REGULAR COUNCIL MEETING

The Regular Council Meeting was held on July 24, 2017 at 7:30 p.m. with Council President Slavin presiding. Council members present were Mr. Anderson, Mr. Sudler, Mr. Neil, Mr. Lewis, Mr. Polce, Mr. Hare, and Mr. Lindell. Mr. Cole was absent.

Staff members present were Police Chief Mailey, Ms. Peddicord, Mrs. Mitchell, Mr. Hugg, Fire Chief Carey, City Solicitor Rodriguez, and Mrs. McDowell. Mayor Christiansen was also present (departed at 7:44 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.

Ms. Gail Bottomley advised that Forgotten Cats of Greenville, Delaware, which is known for doing mass trapping, sterilization, and vaccination of free-roaming cats with private donations and a few volunteers, just trapped, sterilized, and vaccinated close to 130 cats in the Kings Cliff Mobile Home Park in a week. She noted that there was a rabid cat in that area in 2015 and the owner of the mobile home park is very willing to work with whomever it takes to try to maintain the colony there so that new cats are not coming in and breeding.

Mr. Steven Hall advised that he missed the last Open Forum because he had to go to Sussex County to see his sister, who was very ill and ultimately passed away. He noted that, within the last week, he had met six (6) new homeless people in this area. Mr. Hall thanked Police Chief Mailey for doing the best he could.

Mr. Swann Twitty advised that his issues were jobs and homelessness. He indicated that the at-will employment law was affecting people being homeless. Mr. Twitty stated that it was difficult for people with records to earn money to pay off their fines. He advised that they try to keep their jobs and the next thing you know, the boss goes up to them firing them for no reason. Mr. Twitty stated that he would like to see the law changed within the next five (5) years.

Ms. Suzie Stehle advised that she was concerned with crime and that she realizes that the Mayor is trying to do something about the crime. She noted that she has a small property in downtown Dover with a store on the street level and an apartment upstairs. Ms. Stehle stated that she is hoping to sell the property; however, recent potential buyers were concerned that there was a stabbing on Loockerman Street a few days earlier. She noted that she did not think they could move ahead as a downtown without crime being really attacked.

Mr. Eric Abernathy, 430 Kings Highway, advised that his homeless veteran problem has been taken care of and he now has his own place to stay. He noted that he went to see Mindy Bacchus, who does veteran outreach through Connections, and she is good at her job and directs you to see the right people. Mr. Abernathy suggested that any other veterans should go to see Ms. Bacchus.

Mr. Abernathy noted that he has seen a change in attitudes about homelessness and that he knows that everyone is trying to do as much as they can. He advised that they would continue to move

forward because homelessness is still a problem, but it is not always going to be a problem. Mr. Abernathy stated that he had noticed that, every day in the past two (two) weeks, he saw a new homeless face on the street and at their church, most of which are younger people.

Ms. Elizabeth Jones stated that they have not heard anything from the task force to study homelessness. She noted that the benches around the fountain on Loockerman Street had been removed and they had heard that changes would be made at the library, possibly removing the chairs. Ms. Jones advised that she was given rapid re-housing and then permanent housing but there are no one-bedroom apartments available. She noted that she could get a two-bedroom apartment or house for less rent than a one-bedroom apartment, but she cannot get approval for a two-bedroom, even though it would be $350. Ms. Jones advised that she has been waiting 15 months to find a home.

Ms. Jones noted that the homeless are getting younger and younger, and they are scared. She advised that she sleeps under a bush, and it is scary because if a cop comes by and sees you, you will go to jail. Ms. Jones stated that the police do not care if you are old, young, male or female, they are going to take you to jail. She noted that some police do not have a heart at all. Ms. Jones noted that Victory Church comes by and feeds them, and some of them are still hungry after that. She stated that they have nowhere to go when it rains, and they can only sit in front of the library for so long before they have to leave. Ms. Jones advised that if they take away the benches in front and change the rules inside the library, they will have nowhere to go when it gets cold this winter.

Pastor Aaron Appling stated that some rules and different decisions that are made are kind of ignorant in many ways and counterproductive. He noted that there are a lot of people in Dover and Kent County, and probably the whole State, that are suffering immensely. Pastor Appling advised that they had been doing a food program every Tuesday, giving out food boxes, and it has grown drastically. He stated that they were actually running out of resources and estimated that 90% to 95% of the recipients really need the food boxes. Pastor Appling advised that they will have provided approximately 50,000 meals this year and given out 5,000 food boxes, all with no subsidies, only donations. He stated that many of the government's programs for the homeless and for helping are the most ridiculous programs, like sending the homeless to hotels for $1,200 a month when they could have a house and apartment for that amount.

Pastor Appling reiterated that the homelessness problem is growing, and they want to get something done. He noted that they have been attending the Open Forum for over a year, and there have been slight changes and significant changes, but things are getting rough in the streets, not just with the homeless in general, but just people. Pastor Appling expressed the need to get something done in the community and to start working together with the community leaders that are showing up and really doing things, and to get some changes made in the City.

Ms. Cynthia Fay Quevedo advised that she had been homeless for about a year and had not seen anything change. She asked where people were going to go if they could not go to the library. Ms. Quevedo stated that she felt that City Council members did not care about what happens to the homeless and noted that the homeless take care of their own. She advised that she takes them to Code Purple because Social Services will not help them, and the veterans do not get help. Ms. Quevedo noted that the homeless situation is the reason that there is a lot of crime on the streets, because nobody cares about what happens.

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

AGENDA ADDITIONS/DELETIONS

Council President Slavin requested the deletion of item #11-B - Appointments/Reappointments Recommended by Mayor Christiansen.

Mr. Neil moved for approval of the agenda, as amended. The motion was seconded by Mr. Lindell and unanimously carried.

Mr. Lewis requested that item #12 - 2017/18 Annual Appointments Recommended by Mayor Christiansen, be removed from the Consent Agenda.

Mr. Hare moved for approval of the Consent Agenda, as amended. The motion was seconded by Mr. Neil and carried by a unanimous roll call vote (Mr. Cole absent).

ADOPTION OF MINUTES - REGULAR COUNCIL MEETING OF JUNE 26, 2017

The Minutes of the Regular Council Meeting of June 26, 2017 were unanimously approved by motion of Mr. Hare, seconded by Mr. Neil and bore the written approval of Mayor Christiansen.

PRESENTATION - LUTHERAN SENIOR SERVICES OF DOVER, INC. - PAYMENT-IN-LIEU OF TAXES (PILOT)

On behalf of members of Council, Mayor Christiansen and Councilman Neil accepted a contribution from Mr. Gary Coy, Executive Director of Lutheran Senior Services of Dover, Inc., in the amount of $31,828 as payment-in-lieu of taxes (PILOT) for expenses associated with City services provided to Lutheran Senior Services of Dover throughout the year.

Mr. Coy advised that he had been the Executive Director for 10 years and for all of those years they had managed to present a PILOT check to the City of Dover. He thanked the many people in the City who work very hard for Lutheran Senior Services of Dover to succeed in its mission of building buildings. Mr. Coy noted that the first building was finished in 1980, and the newest building was finished almost two (2) years ago.

Mr. Coy noted that they have seven (7) buildings with 436 apartments housing 472 seniors with limited income. He stated that they provide safe and affordable housing with a minimum staff, which can only be done with the partnership that they have with the City.

PRESENTATION - CERTIFICATE OF CONGRATULATIONS - DOVER HIGH SCHOOL BOYS TRACK AND FIELD TEAM

The City Clerk read the following Certificate of Congratulations into the record:

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

On behalf of the Mayor and Council, Mayor Christiansen and Councilman Lindell presented the Certificates to the team members and coaches.

PRESENTATION - COMIC CON

Ms. Margery Cyr, Library Director, advised that Comic Con would return to the City of Dover for the fourth year in a row. She noted that it is a wonderful, free event for everyone in the community and all visitors.

Ms. Kerri Hollyday, Library Assistant, reviewed a PowerPoint presentation which recapped the history of Dover Comic Con and highlighted the events planned for Comic Con 2017.

Responding to Mr. Anderson, Ms. Hollyday stated that Dr. Who's Tardis would be located between the Biggs Museum and the Old State House. She also noted that Dr. Who would be involved in some adventures at this year's event.

Ms. Cyr advised that Comic Con is scheduled for Saturday, August 19, 2017 from 10:00 a.m. to 5:00 p.m. She thanked the City and the City's staff for all of their support, noting that the library would not be able to hold this event on its own without support.

Councilman Lewis advised that he attended Comic Con the previous year and it was a phenomenal event. He commended the library for organizing it.

Councilman Neil advised that he had been to the last two (2) events and experienced the joy that Comic Con brings to the people in attendance. He commended the library and other staff members for their outstanding efforts.

DOVER HUMAN RELATIONS COMMISSION WORKSHOP REPORT - MAY 25, 2017

The Dover Human Relations Commission (DHRC) Workshop was held on May 25, 2017 at 6:03 p.m. with Chairman Henderson presiding.

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.

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, 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 © 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© 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.

Meeting recessed at 6:49 p.m. and 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.

Meeting recessed at 7:28 p.m. and 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.

By consent agenda, Mr. Hare moved for acceptance of the Dover Human Relations Commission Workshop Report, seconded by Mr. Neil and carried by a unanimous roll call vote (Mr. Cole absent).

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

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 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.

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

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 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.

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

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

The Legislative, Finance, and Administration Committee met with Chairman Hare presiding.

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.

The Committee recommended 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.

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

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. 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.

The Committee recommended acceptance of the report.

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

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.

The Committee recommended adoption of Proposed Ordinance #2017-09.

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

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.)*

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

MONTHLY REPORTS - MAY 2017

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

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

QUARTERLY REVENUE REPORT

Members were provided the Quarterly Revenue Report as of June 30, 2017.

By consent agenda, Mr. Hare moved for acceptance of the Quarterly Revenue Report as of July 2017. The motion was seconded by Mr. Neil and carried by a unanimous roll call vote (Mr. Cole absent).

REPLACEMENT OF ENGINE 7

Mrs. Donna Mitchell, Acting City Manager, advised that, in accordance with the Capital Investment Plan (CIP) for Fiscal Year 2017/2018, the Robbins Hose Company was requesting the replacement of Engine 7, a 1997 Pierce Dash Engine. She advised that the purchase would be financed over 10 years at an estimated cost of $77,400 a year.

Staff recommended approval of the purchase of Engine 7.

Mr. Hare moved for approval of Staff's recommendation. The motion was seconded by Mr. Lewis and carried by a unanimous roll call vote (Mr. Cole absent).

MODIFICATION TO CONSULTING CONTRACT

Mr. David Hugg, Acting Director of Planning and Community Development, stated that, during his four-and-one-half months with the City, they had identified a number of issues and taken very positive action to start correcting processes. He noted that he is beginning to focus some of his energy on the overall economic health of the community.

Mr. Hugg reminded members that, initially, he was approached about working 20 to 30 hours per week for a limited period. He advised that for the last five (5) or six (6) weeks, he had been averaging approximately 40 to 42 hours per week because there are so many new, exciting, and important things going on. Mr. Hugg stated that he had approached Council President Slavin with a proposal to modify his consulting contract, which would essentially make him a full-time contract employee for a limited term. He advised that the modification would cost less money and increase his time to 40 hours per week.

Mr. Hugg thanked members of Council for being forthright and accepting of the services he had provided and advised that he is very excited by some of the initiatives going on related to both parks and economic development. He noted that he had been working with Councilman Hare to make the vacant building ordinance more effective and productive and also to engage code enforcement initiatives, shorten the time period, and get people to come into compliance.

Mr. Slavin stated that he was supportive of the request because he thought that Mr. Hugg had done an exceptional job in this position and because the position warrants 40 hours per week. He also noted that the City was still operating with an Acting City Manager, and increasing Mr. Hugg's hours per week and extending his contract would create stability in the government.

Mr. Slavin advised that he had asked Mr. Hugg to find and fix the ordinances that seem to delay applications that are presented to City Council. He noted that Mr. Hugg was in the process of preparing ordinance amendments to address those issues. Mr. Slavin reminded members that a Comprehensive Plan Update would be due in the near future and they should have a succession plan in place for when Mr. Hugg leaves. Mr. Slavin advised that the request does not exceed the budgeted amount for the position as held by the previous incumbent.

Mr. Hare moved to accept the proposal and extend Mr. Hugg's contract through December 2017. The motion was seconded by Mr. Sudler and carried by a unanimous roll call vote (Mr. Cole absent).

SUPPORT LETTERS TO FORGOTTEN CATS PROGRAM

Mr. Kirby Hudson, Assistant City Manager, advised that he was contacted by Forgotten Cats requesting letters of support for their grant application. He stated that Forgotten Cats believe that the grant money will be sufficient to provide services to all of Dover and to individuals who may not have enough money to vaccinate their own pets.

Mr. Sudler moved for approval of the support letters for the Forgotten Cats grant application. The motion was seconded by Mr. Anderson and unanimously carried.

EVALUATION OF BIDS - SILVER LAKE DAM IMPROVEMENTS

Mrs. Donna Mitchell, Acting City Manager, stated that the purpose of the Silver Lake Dam Improvements project is to improve certain aspects of the existing Silver Lake Dam in Silver Lake Park. She advised that the issues were identified by a review conducted by JMT, consulting engineer, in 2014. Mrs. Mitchell indicated that this project would include 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. She stated that work would be completed at the Silver Lake Dam, along the southern tip of Silver Lake, and the project would enhance the safety of the dam and be beneficial for the public that utilize the park.

Mrs. Mitchell advised that there were some insurance issues related to the dam, resulting in the bid being over budget. She stated that, while the project cost far exceeded the estimates provided by JMT, staff believed it imperative that the project be constructed to alleviate potential safety risks that could arise from the dam.

Staff recommended 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.

Mr. Hare moved for approval of Staff's recommendation, seconded by Mr. Neil and carried by a unanimous roll call vote (Mr. Cole absent).

EVALUATION OF BIDS - LINCOLN STREET GRAVITY SEWER REPAIR

Mrs. Donna Mitchell, Acting City Manager, advised that the repaving of Lincoln Street was identified as part of the FY 2017 Street Program. She stated that, in conjunction with this project, the Department of Public Works evaluated the condition of the sanitary sewer lines, and two (2) areas of concern were identified that needed to be addressed prior to repaving the road. Mrs. Mitchell indicated that 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. She explained that the project was funded by WW1702, Miscellaneous Emergency Sewer Repair, of the FY 2017 Capital Improvement Project (CIP) plan. Mrs. Mitchell noted that, 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. She advised, in

addition, that a dewatering permit was delayed because the Delaware Department of Natural Resources and Environmental Control (DNREC) had information that the area around the excavation may be contaminated. Mrs. Mitchell indicated that, 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.

Responding to Mr. Neil, Mrs. Sharon Duca, Public Works Director, advised that the $100,000 that was referenced was the amount of money that was set aside for emergency repairs relating to the sanitary sewer system. She noted that the final part of the failing sewer system was being addressed in Fiscal Year 2017/18 Emergency Sewer, and the repair of the street was being paid for out of the Fiscal Year 2016/17 Street Program.

Staff recommended 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.

Mr. Hare moved for approval of Staff's recommendation, seconded by Mr. Sudler and carried by a unanimous roll call vote (Mr. Cole absent).

APPOINTMENT RECOMMENDED BY COUNCIL PRESIDENT SLAVIN - HUMAN RELATIONS COMMISSION - JONATHAN OFFREDO - FOURTH DISTRICT REPRESENTATIVE - THREE-YEAR TERM TO EXPIRE FEBRUARY 2020 (TO FILL THE EXPIRED TERM OF KENNETH ROACH)

Council President Slavin recommended the appointment of Mr. Jonathan Offredo to serve on the Human Relations Commission as the Fourth District Representative for a three-year term to expire in February 2020 (to fill the expired term of Kenneth Roach).

By consent agenda, Mr. Hare moved for approval of the appointment of Mr. Offredo, as recommended by Council President Slavin. The motion was seconded by Mr. Neil and carried by a unanimous roll call vote (Mr. Cole absent).

2017/18 ANNUAL APPOINTMENTS RECOMMENDED BY MAYOR CHRISTIANSEN (DEFERRED DURING THE ANNUAL MEETING OF MAY 8, 2017)(Downtown Dover Partnership Board of Directors and Silver Lake Commission)

Mr. Lewis requested that the Annual Appointments Recommended by Mayor Christiansen be deferred until the next City Council meeting with hopes that applications would be received for the appointees. He noted that a process was currently in effect that was adopted by a majority of City Council members on October 10, 2016 which states that "When applications of interest are received by the City, provide City Council members copies of all applications to personally review before placing on Council agenda for appointment, duties by the City Clerk." Mr. Lewis advised that number three (3) of the process states, "Members currently serving on City boards, committees, commissions wishing to be reappointed and continuing to serve must reapply with an updated application, duties of the City Clerk."

Mr. Lindell stated that he agreed that, the way it is written, the appointments should be deferred; however, he disagreed with having people reapply for positions that they have already been appointed to. He noted that it did not seem very efficient to ask someone who had been accepted

on a committee, filed an application, and served for many years to keep filing an application year in and year out to be reappointed. Mr. Lindell advised that he intended to draft something to address that particular part of the issue.

Mr. Neil asked if City Council could interfere with the Mayor's appointments. Responding, Council President Slavin advised that the Mayor's appointments are subject to confirmation by City Council.

Mr. Anderson, noted that many committee members were appointed before the terms of any current members of Council, and he personally had no idea what their qualifications were because they never submitted an application. He suggested that applications would help Council with future appointments, especially if they were looking for diversity of experience and outlook. Mr. Anderson stated that if a committee is made up of all former government employees, a few business people may be desired, and if it is comprised of all business people, Council may want to have someone with other experiences, maybe a housewife or somebody to bring a different perspective.

Mr. Anderson, noting that there had been concerns about too much paperwork discouraging people from applying, advised that a compromise was reached when the application was simplified and the requirement for a resume was eliminated. He stated that he thought that this compromise should be allowed to work. Mr. Anderson stated that he was not sure that it was intended that the application to include separate agencies, such as the Downtown Dover Partnership (DDP).

Mr. Lewis advised that the application requirement for members being reappointed was to receive updates on education, training, et cetera. He noted that applications should only take five (5) minutes to complete.

Mr. Sudler stated that he thought there was a need to be transparent and have all of the requirements across the board, whether members were being reappointed or just being appointed.

Mr. Lewis stated that, if the process were to change, it would be unfair to the people that already had to fill out an application for reappointment or appointment, such as one (1) of the recommended appointments for the Human Relations Commission that was on the agenda that evening. He stated that he personally thought it would be unfair to those individuals if the process were to change.

Mr. Hare stated that he thought an application should be required for a new appointee; however, he did not feel that people being reappointed should have to complete an application every time. Mr. Hare noted the difficulty that they have finding people to serve on committees and asked why they should make it more tedious for committee members to serve.

Mr. Sudler stated that he thought if someone was truly dedicated to the City, they would do whatever it took, including filling out an application.

Mr. Lewis moved to defer the Annual Appointments Recommended by Mayor Christiansen until the next City Council meeting with hopes that they receive applications for the appointees. The motion was seconded by Mr. Sudler and carried with Mr. Neil and Mr. Hare voting no.

REZONING REQUEST FOR PROPERTY LOCATED AT 826 FOREST STREET - FIRST READING OF PROPOSED ORDINANCE #2017-10

A request was received to rezone properties 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).

Prior to amending the zoning ordinances and zoning map of the City of Dover, a public hearing is required.

Mr. Neil moved to refer the request to the Planning Commission on August 21, 2017 and set a public hearing for September 11, 2017 at 7:30 p.m. The motion was seconded by Mr. Hare and unanimously carried.

In accordance with Section 1-9 of the Dover Code, Council acknowledged the First Reading of Proposed Ordinance #2017-10 as read by the City Clerk, by title only, as follows:

> 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

REZONING REQUEST FOR PROPERTY LOCATED AT 870-872 FOREST STREET - FIRST READING OF PROPOSED ORDINANCE #2017-11

A request was received to rezone properties 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).

Prior to amending the zoning ordinances and zoning map of the City of Dover, a public hearing is required.

Mr. Neil moved to refer the request to the Planning Commission on August 21, 2017 and set a public hearing for September 11, 2017 at 7:30 p.m. The motion was seconded by Mr. Hare and unanimously carried.

In accordance with Section 1-9 of the Dover Code, Council acknowledged the First Reading of Proposed Ordinance #2017-11 as read by the City Clerk, by title only, as follows:

> 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

FIRST READING - PROPOSED ORDINANCE #2017-09

Council President Slavin reminded the public that copies of the proposed ordinance were 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. Final

action by Council on the proposed ordinance will take place during the Council Meeting of August 14, 2017.

In accordance with Section 1-9 of the Dover Code, Council acknowledged the First Reading of the proposed Ordinance as read by the City Clerk, by title only, as follows:

> 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

CITY MANAGER'S ANNOUNCEMENTS

Mrs. Donna Mitchell, Acting City Manager, advised that Mr. Ken Schrader, who is with the management firm for White Oak Condos, called to recognize the City employees who helped him clean up the complex. She stated that Mr. Schrader complimented the Public Works, Electric, and Police Departments, noting that they are always very quick to respond and address the issues. Mrs. Mitchell advised that Mr. Schrader wanted to relay that the City has a fantastic workforce.

Mrs. Mitchell provided the following information:

Construction Project Updates

- Westover Pump Station Upgrade - north side of Hazlettville Road, west of Mifflin Road - off road activity
- FY 2017 Street Program - currently working in Wyoming Avenue, work in Lincoln Street to start following Wyoming Avenue and completion of sanitary sewer repairs in Lincoln Street
- Rolling Acres Pump Station - east of Route 13, south of Jefferic Boulevard - off road activity

Operational Announcements:

- Curbside Recycling Collection - Republic Services will start as our new Recycling Contractor on August 1st. Recycling routes are not changing. Please be patient during this transition.

Police Chief Marvin Mailey thanked Mrs. Mitchell for her assistance with promotion interviews and announced the promotions of Captain Stump, to the rank of Major and Deputy Police Chief; Lieutenant Chad Bernat, to the rank of Captain and Administrative Division Commander; and Sergeant David Boney, to the rank of Lieutenant and Patrol Unit Commander. Chief Mailey stated that all of these gentlemen are outstanding and that he looked forward to a lot of good service from them.

COUNCIL MEMBERS' ANNOUNCEMENTS

Council President Slavin recognized Mr. Jon Offredo, who graciously waited through the entire meeting. He noted that Mr. Offredo's appointment to the Human Relations Commission was approved earlier in the meeting and thanked him for filling the longstanding vacancy in the Fourth District.

Council President Slavin wished Councilman David Anderson and the City Clerk a happy birthday on July 29th.

Mr. Sudler thanked Mrs. Donna Mitchell, Acting City Manager, for always keeping members updated, which he stated was very professional. He expressed his hope that she would continue to stay on board, as Mr. Hugg had decided to do.

Mr. Hare requested Police Chief Mailey to assess the speeding situation at Westview Terrace and Wyoming Avenue. Chief Mailey advised that they would put this area on their radar.

Mr. Lindell wished Council President Slavin a happy birthday on August 10th.

Mr. Lindell thanked Mrs. Mitchell and the Dover employees for the tour of the various City departments. He stated that it was a great experience, especially for a new Council person to get a good idea of what the City employees go through in the different departments on a day-to-day basis.

Mr. Lindell noted that he went on a ride-along with the police the previous Friday and suggested that others do so if they have the opportunity. He noted that a ride-along opens one's eyes to a lot of issues throughout the City and makes one realize how lucky the City is to have dedicated officers on its police force.

Mr. Lewis stated that he had the opportunity this month to attend an NAACP banquet with Councilman Sudler and Councilman Anderson to recognize Police Chief Mailey. He noted that he was very proud of the Chief and that he was doing an exceptional job.

Mr. Sudler congratulated Chief Mailey on the selection of his new administrative staff and requested that he convey his congratulations to the Chief's entire staff.

Chief Mailey announced that National Night Out, an annual event to welcome young people back to school, would be held on August 1st at Target. He noted that various police agencies and the Fire Department would be participating.

Chief Mailey announced that another Lights Out event would be held within the week, and the Citizens Academy would be starting soon. He noted that event information was available on the Police Department's website.

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

Meeting adjourned at 8:33 p.m.

TRACI A. McDOWELL
CITY CLERK

All ordinances, resolutions, motions, and orders adopted by City Council during their Regular Meeting of July 24, 2017, are hereby approved.

ROBIN R. CHRISTIANSEN
MAYOR

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