUBJECT: Evaluation of Bids – Lincoln Street Gravity Sewer Repair	
REFERENCE: N/A	
RELATED PROJECT: FY 2017 Street Program	
APPROVALS: City Manager, Controller	
EXHIBITS: Attachment A – Aerial Map	
EXPENDITURE REQUIRED: $27,200	**BUDGET REMAINING**: $72,800
FUNDING SOURCE (Dept./Page in CIP & Budget): Account No.: 417-6900-569.40-31, WW1802 Miscellaneous Emergency Sewer Repair	
TIME TABLE: Notice to proceed to be issued within thirty (30) days of Council approval. Project anticipated to be completed in 30 calendar days.	
RECOMMENDED ACTION: Award the contract to Gateway Construction for the City of Dover Lincoln Street Gravity Sewer Repair, Bid #17-0040PW, for the amount of $27,200.	

BACKGROUND AND ANALYSIS

The repaving of Lincoln Street was identified as part of the FY 2017 Street Program. In conjunction with this project, Public Works staff utilized the camera truck to evaluate the condition of the sanitary sewer lines. Two (2) areas of concern were identified that needed to be addressed prior to repaving the road. The first phase was classified as an emergency repair, due to the sink hole that was developing in the road, as this has a high potential to cause damage to life, property and the environment. The project was funded by WW1702, Miscellaneous Emergency Sewer Repair of the FY 2017 Capital Improvement Project (CIP) plan. During the construction of the first phase, the contractor had to deal with an extensive amount of ground water, which made the project extremely difficult to perform. In addition, a dewatering permit was held up because the Delaware Department of Natural Resources and Environmental Control had information that the area around the excavation may be contaminated. Due to the issues experienced during the first phase of the project, as well as the fact that the repairs identified for the second phase were not of an emergency nature, a bid specification was developed for the second phase. The work under this project includes replacement of twenty-six (26) linear feet of ten-inch (10") asbestos containing sanitary sewer pipe with twenty-six (26) linear feet of PVC SDR26 ten-inch (10") sanitary sewer pipe, removal and replacement of one (1) sanitary sewer lateral, bypass pumping, maintenance of traffic and site restoration.

The bid was advertised to the public as an Invitation to Bid in accordance with the City's purchasing policy by the City's Purchasing Agent under ITB #17-0040PW. Bids were opened on July 6, 2017. The City of Dover received one (1) bid. The contract values are as follows:

CONTRACTOR	LOCATION	BID PRICE
GATEWAY CONSTRUCTION	**CLAYTON, DE**	**$27,186.00**

City staff reviewed the submissions and found that the Gateway Construction bid met all requirements for the qualifications of the project. Staff recommends awarding the contract to Gateway Construction in the amount of $27,186 for the Lincoln Street Gravity Sewer Repair Project. A breakdown of the funding sources is provided below:

FUNDING SOURCE	DESCRIPTION	ORIGINAL BUDGET	REVISED BUDGET	ENCUMBERED / SPENT	SAVINGS / REMAINING	REQUESTED CHANGE	PROPOSED BUDGET REMAINING
Wastewater	WW1802 Misc. Emergency Sanitary Sewer Repair	$100,000	$100,000	$0	$100,000	($27,200)	$72,800

CAF Map

Lincoln Street Gravity Sewer Replacement



0 25 50 100 Feet

N

Legend

- Project Area
- Manholes
- PS Pump Station
- Force Main
- Dover Parcels

Sewer Line

- 10"
- 12"
- 15"
- 16"
- 18"
- 20"
- 21"
- 24"
- 27"
- 30"
- 35"
- 36"
- 4"
- 6"
- 8"

Date Printed: July 11, 2017
File: m:\gis_data\projects\tech_mxds
\jason_lyon_maps\caf_maps
\caf_lincoln_st_sewer_replacement
Department: Public Works GIS
City of Dover, Delaware

City of Dover

ANNUAL APPOINTMENTS - 2017/2018 (7/24/17)

A. APPOINTMENTS RECOMMENDED BY MAYOR CHRISTIANSEN

(1) DOWNTOWN DOVER PARTNERSHIP BOARD OF DIRECTORS - TO PROMOTE THE PUBLIC WELFARE OF THE RESIDENTS OF THE CITY OF DOVER BY PROMOTING AND FURTHERING THE DEVELOPMENT OF THE ECONOMIC, CULTURAL, AND HISTORIC RESOURCES IN THE DOWNTOWN AREA, AND TO IMPROVE THE OPPORTUNITIES FOR JOB CREATION, BROADEN THE TAX BASE THROUGH THE DEVELOPMENT OF THE COMMERCIAL AND RESIDENTIAL POTENTIAL OF THE CENTRAL DOVER AREA, AND TO MAINTAIN AND RESTORE THE HISTORIC ARCHITECTURAL AND COMMUNITY QUALITIES OF THE DOWNTOWN AREA CONSISTENT WITH THE GOALS OF THE NATIONAL MAIN STREET PROGRAM.

CONSISTS OF TWENTY-ONE (21) DIRECTORS APPOINTED FROM TWO (2) CATEGORIES: GOVERNMENTAL AGENCY APPOINTEES AND APPOINTEES FROM THE PRIVATE SECTOR.

GOVERNMENTAL AGENCY APPOINTEES: FIVE (5) INDIVIDUALS, EITHER ELECTED OR APPOINTED FROM WITHIN THE GOVERNMENT OF THE CITY OF DOVER INCLUDING THE CITY MANAGER, THE CITY PLANNER, AND THREE (3) MEMBERS OF CITY COUNCIL (THESE INDIVIDUALS SHALL BE NOMINATED BY THE MAYOR AND CONFIRMED BY CITY COUNCIL AND WILL SERVE ON THE BOARD AT THE PLEASURE OF THE MAYOR AND COUNCIL); AND FIVE (5) REPRESENTATIVES FROM STATE GOVERNMENT, INCLUDING ONE (1) APPOINTED BY THE MAYOR AND CONFIRMED BY CITY COUNCIL; TWO (2) APPOINTED BY THE GOVERNOR (ONE (1) FROM THE OFFICE OF ECONOMIC DEVELOPMENT, AND ONE (1) FROM THE OFFICE OF THE SECRETARY OF STATE); THE ELECTED STATE SENATOR FROM THE 17TH SENATORIAL DISTRICT; AND THE ELECTED REPRESENTATIVE FROM THE 31ST REPRESENTATIVE DISTRICT.

PRIVATE SECTOR APPOINTEES: INDIVIDUALS IN THE SECOND CATEGORY WILL BE NOMINATED BY THE MAYOR AND CONFIRMED BY CITY COUNCIL AND SHALL CONSIST OF ELEVEN (11) REPRESENTATIVES FROM THE PRIVATE SECTOR WITH STRONG TIES AND COMMITMENT TO REVITALIZATION OF THE DOWNTOWN DOVER AREA WHO SHOULD NOT NOW HOLD FULL-TIME ELECTED OR APPOINTED PUBLIC OFFICE. MEMBERS IN THIS CATEGORY MUST INCLUDE A RESIDENT OF THE DOWNTOWN DOVER AREA OR AN ADJOINING NEIGHBORHOOD, A DOWNTOWN CULTURAL ARTS REPRESENTATIVE, A DOWNTOWN BUSINESS OWNER, A DOWNTOWN RETAILER, A REAL ESTATE PROFESSIONAL WHOSE PRACTICE INCLUDES THE DOWNTOWN DOVER AREA, A FINANCIAL SERVICES PROFESSIONAL WHOSE PRACTICE INCLUDES THE DOWNTOWN DOVER AREA, THE CHIEF EXECUTIVE OFFICER OF BAYHEALTH OR HIS/HER DESIGNEE, THE PRESIDENT OF WESLEY COLLEGE OR HIS/HER DESIGNEE, AND THREE (3) UNDESIGNATED REPRESENTATIVES. AT LEAST FIVE (5) OF THESE INDIVIDUALS MUST ALSO EITHER OWN A COMMERCIAL PROPERTY WITHIN THE BUSINESS IMPROVEMENT DISTRICT OR BE DESIGNEES OF SUCH OWNERS.

A. APPOINTMENTS RECOMMENDED BY MAYOR CHRISTIANSEN (CONTINUED)

(1) DOWNTOWN DOVER PARTNERSHIP BOARD OF DIRECTORS (CONTINUED)

PRIVATE SECTOR (11) - APPOINTED BY THE MAYOR AND CONFIRMED BY COUNCIL

(A) CHIEF EXECUTIVE OFFICER OF BAYHEALTH FOUNDATION'S DESIGNEE - JOHN VANGORP (TO FILL THE EXPIRED TERM OF PAUL LAKEMAN)
(B) DOWNTOWN RETAILER/COMMERCIAL PROPERTY OWNER DESIGNEE - MAXINE LEWIS (REAPPOINTMENT)
(C) PRESIDENT OF WESLEY COLLEGE - ROBERT E. CLARK II (REAPPOINTMENT)
(D) REAL ESTATE PROFESSIONAL WHOSE PRACTICE INCLUDES DOWNTOWN AREA/COMMERCIAL PROPERTY OWNER - MICHAEL HARRINGTON (REAPPOINTMENT)
(E) RESIDENT OF DOWNTOWN AREA - TODD STONESIFER (REAPPOINTMENT)
(F) UNDESIGNATED REPRESENTATIVE/COMMERCIAL PROPERTY OWNER DESIGNEE - LUCY FINDLAY (REAPPOINTMENT)
(G) UNDESIGNATED REPRESENTATIVE/COMMERCIAL PROPERTY OWNER - MITCH MAY (REAPPOINTMENT)
(H) UNDESIGNATED REPRESENTATIVE/FINANCIAL SERVICES PROFESSIONAL WHOSE PRACTICE INCLUDES DOWNTOWN AREA - ANITA EVANS (REAPPOINTMENT)

(2) SILVER LAKE COMMISSION - TO CONSIDER MATTERS RELATED TO SILVER LAKE AND THE ST. JONES RIVER WATERSHED, INCLUDING THE FORK, MUDSTONE, PENROSE, AND CAHOON BRANCHES, AND PUNCHEON RUN; OPEN SPACES AND PARK LANDS; AND WATER ACTIVITIES, TO INCLUDE SWIMMING, BOATING, SKIING, AND FISHING. CONSISTS OF SEVEN (7) MEMBERS TO BE APPOINTED BY THE MAYOR AND CONFIRMED BY COUNCIL AT THE ANNUAL MEETING.

(A) NICHOLAS A. ADAMS (REAPPOINTMENT)
(B) TRICIA K. ARNDT (REAPPOINTMENT)
(C) JAMES A. BURCHAM (REAPPOINTMENT)
(D) ZACHERY C. CARTER (REAPPOINTMENT)
(E) DEAN E. HOLDEN (REAPPOINTMENT)
(F) LYLE ALLEN JONES (REAPPOINTMENT)
(G) CURTIS E. RAYMOND

PETITION TO AMEND AND ZONING DISTRICT
First Reading before the Dover City Council
July 24, 2017

Applicants/Owners:	Sarah E. Jones
Address:	826 Forest Street, Dover, DE
Location:	South side of Forest Street between Gibbs Drive and Lincoln Street
Tax Parcel ID #:	ED-05-076.12-01-16.00-000
Size:	0.5 acres
Present Use:	Retail Establishment (Liquor Store)
Proposed Use:	Retail Establishment (Liquor Store)
Comprehensive Plan Designation:	Mixed Use
Present Zoning:	RG-1 (General Residence Zone)/COZ-1 (Corridor Overlay Zone)
Proposed Zoning:	C-1A (Limited Commercial Zone)/COZ-1 (Corridor Overlay Zone)
Reason for Request:	To allow the existing use to remain on site instead of sunset due to City Council action requiring the sunsetting of nonconforming uses in residential zones
File Number:	Z-17-04
Associated File Number:	MI-16-13 Nonconforming Uses in Residential Districts
Ordinance Number:	2017-10

City of Dover

Department of Planning & Inspections

Application No.: Z-17-04



Title:	Lands of Sarah E. Jones
Address:	826 Forest Street
Parcel ID:	ED-05-076.12-01-16.00-000
Current Zoning:	RG-1, COZ-1 (partial)
Proposed Zoning:	C-1A, COZ-1 (partial)
Owner:	Sarah E. Jones
Date:	7/13/2017

Legend

- Subject Property
- Dover Parcels
- Zoning
- Corridor Overlay Zone
- 2012 Buildings
- Kent County Parcels
- Dover Boundary

N W E S

0 75 150 300 Feet

FIRST READING

City of Dover

PROPOSED ORDINANCE #2017-10

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER BY CHANGING THE ZONING DESIGNATION OF PROPERTY LOCATED AT 826 FOREST STREET

WHEREAS, the City of Dover has enacted a zoning ordinance regulating the use of property within the limits of the City of Dover; and

WHEREAS, it is deemed in the best interest of zoning and planning to change the permitted use of property described below from RG-1 (General Residence Zone) and subject to the COZ-1 (Corridor Overlay Zone) to C-1A (Limited Commercial Zone) and subject to the COZ-1 (Corridor Overlay Zone).

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

1) That from and after the passage and approval of this ordinance the Zoning Map and Zoning Ordinance of the City of Dover have been amended by changing the zoning designation from RG-1 (General Residence Zone) and subject to the COZ-1 (Corridor Overlay Zone) to C-1A (Limited Commercial Zone) and subject to the COZ-1 (Corridor Overlay Zone) on that property located on the south side of Forest Street between Gibbs Drive and Lincoln Street at 826 Forest Street, consisting of $0.5^{+/-}$ acres, owned by Sarah E. Jones.
(Tax Parcel: ED-05-076.12-01-16.00-000; Planning Reference: Z-17-04; Council District: 4)

ADOPTED: *

S:\ORDINANCES\2017\DRAFT\ORDINANCE #2017-10 REZONING - 826 FOREST STREET\ORDINANCE #2017-10 - REZONING-826 FOREST STREET-FIRST READING.wpd

Actions History

07/24/2017 - Scheduled for First Reading - City Council

Draft

PETITION TO AMEND AND ZONING DISTRICT
First Reading before the Dover City Council
July 24, 2017

Applicants/Owners:	Bennie Smith Real Estate, LLC
Equitable Owners:	St. Nicholas Ukrainian Orthodox Mission
Address:	870-872 Forest Street, Dover, DE
Location:	South side of Forest Street east of Gibbs Drive
Tax Parcel ID #:	ED-05-076.12-01-08.00-000
Size:	0.7473 acres (32,552 SF+/-)
Present Use:	Two Buildings: Office Building & Day Care Center
Proposed Use:	Two Buildings: Place of Worship, School, and Business Office of philanthropic and charitable institution & Day Care Center
Comprehensive Plan Designation:	Mixed Use
Present Zoning:	C-1A (Limited Commercial Zone)/COZ-1 (Corridor Overlay Zone)
Proposed Zoning:	IO (Institutional and Office Zone)/COZ-1 (Corridor Overlay Zone)
Reason for Request:	To allow for the establishment of new uses of a Place of Assembly (Place of Worship), School and Business Office of a philanthropic and charitable institution in existing building.
File Number:	Z-17-05
Ordinance Number:	2017-11

City of Dover

Department of Planning & Inspections

Application No.: Z-17-05



Title:	Lands of Bennie Smith
Address:	870-872 Forest Street
Parcel ID:	ED-05-076.12-01-08.00-000
Current Zoning:	C-1A, COZ-1 (partial)
Proposed Zoning:	IO, COZ-1 (partial)
Owner:	Bennie Smith Real Estate LLC
Date:	7/13/2017

Legend

- Subject Property
- Dover Parcels
- Zoning
- Corridor Overlay Zone
- 2012 Buildings
- Kent County Parcels
- Dover Boundary

N W E S

0 75 150 300 Feet

FIRST READING

City of Dover

PROPOSED ORDINANCE #2017-11

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER BY CHANGING THE ZONING DESIGNATION OF PROPERTY LOCATED AT 870 - 872 FOREST STREET

WHEREAS, the City of Dover has enacted a zoning ordinance regulating the use of property within the limits of the City of Dover; and

WHEREAS, it is deemed in the best interest of zoning and planning to change the permitted use of property described below from C-1A (Limited Commercial Zone) and subject to the COZ-1 (Corridor Overlay Zone) to IO (Industrial and Office Zone) and subject to the COZ-1 (Corridor Overlay Zone).

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

1) That from and after the passage and approval of this ordinance the Zoning Map and Zoning Ordinance of the City of Dover have been amended by changing the zoning designation from C-1A (Limited Commercial Zone) and subject to the COZ-1 (Corridor Overlay Zone) to IO (Industrial and Office Zone) and subject to the COZ-1 (Corridor Overlay Zone) on that property located on the south side of Forest Street and east of Gibbs Drive at 870 - 872 Forest Street, consisting of $0.7473^{+/-}$ acres ($32{,}552^{+/-}$ S.F.), owned by Bennie Smith Real Estate, LLC.
(Tax Parcel: ED-05-076.12-01-08.00-000; Planning Reference: Z-17-05; Council District: 4)

ADOPTED: *

S:\ORDINANCES\2017\DRAFT\ORDINANCE #2017-11 REZONING - 870-872 FOREST STREET\ORDINANCE #2017-11- REZONING-870-872 FOREST STREET.wpd

Actions History

07/24/2017 - Scheduled for First Reading - City Council

Draft

FIRST READING

CITY OF DOVER PROPOSED ORDINANCE #2017-09

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

That Chapter 2 - Administration, Article IV - Officers and Employees, Division 1 - Generally, Section 2-201 - Compensation and Expenses for Mayor, Council, Employees and Other Elected or Appointed Officials, of the Dover Code, be amended by deleting the text indicated in red strikeout and inserting the bold, blue text, as follows:

DIVISION 1. - GENERALLY

Sec. 2-201. - Compensation and expenses for mayor, council, ~~employees~~ and other elected or appointed officials.

(a) ~~*Fees established.*~~ In accordance with section 12 of the Charter, authorizing the council to establish compensation and expenses for the mayor, ~~and~~ councilmembers, ~~city employees~~ and other elected or appointed officials, the following fees are hereby established:

(1) *Mayor.* The mayor shall receive an annual salary of $45,000.00. ~~**For the period beginning July 27, 2009, and ending July 26, 2010, the mayor shall receive an annual salary of $44,100.00.**~~ In addition, the mayor shall receive an expense allotment of up to $5,000.00, to be included in the city's annual budget for miscellaneous expenses, to be reimbursed upon submission of receipts or proper documentation. Expenses in excess of this amount shall only be permitted by council approval. The mayor shall be entitled to all benefits customary to an employee of the city, except pension benefits, and sick and vacation leave.

(2) *Councilmembers generally.* Each councilmember shall receive an annual salary of $7,416.00, to be paid monthly. ~~**For the period beginning July 27, 2009, and ending July 26, 2010,each councilmember shall receive an annual salary of $6,674.40, to be paid monthly.**~~ The council president shall receive an annual salary of $8,652.00, to be paid monthly. ~~**For the period beginning July 27, 2009, and ending July 26, 2010, the council president shall receive an annual salary of $7,786.80, to be paid monthly.**~~ Councilmembers shall receive reimbursement for actual and necessary expenses incurred when on official business as prescribed by ordinance or policy.

(3) *Board of assessment appeals.* Each appointed member of the board sitting to hear appeals from the municipal assessment shall receive $75.00 per diem reimbursement for expenses for the preparation and attendance at each meeting of the board of assessment appeals.

(4) *Nonemployee election officers.* Each person not a city employee appointed to serve as an election judge for any municipal election shall receive $200.00 for per diem reimbursement for each election attended. Each person chosen to serve as a clerical assistant for any municipal election shall receive $150.00 for per diem reimbursement for each election attended.

(5) *Employee election officers.* Employees of the city appointed to serve as election judges or officials for any municipal election shall receive $150.00 for per diem reimbursement for expenses for each municipal election attended in addition to their regular salary.

Draft

(6) *Appointee to council committee.* Each appointed member to any city council committee, not serving an elected term to any city office, shall receive $75.00 for preparation and attendance at each committee meeting to which the member is appointed.

(7) *Employee on council committee.* ~~For a~~**A**ny city employee appointed to a council committee shall receive $25.00 for reimbursement for expenses per diem for each meeting attended which is held after 5:00 p.m. on a scheduled workday or at any time on a weekend or city-approved holiday.

(8) *Planning commission.* Each appointed member of the planning commission shall receive $100.00 per diem reimbursement for expenses to be paid monthly for preparation and attendance at each meeting of the planning commission.

(9) *Board of adjustment.* Each appointed member of the board of adjustment~~s~~ shall receive $75.00 per diem reimbursement for expenses to be paid monthly for preparation and attendance at each meeting of the board of adjustment~~, to become effective July 1, 2007~~.

(b) *Compensation commission.* There is hereby created a compensation commission to consider compensation for the mayor, city council, and paid members of city committees and commissions. The compensation commission shall consist of five members, one member appointed by the mayor, one member appointed by the council president, and three members appointed by city council during the annual meeting. Members shall be city residents who are registered to vote in city elections. Members shall serve ~~two~~ **four**-year terms and cannot be reappointed within the next ~~two~~ **four** years. The controller/treasurer and human resources director shall serve as ex-officio, nonvoting members.

The compensation commission shall meet ~~as needed~~ **at least once a year**, with a **written** report due to council ~~six months prior to~~ **on or before** the **first** regular ~~municipal election~~ **council meeting in November. Prior to submitting a resolution to council which proposes a change in compensation**, ~~with~~ one public hearing **must be** held ~~prior to their submission of the report to council~~. Upon receiving the resolution of the commission, the city council may reduce or reject the commission's recommendation, but it may not increase any item in the resolution. The recommendations contained in the resolution, and any permitted changes to such recommendations, shall not become effective unless adopted by ordinance enacted at least three months prior to the elections of the next succeeding mayor and council, and shall take effect only for the next succeeding terms of office of the mayor and council.

ADOPTED: *

S:\ORDINANCES\2017\DRAFT\ORDINANCE #2017-09 COMPENSATION COMMISSION\Ordinance #2017-09 - Ch 2-Admin, Art IV-Officers & Employees, Div I-Gen, Sec 2-201 Compensation-First Reading.wpd

SYNOPSIS

The proposed amendments would correct the charter reference; delete language related to the Mayor and Councilmember's pay reduction in 2009; increase the term length and period of time between reappointments for Compensation Commission members from two years to four years; and require the Commission to meet at least once a year and provide a written report to Council.

(SPONSORS: NEIL AND SLAVIN)

Actions History

07/24/2017 - Scheduled for First Reading - City Council
06/27/2017 - Introduction - Council Committee of the Whole/Legislative, Finance, and Administration Committee

Draft