REGULAR COUNCIL MEETING
AGENDA

SEPTEMBER 11, 2017 - 7:30 P.M.

CITY HALL COUNCIL CHAMBERS - 15 LOOCKERMAN PLAZA - DOVER, DELAWARE

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

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

INVOCATION BY CAPTAIN ELMER N. DAVIS, JR.

PLEDGE OF ALLEGIANCE LED BY COUNCILMAN HARE

AGENDA ADDITIONS/DELETIONS

* **CONSENT AGENDA**

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

* **1. ADOPTION OF MINUTES - REGULAR COUNCIL MEETING OF AUGUST 28, 2017**

2. REZONING REQUESTS - PUBLIC HEARING/FINAL READING OF PROPOSED ORDINANCES

THE FIRST READING OF THE PROPOSED ORDINANCES WAS ACCOMPLISHED DURING THE COUNCIL MEETING OF JULY 24, 2017. THE ORDINANCES ARE AVAILABLE AT THE ENTRANCE OF THE COUNCIL CHAMBERS AND ON THE CITY'S WEBSITE AT WWW.CITYOFDOVER.COM UNDER "GOVERNMENT."

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

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

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

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

3. **COUNCIL COMMITTEE OF THE WHOLE REPORT/LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE REPORT - AUGUST 15, 2017**
   - **A. PROPOSED AMENDMENT TO COMMITTEES, COMMISSIONS, AND BOARDS APPOINTMENT PROCESS**

     (COMMITTEE SENT THIS MATTER TO COUNCIL WITH NO RECOMMENDATION) (COUNCIL MEMBERS DEFERRED THIS ITEM ON AUGUST 28, 2017)

* 4. **COUNCIL COMMITTEE OF THE WHOLE REPORT - AUGUST 29, 2017**
   - **A. SAFETY ADVISORY AND TRANSPORTATION COMMITTEE**
     - **(1) VIABILITY OF THE SHOTSPOTTER GUNSHOT DETECTION AND LOCATION SERVICE (ANDERSON)**

       (COMMITTEE TABLED UNTIL MEMBERS HAVE ADDITIONAL INFORMATION)
     - **(2) QUARTERLY BRIEFING ON DOVER/KENT COUNTY METROPOLITAN PLANNING ORGANIZATION (MPO) PROJECTS**

       (COMMITTEE ACTION NOT REQUIRED)
     - **(3) QUARTERLY UPDATE - BICYCLE/PEDESTRIAN SUBCOMMITTEE**

       (COMMITTEE ACTION NOT REQUIRED)
   - **B. UTILITY COMMITTEE**
     - **(1) DEDICATION OF RIGHTS-OF-WAY AND PUBLIC INFRASTRUCTURE - GARRISON OAK TECHNICAL PARK**

       (COMMITTEE RECOMMENDED ACCEPTANCE OF THE DEDICATION OF RIGHTS-OF-WAY AND PUBLIC INFRASTRUCTURE OF THE GARRISON OAK TECHNICAL PARK. DEDICATION IS TO INCLUDE ALL OF THE REFERENCED PUBLIC IMPROVEMENTS.)

* 5. **MONTHLY REPORTS - JULY 2017**
   - **A. CITY ASSESSOR'S REPORT**
   - **B. CITY COUNCIL'S COMMUNITY ENHANCEMENT FUND REPORT**
   - **C. CITY MANAGER'S REPORT**
   - **D. CITY PLANNER'S REPORT**
   - **E. CONTROLLER/TREASURER'S BUDGET REPORT**
   - **F. FIRE CHIEF'S REPORT**
   - **G. POLICE CHIEF'S REPORT**

6. **ACTING CITY MANAGER'S ANNOUNCEMENTS**

7. **COUNCIL MEMBERS' ANNOUNCEMENTS**

8. **ADJOURNMENT**

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EXECUTIVE SESSION PURSUANT TO:

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

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

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

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

REGULAR COUNCIL MEETING

The Regular Council Meeting was held on August 28, 2017 at 7:31 p.m. with Council President Slavin presiding. Council members present were Mr. Anderson, Mr. Sudler, Mr. Neil, Mr. Cole, Mr. Polce, and Mr. Lindell. Mr. Hare and Mr. Lewis were 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 7:40 p.m.).

OPEN FORUM

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

Mr. Steven French stated that Loockerman Exchange and the former library were available and asked why the homeless could not live there. He noted that the homeless would need a home before winter.

Ms. Janetta Guinn stated that she was stopped by the Dover Police two years ago for not wearing a seatbelt and the judge said that all vehicles in Delaware were required to have seatbelts. Noting that school buses, public transportation, and Dover Police motorcycles do not have seatbelts, Ms. Guinn asked how there could be one law for one person and not another law for somebody else. She noted that there were 7, 8, 9, and 10-year-old kids on school buses getting hurt every day. Responding, Council President Slavin advised that the State Legislature enacts the laws that govern transportation and that Mayor Christiansen would speak with Ms. Guinn after the Open Forum and relay her concerns to the State Legislature.

Ms. Guinn, noting recent news stories, asked why police are placed on administrative leave with pay when they do something wrong. Council President Slavin advised Ms. Guinn that Mayor Christiansen would speak with her at the conclusion of the Open Forum.

Ms. Cynthia Quevedo stated that she loves all of Councilman Anderson's posts and that she agrees with him 100%.

Mr. Swann Twitty advised that his issues were jobs and homelessness. He stated that it was difficult for people with records to get jobs and there were not equal opportunities.

Mr. Eric Abernathy stated that the homeless need to be helped because the homeless situation is not going away until they can all learn to work together to help the situation and get the people off of the street. He noted that a building or a piece of land could be found or they could build tiny houses or some type of affordable housing. Mr. Abernathy stated that you cannot survive on a minimum wage job in Dover.

Pastor Aaron Appling advised that they will serve over 50,000 meals to the Dover community this year and that they give out 100 to 125 banana boxes of food to families every single week, or approximately 5,000 boxes per year. He advised that they receive no government assistance and they

are able to provide food efficiently. Pastor Appling stated that they run into organizations who are funded, and have money, who are far less efficient than they are. He noted that they would continue with their feeding programs and would be extending the program to other parts of the county in October. Pastor Appling, noting that the City partnered with Interfaith Mission and other organizations in the past, requested assistance, such as a vacant building downtown where they can serve more efficiently without spending so much money on gas running back and forth.

Ms. Sue Harris stated that she wanted to address a comment made by Mr. Neil during the last City Council meeting that Council is roundly criticized for supporting NCALL and Habitat's building of affordable homes. She advised that they have never criticized the City's efforts with NCALL or Habitat for Humanity. Ms. Harris stated that the work that they do is commendable and they wholly support their efforts; however, they have no programs for the homeless or the chronically homeless and their efforts are for home ownership. She advised that they are advocating for those who need very low rentals and asked that the City not use its support of NCALL and Habitat for Humanity in defense of any efforts to help the homeless.

Ms. Harris advised that she had originally intended to apologize for some of the things that were said during the last meeting, since it appeared that their questions came across as unfounded, reckless accusations of profiteering. She stated that neither she nor Ms. Teri Staub intended for their questions to be taken as accusations, they were simply questions. Ms. Harris advised that she did e-mail an apology the previous week for some inaccurate research she mentioned at the last meeting. She advised that she realized she was inaccurate on the path of transactions and provided research showing the tax payments for each of the NCALL properties **(Exhibit #1)** that appear to have been disposed of as surplus properties. Ms. Harris stated that, in this process, a total payment to the Tax Assessor's Office was made in a lump sum of approximately $226,500 for FY 2016 and FY 2017.

Ms. Harris asked if a funding stream could be created, supported by those tax lien payments, less the demo fees, for surplus abandoned properties, and allocated to help create affordable rental housing in the City of Dover. Ms. Harris advised that they were not there to make accusations and they do not quite understand the defensiveness because their point is not "what are you doing with these funds?" but "what are you not doing with them?" She reiterated that affordable rental housing for the low and very low income is in short supply and a part of the City's Consolidated Plan is to address that need. Ms. Harris asked that the City consider partnering with additional non-profits to create affordable rental units from surplus properties.

Ms. Harris requested that the City clarify in its Code that a grantee is required to submit a certification that will affirmatively further fair housing; that the City will conduct an analysis to identify its impediments, take appropriate actions to overcome them, and keep records. She stated that these impediments are private sector and government actions or behavior against policy, ordinance, regulations like building codes, zoning ordinances, and practices that have the effect of restricting housing choices or the availability of housing choices due to gender, race, familial status, national origin, real origin, and disability. Ms. Harris provided documentation on the analysis made in 2011 and the recommendations that have yet to be implemented **(Exhibit #2)**.

The invocation was given by Captain Elmer N. Davis, Jr., followed by the Pledge of Allegiance and a moment of silence in recognition of the loss of Councilman Lewis' mother.

AGENDA ADDITIONS/DELETIONS

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

Mr. Neil moved for approval of the Consent Agenda, seconded by Mr. Anderson and carried by a unanimous roll call vote (Hare and Lewis absent).

ADOPTION OF MINUTES - SPECIAL COUNCIL MEETING OF AUGUST 7, 2017

The Minutes of the Special Council Meeting of August 7, 2017 were unanimously approved by motion of Mr. Neil, seconded by Mr. Anderson and bore the written approval of Mayor Christiansen.

ADOPTION OF MINUTES - SPECIAL COUNCIL MEETING OF AUGUST 14, 2017

The Minutes of the Special Council Meeting of August 14, 2017 were unanimously approved by motion of Mr. Neil, seconded by Mr. Anderson and bore the written approval of Mayor Christiansen.

ADOPTION OF MINUTES - REGULAR COUNCIL MEETING OF AUGUST 14, 2017

The Minutes of the Regular Council Meeting of August 14, 2017 were unanimously approved by motion of Mr. Neil, seconded by Mr. Anderson and bore the written approval of Mayor Christiansen.

PROCLAMATION - NATIONAL PREPAREDNESS MONTH

The City Clerk read the following Proclamation into the record:

WHEREAS, National Preparedness Month creates an important opportunity for City of Dover residents to prepare their homes, businesses, and communities for potential natural disasters or terrorist attack, and investing in emergency preparedness can reduce injuries, fatalities, and economic devastation in our community and nation; and

WHEREAS, the 2017 National Preparedness Month theme "Disasters Don't Plan Ahead. You Can" emphasizes the importance that we should all take action to prepare, and the Federal Emergency Management Agency's "Ready" Campaign, Citizen Corps, and other federal, state, local, private, and volunteer agencies are working to increase public activities to prepare for emergencies and to educate individuals on how to take action; and

WHEREAS, City of Dover citizens are able to help first responders in the community by being trained on how to respond during an emergency and what to do when disaster strikes. Emergency preparedness is the responsibility of every citizen of the City of Dover, and all citizens are urged to make preparedness a priority and work together to ensure that individuals, families, and communities are prepared for disasters and emergencies of any type. Residents are encouraged to participate in preparedness activities and to be proactive in establishing sound plans for addressing emergencies.

NOW, THEREFORE, I, ROBIN R. CHRISTIANSEN, MAYOR OF THE CITY OF DOVER, DELAWARE do hereby proclaim the month of September 2017 as **NATIONAL PREPAREDNESS MONTH** in the City of Dover, and urge all citizens, businesses, and

organizations to develop their own emergency plan and work together toward creating a more prepared society.

On behalf of the Mayor and Council, Mayor Christiansen presented Fire Chief Carey with the Proclamation and thanked Police Chief Mailey; Mrs. Kay Sass, Emergency Management Coordinator; Fire Chief Carey; and all first responders for their service.

PRESENTATION - RECOGNITION OF SERVICE - JOHN TINSLEY - DOWNTOWN DOVER PARTNERSHIP BOARD OF DIRECTORS (JULY 2014 THROUGH MAY 2017)

The City Clerk read the following Certificate into the record:

CERTIFICATE OF APPRECIATION

Presented to

JOHN TINSLEY

Downtown Dover Partnership Board of Directors

July 2014 - May 2017

The City of Dover extends sincere appreciation for your public service.

August 28, 2017

On behalf of the Mayor and Council, Mayor Christiansen presented the certificate to Mr. Tinsley and thanked him for his service and continued commitment to downtown Dover.

SPECIAL DOVER HUMAN RELATIONS COMMISSION REPORT - JULY 27, 2017

The Special Dover Human Relations Commission (DHRC) meeting was held on July 27, 2017 at 6:03 p.m. with Chairman Henderson presiding.

Election of Committee Chair - Education Committee

Mr. Henderson advised that Mr. Fleming had expressed an interest in serving as Chair of the Education Committee and asked if there were further nominees.

The Commission elected Mr. Paul Fleming to serve as Chair of the Education Committee.

By consent agenda, Mr. Neil moved for approval of the Commission's recommendation. The motion was seconded by Mr. Anderson and carried by a unanimous roll call vote (Hare and Lewis absent).

DHRC Committee Updates

Government Policy, Programs, and Practices Committee (Gaddis)
Mr. Gaddis advised that there was no report for the Government Policy, Programs, and Practices Committee.

Community Engagement Committee (Mullen)
Ms. Mullen stated that St. Andrew's Lutheran Church had reached out to her because she serves on the White Oak/Towne Point Civic Association. She noted that she had not yet responded to St. Andrews and she asked if she could represent the DHRC or should represent the White Oak/Towne Point community when interacting with them. Responding, Mr. Henderson indicated that he had seen Reverend Mark Walters, Pastor, St. Andrew's Lutheran Church, earlier in the day at a Rotary Club meeting, and Reverend Walters had provided Mr. Henderson with a formal letter stating that St. Andrew's wanted to get together and ask questions. Mr. Henderson indicated that he would provide this letter to Ms. Mullen and discuss it with her. He advised that this would be an excellent contact for the DHRC, noting that Reverend Walters seemed willing to do outreach for the DHRC.

Ms. Mullen stated that the Church the Body of Christ on Townsend Boulevard was also very interested in what the DHRC does, and she was waiting for the development of a DHRC brochure to move forward. Mr. Henderson stated that he would never say no to churches and noted that he may also approach some churches.

Mrs. Herbert informed members that she had been working with the National Council on Agricultural Life and Labor Research (NCALL) Restoring Central Dover community engagement forum planning group, and Ms. Mullen had also been doing so when she is available. Mrs. Herbert advised that it is easier for her to attend than Ms. Mullen because Mrs. Herbert does not work. She stated that the group had established an over-arching topic for a series of forums, and the topic was the things that one should know about education. Mrs. Herbert advised that the first forum, scheduled for September 30, 2017, would address available sources to help with education. She explained that this session would relate to services that exist both inside and outside the public schools to support students and families, how families can learn about these services and take advantage of them, and where the gaps are.

Mrs. Herbert advised that another forum would be held on November 4, 2017 regarding how external forces and systems, such as poverty, economics, crime, the criminal justice system, and the political system, can work at cross-purposes to students' success, and how changes in these areas can bridge some of the gaps identified. She indicated that there had been discussion about placing a special emphasis on crime, since crime was a hot and timely topic in the community. Mrs. Herbert indicated that a third forum would be held on January 27, 2018 regarding transitions from high school to college and would be aimed at high school freshmen and sophomores. She stated that this session would be delivered in large part by Delaware State University (DSU) and Wesley College students and would

possibly include breakout sessions for students of different ages, so that content could be better targeted to what students need to know and when.

Mrs. Herbert asked if this series of forums was something that was appropriate for the DHRC, stating that she felt the first forum was appropriate because it was about resources. She also asked if she should continue to attend the NCALL forum group planning meetings or if this should fall under the purview of Mr. Fleming and the Education Committee.

Responding to Mr. Henderson, Mrs. Herbert stated that the community engagement forum planning group was part of NCALL, and NCALL had involved Wesley College, DSU, Wesley College Drug and Alcohol Education, and Central Middle School. She explained that Dr. Chanda Jackson, Community Engagement Specialist, NCALL, oversees the entire program. Mrs. Herbert advised that a member of the State Human Relations Commission (SHRC) had been involved in an initial housing forum put on by the group when the SHRC was working on housing; however, she had taken herself off the planning group because the next series of forums proposed was not about housing. Mrs. Herbert suggested that if the DHRC did not participate in any of the other forums, they may want attend the first to talk to families about educational resources and bring DHRC pamphlets. She explained that the forum planning group had not yet developed a title for the event. Mrs. Herbert noted that the group had been meeting every two (2) weeks at 10:00 a.m. on Fridays, and the next meeting was scheduled for Friday, August 4, 2017 at 10:00 a.m. at the Midnight Roast Coffee Shop at Wesley College.

Mr. Gaddis noted that he had taught high school for 33 years, and he suggested that the transitions workshop scheduled for January 27, 2017 not be confined to high school to college transitions. He indicated that he would like kids to have the ability to transition from high school to employment, apprenticeships, technical schools, etc. Mr. Gaddis expressed his opinion that there had always been too much emphasis on college and that credence and value should be given to working. He explained that some young people have their own ideas, do not want to go to college, and want to work and do something productive with their lives, and there is a need to help them as well.

Mr. Henderson stated that the forums were worth looking into. Mrs. Herbert advised that the planning group seemed to be concerned about whether or not parents would come and bring their kids and wanted to start advertising early; however, Mrs. Herbert indicated that more focus was needed before advertising. She stated that the group was doing very well and putting in the time that was needed for the forums. Mrs. Herbert stated that she had attended a previous forum put on by the group in April 2017 which was very successful. She noted that the group was working to make central Dover better and must hold their events in that area; therefore, the three (3) forums would be held at Wesley College, and Central Middle School would be involved.

Mr. Henderson stated that the forums sounded great, Mrs. Herbert could educate members about the sessions, and they could attend some of them. Mrs. Herbert suggested bringing the DHRC's brochure. She stated that she was unsure how the DHRC would fit into the forums; however, the forum planning group wanted the DHRC to provide any resources that members knew of, noting that Dr. Jackson needed this information to be sent to her. Mrs. Herbert noted that she herself had not been in Dover long enough to know all of the available resources. She stated that there was a resource called Parent, Inc. that she had never heard of which is very helpful to parents.

Mrs. Herbert advised that the planning group had mentioned only the transition from high school to college in regard to the forum planned regarding transitions. She noted that a lot of parents and kids would be cut out if other transitions, such as technical school and work transitions, were not included. Mrs. Herbert agreed with Mr. Gaddis's previous comments that the high school to college focus may be too narrow.

Ms. Mullen informed members that she had recommended to the planning group that they focus on the middle school to high school transition. She noted that a lot of children are being lost at an early age because they are becoming involved in other things that are offered to them. Ms. Mullen expressed the need to condition children's mindsets to think about college well before high school. She concurred with Mr. Gaddis and Mrs. Herbert that there was a need to consider children who are not interested in college.

Mr. Henderson noted that the forums would apply to the DHRC Education Committee, as well as to the Communications Committee for marketing. He advised that if the DHRC could be a conduit of information to advertise and make people aware, it will have fulfilled its role as a commission. Mr. Henderson indicated that the DHRC could advertise that they are in touch with NCALL and that symposiums would be held. He stated that events could be advertised to the community and members' districts by way of brochures, radio, and social media, such as Facebook and Twitter.

Responding to Mrs. Herbert, Mr. Henderson stated that Mr. Fleming could be involved with the forums due to his role on the Education Committee. Mrs. Herbert stated that she thought other members should be included in these types of events. She expressed her hope that Mr. Fleming could come to the next planning group meeting scheduled for August 4, 2017.

Education Committee (Fleming)

Mr. Fleming apologized for missing the previous DHRC meeting, stating that he had forgotten that the meeting time was 6:00 p.m. and had come at 7:00 p.m. He noted that his attendance would have provided a quorum for the meeting and apologized for taking up members' time by not being present on time.

Mr. Fleming stated that he had thought members could get exposure for the DHRC by walking in the Fourth of July parade wearing their DHRC shirts; however, he had brought this up at the last minute and members may not have been available. Mr. Fleming recommended that the DHRC participate in these type of events as often as they can so that people know who they are. He stated that all members would not have to walk, but if more than one (1) or two (2) people could participate, this would help expose the Commission to the Dover community.

Mr. Fleming noted that an article in the Delaware State News earlier in the week regarding the Student Excellence Equals Degree (SEED) program stated that one (1) of the legislators was upset because he did not think taxpayers should be paying to send other people's children to school. Mr. Fleming expressed his opinion that this legislator was completely off base and that SEED is an excellent program. He advised that education is not just about degrees and noted that there are many technical programs, such as solar energy, etc. Mr. Fleming expressed his hope that some of the SEED money would work its way into technical programs for high school graduates. He stated that the SEED program is a wonderful opportunity for the citizens of Delaware to transition into higher education, including both technical and degree programs. He encouraged members to find and read this Delaware State News article, which he stated they would find very enlightening. Mr. Fleming estimated that 98% of those who commented in the newspaper the day after the article was published were in favor of the SEED program and helping kids to obtain higher education.

Communications Committee (Paige)

Reverend Paige advised that she had no report. She noted that she and Ms. Mullen had agreed to work together, since communications overlaps with the community engagement. She noted that Ms. Mullen had performed outreach with radio networks; however, Reverend Paige stated that she had not been involved and they would correct this for next month.

Liaison to State Human Relations Commission

During the Dover Human Relations Commission Workshop held on May 25, 2017, members considered a Review of DHRC Strategic Plan 2015-2018 Long-Term Objectives and Development of Work Plans. Members discussed 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." Members discussed appointing a member of the DHRC as a Liaison to the State Human Relations Commission (SHRC) to accomplish this goal.

Mr. Henderson nominated Mrs. Herbert to serve as Liaison to the State Human Relations Commission.

The Commission elected Mrs. Sara Herbert to serve as Liaison to the State Human Relations Commission.

By consent agenda, Mr. Neil moved for approval of the Commission's recommendation. The motion was seconded by Mr. Anderson and carried by a unanimous roll call vote (Hare and Lewis absent).

Mrs. Herbert stated that she had spoken to Ms. Annette Fletcher, Delaware Division of Human Relations, who had encouraged her to attend SHRC meetings, and Mrs. Herbert had attended one (1). She advised that Ms. Fletcher had explained that a public forum is held before the meetings; however, Mrs. Herbert did not observe this and, since they did not have the open forum, she indicated her belief that not many people attend meetings. Mrs. Herbert advised that she attended the SHRC meeting by herself, no one had asked her why she was there, and she was eventually invited to the table. She explained that Ms. Kelly Brown, Delaware Division of Human Relations, takes meeting notes and handles meeting business in Dover. Mrs. Herbert indicated that the meeting is a virtual meeting and is conducted using television, so that those in Wilmington can see participants from southern Delaware. She advised that it was suggested that she talk to Ms. Brown and ask to be placed on an agenda.

Mrs. Herbert informed members that she would like to have their feedback regarding establishing a connection with a member of the SHRC who is not from Dover. She explained that she believed that a representative from Dover would already be enmeshed in what is going on in Dover, and she favored being connected with someone who has an unbiased opinion in case questions needed to be asked of the SHRC. Mrs. Herbert advised that she was experiencing difficulty having phone calls returned by the SHRC and noted that SHRC members, like DHRC members, are volunteers. Mrs. Herbert indicated that she wanted to find out how the DHRC and SHRC can interact with each other, noting that she was not absolutely positive that they can.

In response to Mr. Henderson, Mrs. Herbert indicated that source of the SHRC meetings is in Wilmington and meetings are run by Mr. Calvin Christopher, Chair, SHRC. She indicated that her phone number had been provided to Mr. Christopher; however, he had not returned the call. Mrs. Herbert reiterated that everyone that sits at the SHRC table is a volunteer, with the exception of Ms. Brown in Dover and Ms. Fletcher in Wilmington.

Mr. Gaddis asked what insight Mrs. Herbert was hoping to obtain by connecting with a SHRC member outside of Dover. Responding, Mrs. Herbert stated that she would not know this until she talks to a contact to find out what the SHRC does, versus the DHRC. She noted that during the DHRC Workshop of May 25, 2017, members had discussed subpoenas and other matters. Mrs. Herbert stated that the DHRC handles Dover and the SHRC covers the entire State, which includes Dover, and she wanted clarification so that the DHRC does not step on toes or do something that the SHRC

is supposed to do. She also noted that connecting with the SHRC relates to long-term goal C.2. of the DHRC Strategic Plan 2015-2018, and is something the DHRC is supposed to do.

Mr. Henderson suggested that he accompany Mrs. Herbert to the next meeting and perhaps this connection could be clarified. Mrs. Herbert noted that neither she nor her SHRC contact would be making decisions; however, there was a need to have a bridge to obtain information. She informed members that Mr. Roy Sudler, City Council Representative for the Fourth District, and Kent County Representative to the SHRC, represents the Dover area on the SHRC. She indicated that she had nothing against Mr. Sudler; however, she had noticed that he had not attended some of the SHRC meetings, and she noted that he may be busy and not have the time.

Reverend Paige stated that she had excused herself from the conversation. She advised that Mr. Sudler represents Dover on the SHRC and formerly chaired the DHRC.

Mrs. Herbert explained that she knew Mr. Sudler and had no problem with him. She acknowledged that he would be much closer than some of the other SHRC members who come from all over the State to attend the meetings.

Mr. Henderson advised that he would like to attend an SHRC meeting. In response to Mr. Henderson, Mrs. Herbert stated that she was unsure of the SHRC's meeting schedule but it was her recollection that meetings are held on the second Thursday of the month at the Cannon Building on Silver Lake Boulevard. She advised that Mr. Henderson could attend with her, and stated that she would contact Ms. Brown first, tell her that they would be coming, and obtain information from her about the meeting date and time. She indicated that she had spoken with Ms. Brown previously and informed her about the long-term objective in C.2 of the DHRC Strategic Plan 2015-2018. Mr. Henderson stated that he and Mrs. Herbert would attend the August SHRC meeting together.

DHRC Participation in Radio Segment

During the Dover Human Relations Commission (DHRC) Workshop of May 25, 2017, 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 item could be placed on a meeting agenda for members' consideration and, if they chose, participation could be recommended to Council.

Ms. Mullen advised that she had been in communication with Ms. Benita Gassi from the Ms. Benita Show TV and Radio Network, who had advised her that the cost of DHRC's participation on the radio would be $125. Ms. Mullen explained that, if members chose to proceed, coverage would be on four (4) networks, including Bomb Baby Radio, Hottest Live Radio, Media Angel TV and Radio, and ACT Boom TV, and there would be continuous advertising and a 15-minute interview segment with

a member of the DHRC. Ms. Mullen advised that participation would allow the DHRC to update and educate the public on what the Commission is about, its missions and goals, and how the DHRC can help the community. She noted that Ms. Gassi had also offered to provide Twitter and Facebook services, which Mr. Henderson stated would be fine, noting that he is not familiar with this type of media. Ms. Mullen stated that she would have to do some research if members wanted to proceed.

Reverend Paige advised, having been in radio herself, that she was not in favor of paying $125 for what the DHRC wants to do. She stated that the DHRC is public service and, in her opinion, there should be no cost for members to discuss who the DHRC is and what they do, and the radio station should invite the DHRC in for this purpose. Reverend Paige noted that radio station WWDE at Delaware State University (DSU) broadcasts beyond DSU and suggested WDOV as well. She indicated that she is acquainted with Ms. Gassi and had no problems with her; however, she was not in favor of paying $125. Reverend Paige advised that she could understand paying this amount to purchase a $125 advertising package but not to inform the community about the DHRC.

Ms. Mullen and Mrs. Herbert concurred. Ms. Mullen stated that the $125 cost had been mentioned at the end of her conversation with Ms. Gassi, and she had then advised Ms. Gassi that she wanted to take this information back to the Commission.

In response to Mr. Gaddis, Ms. Mullen stated that she was unsure if the radio stations mentioned by Ms. Gassi were licensed. Mr. Gaddis advised that every licensed radio station is required to provide public service time as part of federal licensing. Reverend Paige stated that she was unsure if Ms. Gassi is licensed, noting that Ms. Gassi mostly does internet radio. Reverend Paige advised that Reverend Shonde Greene broadcasts on Faith 1510 in Wilmington, and interviews can be recorded for later broadcast. She indicated that Faith 1510, WWDE, and WDOV are stations in the area with wide listenership that would cover the diverse population that the DHRC is trying to target.

Mrs. Herbert noted that Ms. Gassi may not recognize that the DHRC is a public service entity.

Reverend Paige advised that she could work with Commissioner Mullen further on this matter, reiterating that communications and community engagement overlap.

In response to Mr. Henderson, Ms. Mullen noted that Ms. Gassi had also mentioned blogs and other things. She suggested deferring this item until she and Reverend Paige can collaborate. She stated that radio is a good resource and avenue to utilize to get word out to the public and expressed the desire to reach all segments of people, rather than catering to one (1) type of population.

The Commission deferred this matter for collaboration.

Development of DHRC Brochure

Referring to the brochure entitled, "Dover Human Relations Commission," formerly circulated by the DHRC and provided by Mr. Fleming, Mr. Henderson advised that he liked the beautiful logo.

During their meeting of April 10, 2017, Council considered the Development of a Concise Statement - Mission and Functions of DHRC and approved the DHRC's recommendation to accept the concise statement as written. Mr. Gaddis expressed concern that the brochure did not include the concise statement that he and Reverend Paige had developed and was approved by the Commission.

Mrs. Stein explained that the brochure being reviewed was used by the Commission previously and had been provided by Mr. Fleming. She noted that it was included to provide members a starting point for a new brochure. Mr. Henderson advised that the brochure was from years ago. He stated that numbers and other things would change and advised that the mission statement could be the first thing to change.

Mr. Henderson asked if Mr. Gaddis could take on the task of looking over the excellent but outdated brochure. He stated that this was not intended as a slight to Mr. Fleming and suggested that Mr. Fleming could perhaps do some fine tuning on the brochure.

Mr. Gaddis noted that Reverend Paige had also been involved in developing the concise mission statement.

Referring to the Mission Statement in the brochure, Mrs. Herbert indicated that she was disturbed by the third paragraph, which stated that "The Commission is authorized to inquire into incidents of inter-group conflicts, disputes and alleged discrimination within the City and to make recommendations to the Mayor and City Council for action to alleviate such conflicts." Based on the DHRC Workshop held on May 25, 2017, she expressed her understanding that the DHRC is an advisory Commission and noted that this statement sounded more investigative. Mrs. Herbert stated that if the DHRC was allowed to inquire into incidents, this should be listed in the brochure; however, she was unsure that a decision had been made and if the DHRC was allowed to do this. Responding, Mr. Henderson stated that he recalled that it was concluded that issuing subpoenas and getting involved in every small matter was not something that the DHRC would be doing. Mr. Fleming and Reverend Paige concurred. Reverend Paige stated that members had discussed possibly looking into this further down the road, but not now.

Reverend Paige stated that she saw the previous brochure as a guideline so that members would know what is needed in the new brochure. She noted that she was delighted to see Mr. Jon Offredo, DHRC Commissioner, Fourth District, when she walked in the door, stating that she did not know that he was a Commissioner. Reverend Paige advised that she had asked Mr. Offredo if he would help her with communications, noting that Mr. Offredo has experience with The News-Journal.

She recommended that she and Mr. Offredo work on the brochure together, stating that she viewed the brochure as falling under communications. Reverend Paige noted that anyone else who wanted to work on the brochure could also do so.

The Commission recommended that Reverend Paige and Mr. Offredo work on the brochure, as well as anyone else who wants to do so.

By consent agenda, Mr. Neil moved for approval of the Commission's recommendation. The motion was seconded by Mr. Anderson and carried by a unanimous roll call vote (Hare and Lewis absent).

Mr. Henderson stated his understanding that Reverend Paige, Mr. Offredo, and Mr. Gaddis would work on the brochure and provide a product at the next meeting.

At Mr. Henderson's request, Mr. Jon Offredo advised that he resides in the Fourth District, and he and his fiancee rent an apartment on The Green above The Delaware Store. He stated that he has been living in Dover for approximately four (4) years and had been a reporter for three (3) of those years at the News-Journal, covering Legislative Hall and the City of Dover. Mr. Offredo stated that he quit this job approximately one (1) year ago and now works for the State of Delaware, Public Defender's Office, where he does legislative policy and communications work. He indicated that he is happy to help in any way possible.

Update of DHRC Webpage
This item was deferred due to time constraints.

Sponsorship of Educational Symposium
This item was deferred due to time constraints.

DHRC Vacancies
This item was deferred due to time constraints.

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

COUNCIL COMMITTEE OF THE WHOLE REPORT - AUGUST 15, 2017
The Council Committee of the Whole met on August 15, 2017 at 6:00 p.m., with Council President Slavin presiding. Members of Council present were Mr. Anderson (arrived at 6:23 p.m.), Mr. Sudler (departed at 6:34 p.m. and returned at 6:40 p.m.), Mr. Neil, Mr. Cole, Mr. Polce (departed at 6:34 p.m. and returned at 6:35 p.m.), and Mr. Hare. Mr. Lewis and Mr. Lindell were absent. Mayor Christiansen was also present. Civilian members present for their Committee meetings were Ms. Arndt (*Utility*), and Mr. Shevock and Dr. Stewart (*Legislative, Finance, and Administration*).

UTILITY COMMITTEE

Alternative Solar Energy Announcement by DSU and Eastern Woodland Holdings LLC., for Potential Public Private Partnership Opportunity sponsored by Councilman Roy Sudler, Jr. 4th District and Brian Lewis 2nd District Councilpersons

Mr. Sudler indicated that he thought that this alternative solar energy proposal would be a great opportunity for a potential solar development in the City of Dover, noting that it was a partnership between Delaware State University (DSU) and Eastern Woodland Holdings LLC. He introduced Mr. Chris Coker, a representative for Eastern Woodland Holdings LLC. Mr. Sudler noted that Mr. J.D. Bartlett had an emergency to tend to at DSU; however, he had met with Mrs. Donna Mitchell, Acting City Manager, prior to the meeting to discuss what they were thinking about proposing to the City.

Mr. Coker informed members that he was representing Eastern Woodlands and DSU, and announced that they would be partnering up to do some solar together. He stated that they were still considering that; however, after meeting with Mrs. Mitchell, he believed that he would go after the Request for Proposals (RFP) for 30 megawatts (MW), noting that he thought he could fulfill the City's needs on that with DSU. Mr. Coker indicated that they were looking to do 20MW to 25MW but, if the station could hold it, they could perhaps do 30 MW.

Mrs. Mitchell reminded members that in the Integrated Resource Plan (IRP) that was presented to Council by The Energy Authority (TEA) back in April, one (1) of the recommendations was that the City do an RFP for 30 MW of solar. She informed members that she had explained to Mr. Coker that the City would soon be doing that RFP, and becoming aware of it had encouraged him to participate in that process.

Mr. Slavin cautioned members not to ask any questions of Mr. Coker, otherwise he may be disqualified from responding to the RFP.

Conwell Street Discussion

Mrs. Sharon Duca, P.E., Public Works Director/City Engineer, reviewed her memo dated July 28, 2017 regarding Conwell Street Evaluation. She explained that the Department of Public Works was charged with evaluating Conwell Street in conjunction with researching the development history, current status, and upgrade options.

Mr. Sudler asked if there would be another option that would be less complex and timing consuming, such as a paved alley, or something another level down from a street with walkways and curb appeal, and drainage. Responding, Mrs. Duca explained that if Council wanted to pursue the enhancements of this road, technically deeming it an alley and making the appropriate authentication in that manner would create the smaller pavement because it would not require the concrete addition. She stated that it would also give more room within the right-of-way for more natural

swales, etc. to handle the drainage, noting that the concrete sections on a regular road would make it very difficult and definitely require storm sewer.

In response to Mr. Hare, Mrs. Duca stated that there were a couple of houses on the front of the street. Mr. Hare noted that this was not a City street. He asked if the residents wanted to bring it into the City and for the City to take it over. Responding, Mrs. Duca stated that this was her understanding.

Mr. Hare asked if this would be any different than, for example, if the contractor for Nottingham Meadows was building houses, did not want to finish the street, and wanted the City to take it over and finish it. He asked if the City would do that. In response, Mrs. Duca advised that Conwell Street would be more similar to Cannon Mill, explaining that the City did have to deal with the roads in that development because the developer went bankrupt. Mr. Hare asked if there was a developer for Conwell Street and Mrs. Duca advised that there was not. Mr. Hare asked who owns the land. Responding, Mrs. Duca stated that it could be considered no man's land at this point, explaining that it was never transferred to the City; therefore, it would be more likely to still be in Kent County. She explained that technically the land owner would be the original developer of the College Road Settlement from 1899 because they never deeded it over to any municipal entity. Mr. Hare asked how staff was going to determine who owns the land. In response, Mrs. Duca, referring to page 2 of her memo dated July 28, 2017 regarding Conwell Street Evaluation, noted that other sections of roads that wound up being vacated went through the Superior Court.

Responding to Mr. Slavin, Mrs. Duca stated that it would be difficult to trace the underlying owner of the road at this point, which, she believed, was the reason it became a matter of the courts. Mr. Slavin asked if the City had any history regarding who originally paved the road or who paid to have it paved originally. In response, Mrs. Duca advised that information regarding the original paving was not part of any of the research or the plans that staff could find. Responding to Mr. Slavin, Mrs. Duca informed members that Conwell Street was not a publicly identified road in terms of Municipal Street Aid (MSA); however, it was in regard to Google and that type of thing. Mr. Slavin stated his understanding that if the road was not owned by the City, then it would be a State road. In response, Mrs. Duca indicated that it would be a State or County road. Mr. Slavin stated that typically in a development, a developer will build out a development, build out the roads, and then dedicate them over to the City when they are up to the City's standards, so that the City does not inherit those costs. He noted, however, that in the case where the developer went bankrupt and left the roads sub-standard, the City was forced to take action out of public safety. Responding, Mrs. Duca stated that those subdivisions were legitimately within City of Dover limits.

Mr. Neil stated that he thought that this matter was very perplexing and he did not think that it would get a high priority over existing problems. He advised that his suggestion would be for the City to send all of the people who signed the petition a letter basically stating that this is not City land. Mr. Neil noted that there are many

issues dealing with the ownership and the deeding to the City, and that while the City will look at the process to see what the City can do, he did not think the individuals should expect it to be done quickly because they signed a petition. He explained that the City should be gentle, but should educate the people who have asked for help that this is not an easy question to answer and is not simply moving them up in a priority. Mr. Neil indicated that a significant amount of work would be going on before getting to the point of moving this matter up in priority, and he stated that he did not know how fast the City should be getting to that point.

Mr. Hare, referring to the map entitled "Conwell Street Exhibit," noted that the houses on State College Road were labeled "property not annexed into the City," and asked if these properties were not in the City. Responding, Mrs. Duca stated that he was correct. Mr. Hare stated that he did not understand why individuals who live in the County would request the City to pave the roads for them.

Mr. Sudler stated that he thought that the owners felt that because it said Conwell Street, it was a City road, and the main objective was to assess whether or not it is a City or County road, which had been done. He thanked Mrs. Duca, noting that she had done a great job. Mr. Sudler stated that there were a few homes on Conwell Street, but that he wanted to hear from Ms. Ryder, a resident of Conwell Street who he believed could speak regarding some of the challenges and difficulties.

Mr. Sudler asked if Mr. Hare or anyone else had been on Conwell Street to look at it, or had rode their vehicle down it and seen the stumps. Responding, Mr. Hare stated that he had. Mayor Christiansen stated that he had also been out there and had seen the condition of the street. He advised members that approximately 20 years ago the City went through this same process and it was determined that the street was difficult to bring to City standards because it was mostly in the County. Mayor Christiansen noted that, while he has empathy for the people who live there, there are streets in the City that are really under duress as well. He stated that he did not know if a private individual or a consortium of people could get together and have the street paved as they do in other communities.

Mr. Cole thanked Mrs. Duca for the research and the work that she did regarding this matter.

Ms. Sandra Ryder, 291 College Road, informed members that her property abuts Conwell Street and she was under the assumption that because it was named, it was a road. She stated that the road had never been paved and explained that, with the problems with the road, people tear their cars up driving on the street. Ms. Ryder noted that she would accept an alley, a few stones, or anything; however, after listening to the discussion, she understood that it was a problem. She asked how much it would be if everyone in the community got together and decided to pave it themselves and what that would run up against. Responding, Mr. Cole advised Ms. Ryder that it was not a City road. Ms. Ryder stated that she still felt that while they are paying taxes something should be done. Mr. Hare stated that Ms. Ryder

might have to check with the County to make sure they do not have a problem with it, noting that the City would not be giving the permits or anything.

Ms. Ryder stated her understanding that members were basically saying that it is too big a problem to be addressed at the moment because there are too many legalities. Responding, Mr. Cole explained that he did not think that members were saying it was too big of a problem, but that there were legalities and the control of the right-of-way and the road.

In response to Mr. Hare's question regarding who owns the property, Ms. Ryder stated that she owns the property from the front to 100 feet in the back; however, she noted that she did not have any idea who owned the street. She explained that she thought that the City or the County owned the street and, since it was named, she thought it had to be a street.

Mr. Sudler asked if it was standard procedure for the City to put a street sign name on streets that it does not own. Responding, Mr. Slavin explained that if there was a street sign on Conwell Street, the City does not know the origin of the street sign and, if the City did inadvertently place the street sign, it does not transfer legal ownership of the street to the City. He indicated that he thought that the underlying question was if someone could do the deed research to figure out who the underlying owner of the street is, noting that if it is a County street, the City could go to the County and ask them to improve it, and if it is a City street, the City would have responsibilities.

Mr. Neil stated that he did not know how much Ms. Ryder pays, but that he pays more in County taxes than he does in City taxes, so he thought that the County should take this one over.

Mr. Anderson, referring to the map entitled "Conwell Street Exhibit," asked if he was correct in his understanding that half of the properties surrounding Conwell Street were in the City, half were not, and the City did not know the ownership of the street. Responding, Mr. Cole stated that this was correct. Mr. Anderson asked if it would be appropriate to make a motion for the City to do the research to find out who owns it.

Mrs. Duca clarified that the City had done the plan and deed research. She informed members that deeds are not developed for street right-of-ways; however, there is the original plot plan for the development. She reiterated that the best example would be similar to a defunct subdivision where the owner has gone bankrupt. Mrs. Duca advised members that this matter would involve some movement of the County or the City to take the street over because the ownership of it basically left with the original developer.

Mr. Cole stated, for clarification, that the City is not looking to take this street over, and asked if going through the County would be residents' best avenue to find out

what they need to do if they wanted to take it upon themselves to pave it. Responding, Mrs. Duca stated that the County and the Delaware Department of Transportation (DelDOT) would be the next steps.

Mr. Sudler asked, as a point of clarity, if Mrs. Duca was saying that the City did not want to take the street over, explaining that he thought that she was saying that if the City were to do it, these would be the steps that the City would have to take. In response, Mrs. Duca stated that she was not saying that the City did not want to do it, she was just trying to clarify that there are no actual deeds for the right-of-way.

Mr. Anderson moved to recommend referring the matter to staff to find more information on the ownership of the street, seconded by Mr. Sudler.

Mr. Hare noted that this was not City property and the people who live around it are not in the City. He indicated that he was at a loss as to why the City would proceed, explaining that he could find a lot of properties that are outside of the City that the City could also research and possibly work on. Mr. Hare asked if the people who live around the property wanted to be annexed into the City and pay City taxes, etc., if the City proceeds. He stated that he felt that the County should be doing something, not the City, since it is not City property.

Mr. Sudler stated that he thought the motion was just a point on information so that members would be able to make an educated decision, explaining that it was his understanding that the City did not currently know who owns the property. He noted that although it appeared that the City does not own the property or have any responsibility, he thought that out of a genuine consideration for their Dover constituent, members could at least find out who owns it and possibly even send a letter, or partner with the constituent to send a letter, to the County or State asking for financial assistance or for them to make the proper repairs to bring the street up to code. Mr. Sudler stated that this was the same street that a lady was recently killed on, noting that it is dark and a safety issue. He expressed his opinion that this matter was beyond just dollars and was about public safety in the community and for the constituents of Dover.

Mr. Slavin indicated that he thought that staff had done due diligence in collecting the information and that, based on that research, a legal opinion was now needed to advise members regarding ownership and what the City's legal options are in regard to this matter. He stated that he thought that it was time to escalate this matter and send it to legal counsel for an opinion.

Mr. Anderson, referring to his motion to recommend referring the matter to staff to find more information on the ownership of the street, advised members that he meant staff in the broadest sense and most appropriate level, which would include the City's legal counsel. He indicated that referring it to legal counsel may be the next step; however, he would leave that decision to staff's professional discretion.

Mr. Neil asked that a fiscal note be provided regarding what it will cost to do this research, explaining that he thought members owed it to the taxpayers to find out. Responding, Mrs. Donna Mitchell, Acting City Manager, stated that she would have to find out how long it would take to do the research to be able to explain how much it would cost. Mr. Neil stated his understanding that it would not only take normal staff time, but professional time to complete this research. In response, Mrs. Mitchell stated that Mr. Neil was correct and that staff would have to talk to Deputy City Solicitor William Pepper to determine whether he would have to have staff research it as well. She explained that City staff had done some research but might need his help.

Mr. Cole asked Mr. Anderson and Mr. Sudler if they would be amenable to withdrawing the motion to recommend referring the matter to staff to find more information on the ownership of the street, and instead ask for a legal opinion to be provided at the next Utility Committee meeting. Responding, Mr. Sudler stated that he would be willing to rescind his second to the motion because he was in agreement with getting a legal opinion, as recommended by Mr. Cole. Mr. Anderson stated that he did not really think that the motion was being changed; however, if members wanted to change the wording, he was okay with it because the result of the motions would be the same.

The motion to recommend referring the matter to staff to find more information on the ownership of the street was withdrawn.

The Committee recommended that a legal opinion regarding the ownership of Conwell Street and the City's legal options in regard to this matter be provided at the next Utility Committee meeting.

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

Annual Review and Approval of Governing Policy For Energy Commodity Risk Management

Mrs. Donna Mitchell, Acting City Manager, reviewed the proposed amendments to the Governing Policy for Energy Commodity Risk Management. Referring to page 8, she advised that the proposed amendments would provide the Utility Director and Controller with oversight rather than responsibility, which would provide everyone an equal say to agree on what changes are made and what transactions are entered into. In reference to the proposed amendments regarding delegation of authority on page 13, Mrs. Mitchell noted that the proposed change would not allow the Executive Risk Management Committee (ERMC) to delegate its approval authority limits to individuals authorized to commit Dover to financial obligations, because they did not want non-Dover people committing the City. Referring to Appendix C on pages 26-27, she advised members that the Business Risks Topology table on page 26 was meant to be struck through because it is proposed to be removed and replaced with

the table on page 27. Mrs. Mitchell explained that the proposed change to the table related to the regulatory risk, where it was proposed to put the initials for the regulatory agencies rather than the description.

Staff recommended approval of the proposed amendments.

The Committee recommended approval of the proposed amendments to the Governing Policy for Energy Commodity Risk Management, including the new table, as recommended by staff.

By consent agenda, Mr. Neil moved for approval of the proposed amendments to the Governing Policy for Energy Commodity Risk Management, including the new table (Exhibit #3). The motion was seconded by Mr. Anderson and carried by a unanimous roll call vote (Hare and Lewis absent).

Review of Customer Service Department Shut-Off Procedures (2017 Budget Review - Hare)

Mr. Kirby Hudson, Assistant City Manager, encouraged members to review the City Manager's Monthly Report for June 2017, which was accepted by City Council during their Regular Meeting of August 14, 2017, explaining that it included charts depicting the milestones and accomplishments of the Customer Service Department that he thought members would be pretty happy about. He advised members that, through the utilization of existing policies, the Customer Service Department had been able to reduce the average overall number of daily disconnects from a high of 112 to a low of 50 disconnects per day, noting that people are now starting to pay their bills on time. Mr. Hudson stated that, as part of their research, staff contacted all of the utility companies operating in Delaware and found that the 21-day due date for people to pay their bill was pretty much an industry standard.

Mr. Hudson reviewed the Customer Service Department procedure for service disconnection due to non-payment. He explained that everyone gets 21 days to pay their bill and then it takes approximately five (5) days, after the 21st day, before the City disconnects for non-payment. Mr. Hudson noted that this is also around the same time that the second bill is getting generated, so although the individual or family is not two (2) months in arrears, the second bill is getting ready to be sent out, so in a technical sense you could almost say that they are two (2) months behind; however, it is not a full 30 or 60 days. He noted that the billing dates can change for an individual, based on weekends and holidays; however, they still get 21 days to pay.

Mr. Hudson advised that Customer Service Department staff who maintain and oversee the disconnection list review it daily for different types of things, such as if it includes any large businesses, or individuals with medical apparatus. He stated that the City does not want to disconnect large businesses, such as Playtex or Edgewell, who tend to pay their bills late, noting that their billing departments may be located out of State, so by the time the check arrives, it could be late. Mr. Hudson informed

members that when staff notices these types of things on the list, they will make phone calls.

Mr. Hudson stated that the list includes codes which indicate if an individual has a history of bouncing checks, which is something else that staff looks for. He noted that staff really tries to do their best and has to perfect this process. Mr. Hudson advised members that staff tries to see if there are individuals on the list who are first-timers or are not usually late with their payments; however, he explained that the list is approximately 50 pages long and there are about eight (8) different screens that they have to go through for each account and staff is trying to do this expeditiously, so they may miss one occasionally. He noted that the City's current software is unable to indicate whether a person is not usually late with their payments or if they have a good record; however, the new ERP system should be able to indicate these types of things.

Mr. Hudson stated that complaints had decreased tremendously, and people were paying their bills. He indicated that, for those individuals who typically pay on time, as well as businesses, who are on the disconnection list, the City's meter technicians will place door hangers first thing in the morning to provide notice that they will be back around 1:00 p.m. or 2:00 p.m. to disconnect and that they should contact the Customer Service Department immediately. Mr. Hudson stated that the City also makes payment arrangements when individuals contact the Department prior to being disconnected. He noted that the City also has an autopay option and will accommodate the elderly, senior citizens, and other individuals who are on a fixed income or get their money at a particular time during the month, if they sign up for autopay.

Mr. Slavin noted that the implementation of this disconnection policy had caused some problems; however, he believed they had leveled out. He thanked the Customer Service Department team, noting that he goes in Weyandt Hall from time to time to either pay a bill or just poke his head in and see what's going on, and had only observed professional, courteous, helpful service. Mr. Slavin stated that he thought that the Customer Service team was one of the leaders in city government when it comes to service because they certainly face some difficult situations and they do it with poise and integrity, which he appreciates.

Mr. Slavin reminded members that Council originally made this change because the City was carrying approximately $1M in back utility bills. He noted that electricity is different than phone or cable television service, for which you are billed in advance of the next 30 days you are about to use, because electricity is billed for the 30 days that you already used. Mr. Slavin explained that the City originally began at 30 days and then changed to 60 days which pushed the disconnection out to between 75 and 90 days, and it became onerous to chase down. He stated that the City was spending more money chasing down collections, so it was decided to change the process.

Mr. Slavin indicated that, in implementing the new process, one (1) of the goals was to drive people to automatic payment. He asked if there had been an increase in the number of accounts using automatic payment since the implementation of the new process. Responding, Mr. Hudson, referring to page 3 of the City Manager's Monthly Report for June 2017, stated that the City had more people signing up for bank draft every month except June and July. He advised that he did not know why the numbers were down in June and July. Mr. Sudler noted that the numbers may have been down in June and July due to the fact that a lot of people were on vacation. Responding, Mr. Hudson stated that it would be interesting to see how the trend moves forward into the next set of holidays at the end of the year.

In response to Mr. Hare, Ms. Patricia Marney, Customer Service Director, advised that the City currently had approximately 20,000 residential accounts, 50 disconnections per day, 1,500 disconnections per month, and 18,000 per year. She stated that the City had approximately 24,000 total customers that are billed for electricity each month.

Mr. Slavin stated that he thought that some of things that Council wanted to achieve had been achieved. As an example, he shared that he had received a call from the Customer Service Department regarding a constituent in his area who was on the disconnect list and staff noticed that it was an anomaly. Mr. Slavin explained that it took a series of phone calls, emails, and Facebook messages to find out where the individual was; however, it ended up that the customer was simply confused because they had two (2) different accounts and were paying the bills to the wrong account number. Mr. Slavin stated that he appreciated that the City did not just disconnect the customer indiscriminately and everyone worked that issue until it was resolved.

Mr. Hudson reminded members that staff was working on getting a new ERP system for the City and he was delighted that the new system would offer automated calling, texting, and emailing. He stated that with this new system, as long as the City has phone numbers and email addresses for each customer, it would be virtually impossible for a customer to say that they did not know their bill was due.

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

Evaluation of Proposals - Banking and Merchant Services

Ms. Lori Peddicord, Acting Controller/Treasurer, advised that the City had solicited proposals for banking and merchant services, and received three (3) proposals. She stated that the proposals were evaluated and scored on several factors, including quality, reputation, location of branches, ability to meet the City's Cash Management requirements, completeness of the proposal, record of performance, technology, future enhancements, government banking experience and the qualifications of the team assigned to the City of Dover. Ms. Peddicord informed members that the Request for Proposals (RFP) required each bank to submit their current audited financial statement including footnotes and the auditor's opinion, as well as their current Securities and Exchange Commission Form 10K or Form 10Q. She indicated

that the submission and review of these statements are imperative to the City of Dover's due diligence to ensure the security of the City's assets. Ms. Peddicord noted that the RFP also requested a copy of each bank's 'SAS' 70, which is prepared by independent auditors and attests to the banks internal controls in regards to their online banking tools which will be utilized by the City of Dover. She explained that this last piece of due diligence ensures the City of Dover's funds are safeguarded while being transferred using the banks online software.

Ms. Peddicord advised that the estimated combined cost for the services for banking and merchant services, not to include either a earnings credit rating or an interest on balances, were $270,798 for PNC; $302,706 for Wells Fargo; and $249,625 for WSFS. She stated that the City currently had business relations with the recommended bank and merchant provider. Ms. Peddicord informed members that staff was looking to contract the banking services for a five-year contract period; however the contract term for the merchant services would be on an annual basis. She stated that the annual contract term for merchant services was due to the new ERP system the City would be bringing in and other changes that would be occurring. Ms. Peddicord noted that the contract terms had already been discussed with the proposers, and all of the vendors were in agreement that it would be okay.

Staff recommended awarding the City's banking services to WSFS Bank and merchant services contract to TSYS.

The Committee recommended awarding the City's banking services to WSFS Bank and merchant services contract to TSYS, as recommended by staff.

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

Accessibility Evaluation Report

Mrs. Donna Mitchell, Acting City Manager, advised members that an Accessibility Evaluation was conducted by Wilson James Associates, Inc. this past April, explaining that the purpose of the evaluation was to identify all elements and spaces that are required to be in compliance with the Americans with Disabilities Act (ADA) and building code standards. She noted that many areas were found to be in compliance and the report only included those items requiring remedial action. Mrs. Mitchell referred to the summary of the major points of the Accessibility Evaluation Report, noting that staff planned to make as many of the improvements as possible within the budget this fiscal year, including the on-street parking signage, the existing doorknobs, and those types of small items. She stated that what could not be done in this fiscal year within the budget, would be programmed into next fiscal year's budget, which would most likely include the toilet rooms off the hallway that need major renovation and the drinking fountain.

Staff recommended making minor improvements in the current year and budgeting for major improvements in FY19.

The Committee recommended making minor improvements in the current year and budgeting for major improvements in FY19, as recommended by staff.

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

Proposed Ordinance #2017-12 Amending Appendix B - Zoning, Article 5 - Supplementary Regulations, and Article 6 - Off-Street Parking, Driveways and Loading Facilities (Sponsors: Hare and Slavin)

Mr. David Hugg, Acting Director of Planning and Community Development, reviewed Proposed Ordinance #2017-12, which would update sections of Articles 5 and 6 of the Zoning Ordinance in order to enhance the flexibility of the Code in several areas, including dumpster, screening and buffer, tree planting, and curbing requirements, as well as add requirements for recycling to Article 5, Section 6 and rewrite Article 5, Section 18 to allow the City to require multi-use path instead of frontage sidewalk under specific circumstances. He informed members that this was the first of a series of zoning and other Code amendments that would be brought forward as a result of recent staff meetings with the development community. Mr. Hugg noted that they had been reviewing the ordinance to find places where it was not clear and make the language easier to follow, address some of the complaints from the development community, and remove language that is no longer relevant. He stated that this is an ongoing initiative and staff would be bringing forward two (2) additional ordinance amendments next month, one (1) regarding adult daycare, and the other dealing with issues with the manufactured home ordinance, which he and Mr. Neil have been working on. In addition, Mr. Hugg advised members that he was working with Mr. Polce on an accelerated site plan review process or rocket docket, noting that he was unsure whether it would be coming forward for consideration in the form of a policy document, a Code change, or both.

Staff recommended adoption of Proposed Ordinance #2017-12.

Mr. Slavin thanked Mr. Hugg and his staff for developing Proposed Ordinance #2017-12. He advised members that this series of ordinances would be part of the new philosophy of find it, fix it, explaining that as things are found that simply do not pass the common sense test, they are being fixed.

Mr. Hare stated that he thought there would also be a proposed ordinance coming forward in regard to reducing the number of notices sent regarding a violation from five (5) to three (3). In response, Mr. Hugg stated that staff would be changing policy and proposing Code amendments in regard to the way the City does code enforcement, as well as the vacant building ordinance to eliminate things that are not

effective in terms of regulating vacant buildings. He noted that the process needs to be accelerated for people who are not willing to take care of their properties.

The Committee recommended adoption of Proposed Ordinance #2017-12, as recommended by staff.

By consent agenda, Mr. Neil moved for approval of the Committee's recommendation. The motion was seconded by Mr. Anderson and carried by a unanimous roll call vote (Hare and Lewis absent). (The First Reading of the ordinance will take place during the latter part of the meeting).

Proposed Amendment to Committees, Commissions, and Boards Appointment Process

Mr. Slavin proposed that, in deference to the fact that this item was originally introduced at Mr. Lewis' request and he was unable to attend the meeting and Mr. Polce and Mr. Lindell had worked on a compromise, the Committee allow Mr. Polce to explain the compromise and it be forwarded to Council without a recommendation. He explained that by proceeding in this way, when Mr. Lewis and Mr. Lindell return, Council will have the discussion from the Committee to consider and no time will be lost.

Mr. Polce indicated that, as a result of the conversation during the Regular Council meeting of July 24, 2017 regarding 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. Lindell and Mr. Lewis discussed that the right path forward would probably be looking at the application process and determining if a curriculum vitae (CV) or resume is required. Mr. Polce noted that based on the fact that an individual was previously serving, that information and documentation on record would be sufficient; however, if it is a new applicant, the individual would then have to comply with the elongated application that was previously approved. He stated that he thought both Mr. Lewis and Mr. Lindell were in agreement with this; however, he noted that neither was present.

Mr. Polce moved to send this matter to Council with no recommendation, seconded by Mr. Neil.

Mr. Anderson noted that he thought that there was always room to look for improvement. He stated that he believed that there should be a period of time when the applications are signed off on, explaining that they should be checked for new information. Mr. Anderson explained that if members do not regularly check to see if something has changed, there could be conflicts of interest that have arisen and not been asked about, and someone may not have thought to inform the City about them. He noted that just because someone has served on a committee for 10 years does not mean that things have not changed. Mr. Anderson stated that he did not think that the applications needed to be reviewed every year and that it should be simple,

explaining that if someone has an application on file, they should be able to review it and, if nothing has changed, sign it and say it's good. He indicated that he did not think a big process was needed but that the applications should be checked.

Mr. Sudler stated that, as a suggestion for the future, when members do ordinances or want to make changes, that there is some statistical data stating that something is not working rather than a few people saying it is not working. He stated that he thought it would behoove members to have some tangible data to support changes of ordinances in the future.

Mayor Christiansen commended the gentlemen for coming up with a compromise. He explained that it was very frustrating to find people who are interested in serving on committees, as many of the chairmen and the Council President were aware, and a number of people who had served the City for a great length of time had refused to go through the application process because they believe that their service to the City had been a proven fact. Mayor Christiansen advised members that for many of the appointees whom he has reappointed or intends to reappoint to the Planning Commission, Board of Adjustment and other bodies, he had attended meetings to see if they are performing to the expectations of himself, Council and, particularly, the citizens they all serve. He stated that he agreed with Mr. Anderson that members need to always be aware of conflicts of interest; however, he indicated that he thought that the application process was an insult to people who have served with exemplary service. He stated that he appreciated the compromise and concurred with the fact that any new applicant who has not previously served on any committees should fill out an application for the perusal, advice, and consent of Council.

Mr. Hare informed members that he would not be at the Regular Council meeting scheduled for August 28, 2017. He stated that he thought that any new applicant should fill out an application, and that anyone who was being considered for reappointment, such as Dr. Stewart or Mr. Shevock, should be asked if anything has changed and if they say no, then they are good. Mr. Hare noted that most of the appointees are professionals and they know if something comes up that is a conflict, they will abstain, just like Council members do. He explained that he did not think that individuals would know if there is going to be a conflict when it is time for their reappointment, and that simply having them sign off on an application to say nothing had changed would be okay.

Mr. Sudler indicated that he thought, in the best interest of the City, that the application needed to be on file. He stated that he appreciated the longevity of individuals serving, noting that he had longevity of service in many capacities; however, he noted that they are human and sometimes they forget. Mr. Sudler indicated that he thought that this was about protecting the City and that members cannot leave loopholes which would allow the City to be sued. He explained that, for the best interest of the City of Dover and the 38,000 that members serve, he thought it would behoove them to have something in writing. Mr. Sudler noted that he did not think that a simple five (5) to 10 minute update would be unbearable or

cause excruciating pain to where individuals could not spend that time and look at it as a precautionary measure to make sure that the City is safe and free from any lawsuits.

Mr. Anderson stated that he agreed with Mr. Sudler. He noted that when he had reviewed some of the proposed appointments, there was not even an old application and he had a problem with the idea of only new applicants completing the application. Mr. Anderson explained that he thought that all applicants should have at least one of the new applications on file, so that members can see the information which they are seeking today, not the information from 15 years ago. He stated that no one on Council really has a complete view of the qualifications of the people they are voting to appoint, which was the reason why Council voted to put that system in, in the first place. Mr. Anderson stated that he thought that it was the correct decision then and it is the correct decision now.

Mr. Hare stated that he agreed that everyone should have an application on file. He noted, however, that a reappointee, such as Mr. Shevock, should be asked if the information on his application has changed and, if it nothing has changed, that should be okay. Mr. Hare stated that he did not think that members needed to make it a drawn out process.

The motion to send this matter to Council with no recommendation was unanimously carried.

Noting the absence of Mr. Hare and Mr. Lewis, Mr. Lindell moved to postpone the Proposed Amendment to Committees, Commissions, and Boards Appointment Process. The motion was seconded by Mr. Anderson and unanimously carried.

Mr. Anderson moved for acceptance of the Council Committee of the Whole Report, seconded by Mr. Neil and unanimously carried (Hare and Lewis absent).

EVALUATION OF BIDS - TELEPHONE SYSTEM UPGRADE

The City of Dover completed a telephone system upgrade in 2012. The telephone system consists of three separate servers, each providing different functions. The Call Manager server provides the basic functions of the telephone system (making and receiving calls, forwarding, conferencing, etc.). The Contact Center server allows Customer Service to queue and answer calls. It also gives the Supervisors reporting and analysis functionality. Lastly, the Unity Connection server is the voicemail server. Since the upgrade, a multi-year maintenance agreement was purchased to provide support for the hardware (three servers), the software, and appropriate licensing. The maintenance agreement expires on August 31, 2017. While requesting pricing information to extend the maintenance agreement, it was learned that the vendor, Cisco, will not support the current hardware or software past August 31, 2017.

Staff recommended approval of the telephone system upgrade and awarding the work to MTM Technologies for $48,566.47.

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

APPOINTMENT OF DELAWARE MUNICIPAL ELECTRIC CORPORATION (DEMEC) ALTERNATE DIRECTOR (LORI PEDDICORD, ACTING CONTROLLER/TREASURER)

By consent agenda, Mr. Neil moved to appoint Ms. Lori Peddicord to serve as Delaware Municipal Electric Corporation (DEMEC) Alternate Director. The motion was seconded by Mr. Anderson and carried by a unanimous roll call vote (Hare and Lewis absent).

FIRST READING - PROPOSED ORDINANCE #2017-12

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. Since the ordinances are amendments to the Zoning Code, a public hearing is required. Staff recommended referral of the amendments to the Planning Commission on September 18, 2017 and that a public hearing be set for the Council Meeting of October 9, 2017 at 7:30 p.m., at which time final action by Council will take place.

Mr. Neil moved to refer the amendments and set a public hearing before City Council for October 9, 2017 at 7:30 p.m., as recommended by staff. The motion was seconded by Mr. Anderson and unanimously carried.

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

> PROPOSED ORDINANCE #2017-12 AMENDING APPENDIX B - ZONING, ARTICLE 5 - SUPPLEMENTARY REGULATIONS, AND ARTICLE 6 - OFF-STREET PARKING, DRIVEWAYS AND LOADING FACILITIES
>
> (LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE)

ACTING CITY MANAGER'S ANNOUNCEMENTS

Mrs. Donna Mitchell, Acting City Manager, thanked the City staff, the Library staff, the Public Works staff, the Police Department, the volunteers and everybody else that was involved in the Comic Con event. She noted that they put a lot of hard work into the event and it was very successful.

Mrs. Mitchell advised that Street Program work is in progress at Wyoming Avenue and Lincoln Street will follow once Wyoming Avenue is completed. She noted that the Lincoln Street Sanitary Sewer repairs are anticipated to start on September 1, 2017. Mrs. Mitchell stated that the Silver Lake Dam Unit's preconstruction meeting is scheduled for later in the week and there will be a drawdown in October. She advised that the water system flushing will start in October, as well as the leaf collection.

COUNCIL MEMBERS' ANNOUNCEMENTS

Council President Slavin wished Mayor Christiansen a happy birthday on September 4, 2017.

Mr. Anderson thanked the members of Council for their move to ensure that the regulations on businesses are modernized.

Mr. Anderson advised that, sometime in the near future, the Fourth District would be doing a business tour with some of the City Staff to hear concerns that have been expressed to them.

In Councilman Lewis' absence, and at his request, Mr. Anderson read, in part, a statement provided by Councilman Lewis, as follows:

> "I believe it is important that the following statement be read into the record since I am not in attendance at this evenings council meeting and would like for the people that I represent to be aware of the reason for my recent absence."
>
> As the president mentioned, "Last week my mom passed away to meet her creator and today I am finishing the final arrangements for her journey home. The last couple of weeks have been very sad and difficult for my family and I. I had to leave the state of Delaware and travel to Florida where my mom resided. She became ill and was placed on a ventilator, then Hospice care. I would hope that everyone understands family comes first, and again, it's a very sad time for me.
>
> So everyone is aware, on Thursday, August 10th, I notified Council President Slavin and copied City Solicitor Rodriguez of my mother's illness. I asked Council President Slavin if I could be excused from the August 14, 2017 Council meeting and this evening's regular Council meeting, for I knew I would be out of town and didn't want any problems for missing the meetings. Council President Slavin responded in an email with "no problem" and said my family and I would be in his thoughts and prayers, which I sincerely appreciated.
>
> While down in Florida caring for my mom at her bedside, I had my cell phone on me at all times and randomly checked my e-mails and text messages on my phone. I received emails from Councilman Slavin inquiring how I was doing and received text messages from Councilmen Sudler and Anderson asking the same.
>
> During my absence from Delaware, I received no communication from Mr. Christiansen or Mr. Lindell pertaining to the evening's agenda item Proposed Amendment to Committees, Commissions and Boards Appointment Process." And he was forwarded a message about the article in the Delaware State News where it was said "he doesn't seem to be anywhere to get ahold of," referring to him in a newspaper article. Basically, he thinks that, he said he checked, and he certainly would have responded to a text or email message from Mr. Lindell or the mayor, "If they reached out to me like in the past." He reviewed his phone messages, even junk mail, and found no such record regarding the agenda item. And, we did defer the agenda item, so that's appreciated. And there will be more to be said about that.
>
> He says, "I personally believe that the current process that was previously voted on by a unanimous vote be left in place. I believe this issue has been politicized by the

> Mayor and have not seen any documented complaints since the process was implemented back in October, 2016. The only comment I have heard was from the Mayor indicating one of his Fourth of July Committee appointees declined to fill out an updated application for whatever reason. On another note, to my recollection, when this process was put in place, there was no objection by the Mayor or anyone else. Why now?"

Mr. Anderson asked that the e-mail, in its entirety, be made a part of the record **(Exhibit #4)**.

Mr. Neil stated that he concurred with the Acting City Manager's remarks about Comic Con, noting that he attended and it was a marvelous program that continues to bring people into the City. He noted that Thunder Over Dover was an extraordinary event that brought thousands of people to Dover and the personnel at Dover Air Force Base could not have been better representatives of the service people in our country.

Mr. Lindell advised that, if he had known that Mr. Lewis' mother was sick, which he did not know until he received the email advising that she had passed away, he would definitely have moved to change the agenda back on August 10th, or made an outreach. He noted that he had been blocked on Facebook, which makes it hard to reach out and make contact. Mr. Lindell advised that he lost his mom in May, and that August 28th was her birthday. He stated that anyone knows that he is not going to be callous when it comes to these things; however, it is hard to communicate when the other person does not want to communicate.

Mr. Lindell advised that, over the weekend, he and his family attended Whatcoat United Methodist Church's Community Day and the hospitality and service were great and his daughter had a great time. He stated that he was definitely looking forward to going back next year for the same event.

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

Meeting adjourned at 7:55 p.m.

TRACI A. McDOWELL
CITY CLERK

All ordinances, resolutions, motions, and orders adopted by City Council during their Regular Meeting of August 28, 2017, are hereby approved.

ROBIN R. CHRISTIANSEN
MAYOR

/TM
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Exhibits
Exhibit #1 - Property Information Provided by Sue Harris
Exhibit #2 - Affirmatively Further Fair Housing in Delaware Provided by Sue Harris
Exhibit #3 - Governing Policy for Energy Commodity Risk Management
Exhibit #4 - E-Mail from Councilman Brian Lewis dated August 28, 2017

City of Dover
Property Tax
Account History

			FY 2016	FY 2017	
231 N Queen Street	08/17/15		$14933.26		
14 S Queen St	08/17/15		$16210.00		
67 S Queen St	10/14/15		$7500.00		
45 S Queen St	10/14/15		$7500.00		
24 N New St	10/13/15		$10500.00		
27 N New St	10/14/15		$7500.00		
101 S Queen ST	10/14/15		$7500.00		
212 N Gov Ave	11/02/2015		28805.96		
325 N New St	08/16/2016			$17583.19	
	08/22/2016			$33672.82	
1128 Forrest AVE	02/24/2016		$6149.10		
	10/12/2016			$25084.86	
1126 Forrest Ave	02/24/16		$5130.92		
	10/12/2016			$1187.61	
1124 Forrest Ave	02/24/2016		$1972.12		
	10/12/2016			$19160.49	
	10/13/2016			$16164.19	
			$113701.4	$112853.20	$226554.50

City of Dover eGov Portal

Property Tax

Billing

Account History Inquiry

Account ID	8178
Tax Map Number	ED-05-076.08-02-380.000-000
Address	231 N QUEEN ST
Owner name	NATIONAL COUNCIL ON AG LIFE &

Add to My Properties

No Payment Due

Account Summary

Pending	$ 0.00
Taxes	$ 0.00
Penalty	$ 0.00
Total Due	**$ 0.00**

* Balance as of end of last business day

If you have any questions, call Customer Service at (302) 736-7035
Click on a payment or bill to view more details

Date	Type	Year	Period	Amount
7/17/17	Payment			$ 55.89 -
8/02/16	Payment			$ 572.30 -
8/02/16	Payment			$ 572.30 -
8/02/16	Payment			$ 572.30 -
8/02/16	Payment			$ 572.30 -
8/07/15	Payment			$14,933.26 -
8/07/15	Payment			$14,933.26 -
8/07/15	Payment			$14,933.26 -
8/07/15	Payment			$14,933.26 -
8/07/15	Payment			$14,933.26 -
8/07/15	Payment			$14,933.26 -
7/05/12	Payment			$ 237.14 -
4/25/12	Payment			$ 582.59 -
4/25/12	Payment			$ 582.59 -
4/25/12	Payment			$ 582.59 -
8/31/10	Payment			$ 269.00 -
6/30/09	Payment			$ 269.50 -
6/12/08	Payment			$ 269.50 -
6/06/07	Payment			$ 269.50 -
10/27/05	Payment			$ 238.27 -
7/29/04	Payment			$ 167.28 -
7/31/03	Payment			$ 167.28 -
7/29/02	Payment			$ 167.14 -
7/25/01	Payment			$ 126.04 -
7/13/00	Payment			$ 126.04 -
7/30/99	Payment			$ 126.04 -
7/23/98	Payment			$ 126.04 -

Search Results | New Search

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Dover, DE : Assessor Database

Property Search:

Parcel ID:	Owner 1 Name:	Street Number:	Street Name:
	national		...

Search Reset

Property Detail:

Parcel ID:	Card:	Street Number:	Street Name:	Zoning:	LUC:	Acres:
ED05-076.08-02-38.00		231	N QUEEN ST	RG-1	RESIDENTIAL VACANT LAND	0.17

Owner Information:

Owner 1 Name: NATIONAL COUNCIL ON AG LIFE &

Owner 2 Name: LABOR RESEARCH FUND INC

Valuation:

Appraised Land:	$13,800.00
Appraised Bldg:	$0.00
Total:	$13,800.00

Property Images:

Picture:



Sketch:

There is no sketch available.

Sales History:

Book:	Page:	Sale Date:	Price:	Validity:	Sale Typ
I&S 26	008	09/28/2012		T	2
VL-8188	114	07/18/2016		T	2
VL-7753	110	08/04/2015	20,000	L	2

Home Login Pay Utility & Tax Bills Property Taxes Help & Support

City of Dover eGov Portal

Property Tax Lookup

Billing Sign up here

Account History Inquiry

Account ID	11350
Tax Map Number	ED-05-076.08-06-410.000-000
Address	14 S QUEEN ST
Owner name	NATIONAL COUNCIL ON AG LIFE &

Add to My Properties

No Payment Due

Account Summary

Pending	$ 0.00
Taxes	$ 0.00
Penalty	$ 0.00
Total Due	**$ 0.00**

* Balance as of end of last business day

If you have any questions, call Customer Service at (302) 736-7035
Click on a payment or bill to view more details

Date	Type	Year	Period	Amount
8/17/15	Payment			$16,210.00 -
8/17/15	Payment			$16,210.00 -
10/20/14	Payment			$ 124.63 -
10/20/14	Payment			$ 124.63 -
8/08/14	Payment			$ 25.00 -
2/06/13	Payment			$ 135.87 -
12/05/11	Payment			$ 132.18 -
9/23/10	Payment			$ 129.58 -
9/23/10	Payment			$ 129.58 -
11/04/09	Payment			$ 313.29 -
11/04/09	Payment			$ 313.29 -
9/17/07	Payment			$ 143.10 -
9/28/06	Payment			$ 120.01 -
8/10/05	Payment			$ 285.88 -
8/10/05	Payment			$ 285.88 -
8/10/05	Payment			$ 285.88 -
7/18/03	Payment			$ 124.53 -
8/14/02	Payment			$ 128.02 -
8/14/02	Payment			$ 128.02 -
5/08/02	Payment			$ 107.29 -
7/13/00	Payment			$ 94.53 -
7/27/99	Payment			$ 94.53 -
7/31/98	Payment			$ 94.53 -

Search Results | New Search

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Dover, DE : Assessor Database

Property Search:

Parcel ID:	Owner 1 Name:	Street Number:	Street Name:
			S QUEEN ST

Search Reset

Property Detail:

Parcel ID:	Card:	Street Number:	Street Name:	Zoning:	LUC:	Acres:
ED05-076.08-06-41.00		14	S QUEEN ST	RG-1	EXEMPT VACANT	0.09

Owner Information:

Owner 1 Name: CENTRAL DEL HAB FOR HUMANITY

Owner 2 Name:

Property Images:

Picture:

There is no picture available.

Sketch:

There is no sketch available.

Valuation:

Appraised Land:	$10,400.00
Appraised Bldg:	$0.00
Total:	$10,400.00

Sales History:

Book:	Page:	Sale Date:	Price:	Validity:	Sale Type:
VL-7726	42	07/23/2015	10,600	L	2

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Comments regarding this service should be directed to: tim@bigroomstudios.com

Fri. August 18, 2017 : 11:45 AM : 0.13s : 11mb

Lump payment Dec 2015 Homeowner to City to Habitat to NCALL

Investigation by City staff revealed that Ms. Buchanan is correct and her assessment has been revised in accordance with the correct square footage computation (143.03 square feet of 4" thick concrete and 40.40 square feet of 6" thick concrete). Also, the sidewalk which was damaged by City trucks was paid for by the City and was not assessed to the property owner.

A letter was received from the property owner withdrawing the appeal.

No action by Council was necessary.

917 S. Bradford Street - Roy Powell

An appeal was received from Roy Powell for sidewalk repairs at 917 S. Bradford Street. Mr. Powell was assessed for 132.31 square feet of 4" thick concrete at $3.50 and 30.0 square feet of 6" thick concrete at $3.75 per square foot, for a total of $575.58. Mr. Powell did not appeal the amount of the assessment, but objected to the construction of the new sidewalk which has caused ponding of water on the sidewalk.

Mr. O'Connor stated that City staff has worked with Mr. Powell and the drainage problem has been corrected. Mr. Powell has agreed to pay the assessment for the replacement of sidewalk.

No action by Council was necessary.

PUBLIC HEARING - VIOLATION OF DANGEROUS BUILDING ORDINANCE - 14 S. QUEEN STREET

A public hearing was duly advertised for this time and place to consider a violation of the Dangerous Building ordinance at 14 S. Queen Street, owned by Charles E. Murphy, Sr. The Building Inspector, Mr. DePrima, showed slides depicting the structural deterioration throughout the building including rotted timbers, falling ceilings, broken windows and extensive deterioration. The rear of the structure has windows broken out and vagrants sleeping in and around the structure. It is the Building Inspector's opinion that the structure is a fire hazard. The estimated cost of demolition is $7,500.

Mr. DePrima pointed out that the lien search is incomplete at this time. The City Solicitor recommended that Council move forward with the public hearing and that the lien search could be completed at a later date.

Responding to Mr. Salters, Mr. DePrima stated that rehabilitation costs for the structure would exceed 50% of its value.

Council President Christiansen declared the hearing open.

There was no one present wishing to speak during the public hearing.

Council President Christiansen declared the hearing closed.

Mr. Hutchison expressed his opinion that this information could be helpful in the future.

Mr. Sudler questioned what one (1) of the major issues was that was identified by the African-American business owners in the downtown area in regard to conducting business in the City of Dover, or an issue related to engaging, encouraging, or advocating for individuals of African-American, Hispanic, or minority descent. In response, Dr. Casson advised members that this study was actually focused on the services and programs that were coming out of the City.

Mr. Sudler questioned if a survey could be conducted or if questions could be asked to get current feedback from African-American business owners and minority owners as a whole. Dr. Casson stated that this request went directly to the recommendations of the study in terms of the inclusion plan. He indicated that this would bring the stakeholders to the table to talk about the strategic plan and the focus for addressing some of the needs pertaining to African-American business and workforce development.

Dr. Casson encouraged members to consider the economic inclusion plan, which would include the type of surveys that Mr. Sudler mentioned to gather information and find out why African Americans were or were not being engaged.

Mr. Hare moved to recommend acceptance of the report as presented, seconded by Mr. Sudler and unanimously carried.

Request to Waive Demolition Liens - 27 North New Street and 45, 67, and 101 South Queen Street

Mr. Scott Koenig, City Manager, advised members that the City had been working in the Downtown Development District (DDD) to improve a number of different components in this area and a number of structures had been demolished there over the last few years. Central Delaware Habitat for Humanity, Inc. had offered to purchase four (4) properties from Dr. Joe Burden, Jr. Under the proposal, the liens would be transferred from Dr. Burden to Habitat, and Habitat would then pay the City of Dover $7,500 for each of the four lots (4), for a total of $30,000. The subject properties were 27 North New Street and 45, 67, and 101 South Queen Street. Each of the properties had been encumbered by a demolition lien due to prior dangerous building declarations. A summary of the offer and associated write-off amounts was as follows:

Address	Offer Price	Total City Lien Amount	Write-Off Amount	City's 2015 Assessed Land Value
27 N. New Street	$ 7,500	$ 22,274.97	$ 14,774.97	$ 13,100
45 S. Queen Street	$ 7,500	$ 13,862.18	$ 6,362.18	$ 11,900
67 S. Queen Street	$ 7,500	$ 14,348.46	$ 6,848.46	$ 13,800
101 S. Queen Street	$ 7,500	$ 15,684.02	$ 8,184.02	$ 13,400
Totals	$ 30,000	$ 66,169.63	$ 36,169.63	

Mr. Koenig advised members that, while the write-off would be substantial, the long term benefit of the proposal outweighed the financial impact of this write-off. Mr. Koenig stated that it was staff's strong belief, from an administrative standpoint, that transferring this property would be a good thing for the City of Dover. He noted that the City had preached home ownership in this area and Habitat would virtually guarantee long-term home ownership.

Staff recommended authorizing the properties to be transferred from Dr. Joe Burden, Jr. to Central Delaware Habitat for Humanity without collecting the City's liens against the properties in exchange for a payment of $30,000 from Central Delaware Habitat for Humanity ($7,500 per parcel).

In response to Mr. Shevock regarding whether Dr. Burden owned any other properties in the City, Mr. Koenig stated that Dr. Burden owned a substantial amount of property within the City.

Responding to Mr. Shevock as to whether either the write-off or the total lien amount could be transferred to Dr. Burden's other properties and attached for payment, Mr. Koenig stated his belief that this could not be done. He expressed his opinion, in the larger context of dealing with distressed properties, that this would not be a good precedent to start and was unsure if the City could legally do this. Mr. Koenig stated that staff had talked to Mr. William Pepper, Deputy City Solicitor, about this particular transaction and there was no legal reason that the City could not transfer a lien from one (1) property owner to another and then forgive the lien.

Mr. Koenig advised members that Dr. Burden had been working with staff and had paid all of his FY 15 taxes. He stated his belief that Dr. Burden had paid FY 16 taxes on all but the subject properties; therefore, progress had been made in a number of areas. Mr. Koenig indicated staff's belief that this land transfer would clear the water in some cases and provide a fast forward to home ownership on these four (4) lots. He stated that if the City continued to pursue the liens and forced a tax sale, there would be no guarantee that those purchasing the properties would occupy them, as they could be rentals. Mr. Koenig reiterated, under the proposal, that the City would be virtually guaranteed home ownership.

Mr. Sudler stated that he was glad that Dr. Burden and the City of Dover had reached an understanding and agreement and were working together.

Mr. Sudler moved to recommend approval of Staff's recommendation to authorize the properties to be transferred from Dr. Joe Burden, Jr. to Central Delaware Habitat for Humanity without collecting the City's liens against the properties in exchange for a payment of $30,000 from Central Delaware Habitat for Humanity ($7,500 per parcel). The motion was seconded by Mr. Cole and unanimously carried.

Disposition of City Owned Land – Property Located at 710 and 715 Slaughter Street

Members were informed that the City of Dover acquired properties located at 710 and 715 Slaughter Street at a monition sale due to liens for taxes and demolition expenses. Mr. Scott Koenig, City Manager, stated that these were excess properties, as the City had no use for them and would be better served by the properties being redeveloped and restored as taxable properties.

KENT COUNTY, DELAWARE

555 Bay Road, Dover, Delaware 19901-3615
(302) 744-2300 -- FAX (302) 736-2279

"Serving Kent County With Pride"

PROPERTY INFORMATION

Planning and Building Permits Information

Reference #		ED EAST DOVER HUNDRED		**Card #** 1 **of** 1
Location ID	13869	**Map Number**	2-05-07608-06-4100-00001	
Tax ID	13869	**Deed BVP**	D 7726 0042	
Parcel ID	39361	**Property Code**	X - EXEMPT	

Current Owner
CENTRAL DELAWARE HABITAT FOR,
544 WEBBS LN
DOVER, DE 19904

Property Location S
14 QUEEN ST
DOVER , DE 19901

Zoning RG1 **Acres** .09

Additional Owner

Sub-Division COMEGYS LOTS

Sales History				Liv.Sq.Ft	.0000
Date	**Price**	**Assessment**		**Total Rooms**	
7/29/15	10,600	**Land**	1,900	**Bedrooms**	
0/00/00	0	**Buildings**		**Full Bath**	
		Total	1,900	**Half Bath**	

Base Tax Due	.00	Last Billing Detail	History	Farm Info
Tax Penalty	.00			
Total Tax Bal.	.00			
Sewer Balance	.00	**Sewer Account #**		
Neighborhood #	00214	**Coordinates**		0467487 E 0422470 N
Land Use		**Lot Dimensions**		0000025.00 0000150.00
Living Units		**School District**	18	CAPITOL
Class	Residen	**Fire District**	46	ROBBINS HOSE (DOVER)
Plat Book Pg	00000	**Sewer District**	00	NONE
Topography	Level	**Ambulance District**	46	ROBBINS HOSE (DOVER)
Street or Road	Paved	**Trash District**		
Fronting	Residen	**Light District**		
Improvement	VACANT	**Commissioner Dist**	00	

City of Dover eGov Portal

Property Tax Lookup

eBilling Sign up here

Account History Inquiry

Account ID	2050
Tax Map Number	ED-05-077.09-01-010.000-000
Address	67 S QUEEN ST
Owner name	CENTRAL DEL HAB FOR HUMANITY

Add to My Properties

No Payment Due

Account Summary

Pending	$ 0.00
Taxes	$ 0.00
Penalty	$ 0.00
Total Due	**$ 0.00**

* Balance as of end of last business day

If you have any questions, call Customer Service at (302) 736-7035
Click on a payment or bill to view more details

Date	Type	Year	Period	Amount
10/14/15	Payment			$7,500.00 -
10/14/15	Payment			$7,500.00 -
10/14/15	Payment			$7,500.00 -
2/03/14	Payment			$ 308.83 -
2/03/14	Payment			$ 308.83 -
12/28/12	Payment			$ 291.47 -
3/12/12	Payment			$ 307.97 -
8/31/10	Payment			$ 274.97 -
6/08/10	Payment			$ 9.94 -
2/01/10	Payment			$ 217.95 -
7/31/08	Payment			$ 208.56 -
7/31/07	Payment			$ 208.56 -
9/01/06	Payment			$ 214.82 -
11/30/05	Payment			$ 217.95 -
7/30/04	Payment			$ 174.68 -
8/29/03	Payment			$ 177.30 -
7/31/02	Payment			$ 174.68 -
7/31/01	Payment			$ 127.41 -
9/22/00	Payment			$ 131.23 -
8/31/99	Payment			$ 126.54 -
10/31/98	Payment			$ 130.28 -

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Home Login Pay Utility & Tax Bills Property Taxes Help & Support

City of Dover eGov Portal

Property Tax

eBilling
Sign up here

Account History Inquiry

Account ID	7910
Tax Map Number	ED-05-076.08-05-730.000-000
Address	45 S QUEEN ST
Owner name	THE MILFORD HOUSING DEV CORP

Add to My Properties

No Payment Due

Account Summary

Pending	$ 0.00
Taxes	$ 0.00
Penalty	$ 0.00
Total Due	**$ 0.00**

* Balance as of end of last business day

If you have any questions, call Customer Service at (302) 736-7035
Click on a payment or bill to view more details

Date	Type	Year	Period	Amount
10/14/15	Payment			$7,500.00 -
10/14/15	Payment			$7,500.00 -
10/14/15	Payment			$7,500.00 -
2/03/14	Payment			$ 220.98 -
11/16/12	Payment			$ 211.98 -
12/23/11	Payment			$ 215.17 -
12/23/11	Payment			$ 215.17 -
7/05/11	Payment			$ 3.27 -
9/02/10	Payment			$ 199.98 -
12/31/09	Payment			$ 181.20 -
7/31/08	Payment			$ 170.94 -
7/31/07	Payment			$ 170.94 -
9/01/06	Payment			$ 176.07 -
11/30/05	Payment			$ 178.63 -
7/30/04	Payment			$ 163.58 -
8/29/03	Payment			$ 166.03 -
7/31/02	Payment			$ 163.72 -
11/15/01	Payment			$ 115.77 -
7/10/01	Payment			$ 287.71 -
7/10/01	Payment			$ 287.71 -
12/29/99	Payment			$ 100.00 -
12/29/99	Payment			$ 100.00 -
8/04/99	Payment			$ 50.00 -

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Property Tax Lookup

eBilling Sign up here

Account History Inquiry

Account ID	1734
Tax Map Number	ED-05-076.08-05-180.000-000
Address	24 N NEW ST
Owner name	SAFFIELD,HOWARD T & SUE M

Add to My Properties

No Payment Due

Account Summary

Pending	$ 0.00
Taxes	$ 0.00
Penalty	$ 0.00
Total Due	**$ 0.00**

* Balance as of end of last business day

If you have any questions, call Customer Service at (302) 736-7035
Click on a payment or bill to view more details

Date	Type	Year	Period	Amount
7/28/17	Payment			$ 44.55 -
* 10/13/15	Payment			$10,500.00 -
4/15/13	Payment			$ 228.12 -
3/13/12	Payment			$ 483.38 -
3/13/12	Payment			$ 483.38 -
3/26/10	Payment			$ 222.07 -
2/24/09	Payment			$ 222.07 -
4/09/08	Payment			$ 228.10 -
4/09/07	Payment			$ 477.57 -
4/09/07	Payment			$ 477.57 -
6/30/06	Payment			$ 100.00 -
6/30/06	Payment			$ 100.00 -
5/03/06	Payment			$ 100.00 -
2/14/06	Payment			$ 100.00 -
10/03/03	Payment			$ 226.00 -
3/05/03	Payment			$ 401.00 -
3/05/03	Payment			$ 401.00 -
6/05/02	Payment			$ 25.00 -
8/29/01	Payment			$ 200.00 -
8/29/01	Payment			$ 200.00 -
3/29/00	Payment			$ 66.34 -
9/10/99	Payment			$ 50.00 -
8/24/99	Payment			$ 50.00 -
11/20/98	Payment			$ 166.28 -

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Property Tax Lookup

eBilling Sign up here

Account History Inquiry

Account ID	2132
Tax Map Number	ED-05-076.08-05-360.000-000
Address	27 N NEW ST
Owner name	WESTER,HENRY & LINDA

Add to My Properties

No Payment Due

Account Summary

Pending	$ 0.00
Taxes	$ 0.00
Penalty	$ 0.00
Total Due	**$ 0.00**

* Balance as of end of last business day

If you have any questions, call Customer Service at (302) 736-7035
Click on a payment or bill to view more details

Date	Type	Year	Period	Amount
7/25/17	Payment			$ 53.06 -
10/14/15	Payment			$7,500.00 -
10/14/15	Payment			$7,500.00 -
10/14/15	Payment			$7,500.00 -
2/03/14	Payment			$ 289.87 -
2/03/14	Payment			$ 289.87 -
12/28/12	Payment			$ 273.56 -
3/12/12	Payment			$ 289.05 -
8/31/10	Payment			$ 258.08 -
6/08/10	Payment			$ 9.05 -
2/01/10	Payment			$ 198.29 -
7/31/08	Payment			$ 189.75 -
7/31/07	Payment			$ 189.75 -
9/01/06	Payment			$ 195.44 -
11/30/05	Payment			$ 198.29 -
7/30/04	Payment			$ 180.84 -
8/29/03	Payment			$ 183.55 -
7/31/02	Payment			$ 180.84 -
7/31/01	Payment			$ 138.37 -
9/22/00	Payment			$ 142.52 -
8/31/99	Payment			$ 140.45 -
10/31/98	Payment			$ 144.60 -

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Dover, DE : Assessor Database

Property Search:

Parcel ID:	Owner 1 Name:	Street Number:	Street Name:
			N NEW ST

Search Reset

Property Detail:

Parcel ID:	Card:	Street Number:	Street Name:	Zoning:	LUC:	Acres:
ED05-076.08-05-36.00		27	N NEW ST	RG-1	NON-PROFIT ORGANIZATIONS	0.16

Owner Information:

Owner 1 Name: CENTRAL DEL HAB FOR HUMANITY

Owner 2 Name:

Valuation:

Appraised Land:	$13,100.00
Appraised Bldg:	$0.00
Total:	$13,100.00

Property Images:

Picture:



Sketch:

There is no sketch available.

Sales History:

Book:	Page:	Sale Date:	Price:	Validity:	Sale Typ
WB Q 010	164	11/07/2011		U	2
I&S 026	403	03/25/2015		T	2
VL-7817	310	09/29/2015		K	1

City of Dover eGov Portal





Account History Inquiry

Account ID	2136
Tax Map Number	ED-05-077.09-01-020.000-000
Address	101 S QUEEN ST
Owner name	NATIONAL COUNCIL ON AG LIFE &

Add to My Properties

No Payment Due

Account Summary

Pending	$ 0.00
Taxes	$ 0.00
Penalty	$ 0.00
Total Due	**$ 0.00**

* Balance as of end of last business day

If you have any questions, call Customer Service at (302) 736-7035
Click on a payment or bill to view more details

Date	Type	Year	Period	Amount
10/14/15	Payment			$7,500.00 -
10/14/15	Payment			$7,500.00 -
10/14/15	Payment			$7,500.00 -
2/03/14	Payment			$ 275.48 -
9/25/12	Payment			$ 256.78 -
3/12/12	Payment			$ 279.22 -
8/31/10	Payment			$ 249.30 -
12/31/09	Payment			$ 175.95 -
7/31/08	Payment			$ 165.99 -
7/31/07	Payment			$ 165.99 -
9/01/06	Payment			$ 170.97 -
11/30/05	Payment			$ 173.46 -
7/30/04	Payment			$ 177.55 -
8/29/03	Payment			$ 180.21 -
7/31/02	Payment			$ 177.42 -
7/31/01	Payment			$ 130.84 -
9/22/00	Payment			$ 134.77 -
8/31/99	Payment			$ 132.80 -
10/31/98	Payment			$ 125.27 -

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Dover, DE : Assessor Database

Property Search:

Parcel ID:	Owner 1 Name:	Street Number:	Street Name:
			S QUEEN ST

Search Reset

Property Detail:

Parcel ID:	Card:	Street Number:	Street Name:	Zoning:	LUC:	Acres:
ED05-077.09-01-02.00		101	S QUEEN ST	RG-1	NON-PROFIT ORGANIZATIONS	0.16

Owner Information:

Owner 1 Name: CENTRAL DEL HAB FO HUMANITY

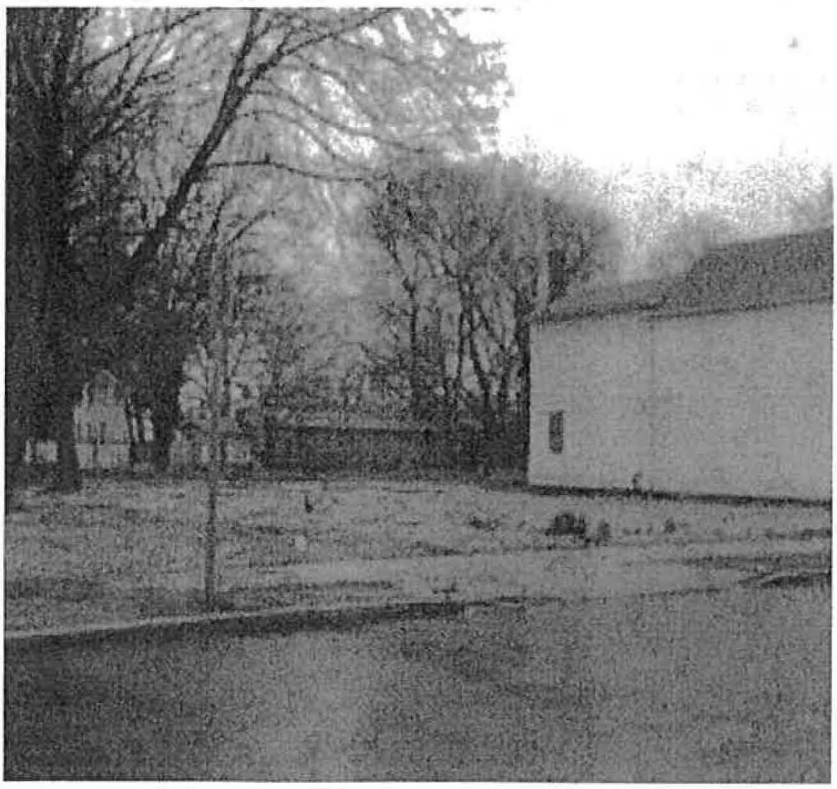
Owner 2 Name:

Valuation:

Appraised Land:	$13,400.00
Appraised Bldg:	$0.00
Total:	$13,400.00

Property Images:

Picture:



Sketch:

There is no sketch available.

Sales History:

Book:	Page:	Sale Date:	Price:	Validity:	Sale Type
WB Q 010	164	11/07/2011		U	2
I&S 026	403	03/25/2015		T	2
VL-7817	304	09/30/2015		K	1

KENT COUNTY, DELAWARE

555 Bay Road, Dover, Delaware 19901-3615
(302) 744-2300 -- FAX (302) 736-2279

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PROPERTY INFORMATION

Planning and Building Permits Information

Reference #		ED EAST DOVER HUNDRED		**Card #** 1 **of** 1
Location ID	17247	**Map Number**	2-05-07709-01-0200-00001	
Tax ID	17247	**Deed BVP**	D 7817 0304	
Parcel ID	39376	**Property Code**	X - EXEMPT	

Current Owner
CENTRAL DELAWARE HABITAT, FOR
544 WEBBS LN
DOVER, DE 19904

Property Location
101 QUEEN ST
DOVER , DE 19904

Zoning RG1

Acres .16

Additional Owner

Sub-Division

Sales History				Liv.Sq.Ft	.0000
Date	**Price**	**Assessment**		**Total Rooms**	
10/08/15	10	**Land**	2,600	**Bedrooms**	
3/25/15	0	**Buildings**		**Full Bath**	
		Total	2,600	**Half Bath**	

Base Tax Due	.00	Last Billing Detail	History	Farm Info
Tax Penalty	.00			
Total Tax Bal.	.00			
Sewer Balance	.00	**Sewer Account #**		
Neighborhood #	00214	**Coordinates**		0467847 E 0421976 N
Land Use		**Lot Dimensions**		0000047.00 0000151.50
Living Units		**School District**	18	CAPITOL
Class	Residen	**Fire District**	46	ROBBINS HOSE (DOVER)
Plat Book Pg	00000	**Sewer District**	00	NONE
Topography	Level	**Ambulance District**	46	ROBBINS HOSE (DOVER)
Street or Road	Paved	**Trash District**		
Fronting	Residen	**Light District**		
Improvement	VACANT	**Commissioner Dist**	00	

City of Dover eGov Portal





Account History Inquiry

Account ID	9464
Tax Map Number	ED-05-076.08-02-770.000-000
Address	212 N GOVERNORS AVE
Owner name	SAMAIN,JUSTIN

Add to My Properties

No Payment Due

Account Summary

Pending	$ 0.00
Taxes	$ 0.00
Penalty	$ 0.00
Total Due	**$ 0.00**

* Balance as of end of last business day

If you have any questions, call Customer Service at (302) 736-7035
Click on a payment or bill to view more details

Date	Type	Year	Period	Amount
7/20/17	Payment			$ 43.74 -
7/18/16	Payment			$ 40.98 -
11/23/15	Payment			$ 2.76 -
11/02/15	Payment			$28,805.96 -
11/02/15	Payment			$28,805.96 -
11/02/15	Payment			$28,805.96 -
11/02/15	Payment			$28,805.96 -
11/02/15	Payment			$28,805.96 -
11/02/15	Payment			$28,805.96 -
11/02/15	Payment			$28,805.96 -
11/02/15	Payment			$28,805.96 -
11/02/15	Payment			$28,805.96 -
11/02/15	Payment			$28,805.96 -
11/02/15	Payment			$28,805.96 -
11/02/15	Payment			$28,805.96 -
11/02/15	Payment			$28,805.96 -
11/02/15	Payment			$28,805.96 -
11/02/15	Payment			$28,805.96 -
11/02/15	Payment			$28,805.96 -
11/02/15	Payment			$28,805.96 -
11/02/15	Payment			$28,805.96 -
11/02/15	Payment			$28,805.96 -
11/02/15	Payment			$28,805.96 -
11/02/15	Payment			$28,805.96 -
11/02/15	Payment			$28,805.96 -
11/02/15	Payment			$28,805.96 -
11/02/15	Payment			$28,805.96 -
7/30/12	Payment			$ 335.77 -
7/27/11	Payment			$ 335.77 -
1/28/11	Payment			$ 11.93 -
10/29/10	Payment			$ 849.52 -
10/29/10	Payment			$ 849.52 -
12/11/08	Payment			$ 457.63 -
6/18/08	Payment			$ 495.94 -
8/17/06	Payment			$ 432.09 -
8/25/05	Payment			$ 425.70 -
7/28/04	Payment			$ 345.24 -
7/23/03	Payment			$ 345.24 -
7/08/02	Payment			$ 345.24 -
7/31/01	Payment			$ 334.97 -
7/31/00	Payment			$ 334.97 -
7/30/99	Payment			$ 334.97 -
7/22/98	Payment			$ 330.86 -

Search Results | New Search

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Dover, DE : Assessor Database

Property Search:

Parcel ID:	Owner 1 Name:	Street Number:	Street Name:
		212	N GOVERNORS AVE

Search Reset

Property Detail:

Parcel ID:	Card:	Street Number:	Street Name:	Zoning:	LUC:	Acres:
ED05-076.08-02-77.00		212	N GOVERNORS AVE	RG-1	RESIDENTIAL VACANT LAND	0.10

Owner Information:

Owner 1 Name: NCALL RESEARCH INC

Owner 2 Name:

Valuation:

Appraised Land:	$10,800.00
Appraised Bldg:	$0.00
Total:	$10,800.00

Property Images:

Picture:

There is no picture available.

Sketch:

There is no sketch available.

Sales History:

Book:	Page:	Sale Date:	Price:	Validity:	Sale Type:
		02/02/2002	115,000	0	2
RE VL-35	226	08/09/2006		S	2
REVL5704	011	01/11/2011		L	2
VL-7840	157	10/20/2015	20,000	L	2

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Fri. August 18, 2017 : 11:49 AM : 0.16s : 11mb

DOVER POST

Neighborhood eyesore at 212 N. Governors Avenue condemned

By Antonio Prado/Dover Post
Posted Oct 2, 2012 at 3:54 PM
Updated Oct 2, 2012 at 4:12 PM

Dover officials continue to target problem properties through the city's dangerous buildings ordinance. The latest to be condemned was 212 N. Governors Avenue.

THE RUNDOWN The owner of 212 N. Governors Ave. has until Oct. 24 to repair or demolish this dilapidated property due to Dover City's Council's recent condemnation of the two story home.

Council ordered the property repaired or demolished under the city's dangerous building ordinance at its Sept. 24 meeting.

The city Department of **Planning & Inspections** had condemned the two story, wood framed, single family as unfit for human habitation on July 20 due to the lack of utilities and the amount of broken windows and unsecured doors, Dover Director of Planning & Community Development Ann Marie Townshend said.

The property is owned by **Deutsche Bank** National Trust Company, she said.

WHAT'S BEING SAID The city has boarded up this property several times, Townshend said. Yet, unknown subjects still entered the dwelling on Aug. 10 and started a fire in the front bedroom of the second floor, causing additional damage to the home, she said.

"Currently, the structure is still vacant, with no active utility services and in serious disrepair," Townshend wrote in her report to council.

Councilman David Bonar asked if the fire damage to the home was structural in nature or just to the interior of the structure. Townshend said there was no structural damage, but the interior damage was substantial.

Councilman Adam Perza asked if the owner had taken any steps to repair the structure. Townshend said no.

Councilman David Anderson asked the requisite question of whether proper notice had been given, and Townshend said several letters from the city to the property owner had been returned.

City Council then voted 8-0 to condemn the property. (Councilwoman Sophia Russell was absent.)

WHAT'S NEXT? The city would order the building inspector to repair or demolish the structure if Deutsche Bank National Trust does not perform repairs or demolition within 10 days of Oct. 24, Townshend said. If the city goes through with demolition or repairs, the city manager and city solicitor would then recoup the costs of such work through a municipal lean on the property or a lawsuit against the property owner, she said.

The cost of demolition is estimated at between $10,000 and $15,000. That money, if needed, would come out the $150,000 budgeted in the 2013 fiscal year budget for all demolitions.

City of Dover eGov Portal

Property Tax Lookup

eBilling Sign up here

Account History Inquiry

Account ID	8766
Tax Map Number	ED-05-067.20-03-120.000-000
Address	325 N NEW ST
Owner name	CENT DE HABITAT FOR HUMANITY

Add to My Properties

No Payment Due

Account Summary

Pending	$ 0.00
Taxes	$ 0.00
Penalty	$ 0.00
Total Due	**$ 0.00**

* Balance as of end of last business day

If you have any questions, call Customer Service at (302) 736-7035
Click on a payment or bill to view more details

Date	Type	Year	Period	Amount
1/11/17	Payment			$ 59.21 -
8/22/16	Payment			$33,672.82 -
8/22/16	Payment			$33,672.82 -
8/22/16	Payment			$33,672.82

City of Dover eGov Portal

Property Tax Lookup

eBilling Sign up here

Account History Inquiry

Account ID	5288
Tax Map Number	ED-05-077.10-01-520.000-000
Address	528 BAY RD
Owner name	LOS PAISAS LLC

Add to My Properties

Pay Bill

Account Summary

Pending	$ 0.00
Taxes	$6,534.14
Penalty	$ 23.01
Total Due	**$6,557.15**

* Balance as of end of last business day

If you have any questions, call Customer Service at (302) 736-7035
Click on a payment or bill to view more details

Date	Type	Year	Period	Amount
8/01/16	Payment			$4,726.87 -
8/01/16	Payment			$4,726.87 -
3/21/16	Payment			$ 131.91 -
10/01/15	Payment			$2,726.87 -
11/24/14	Payment			$ 73.31 -
9/10/14	Payment			$2,384.58 -
9/10/14	Payment			$2,384.58 -
9/24/13	Payment			$2,360.04 -
9/24/13	Payment			$2,360.04 -
9/25/12	Payment			$2,291.30 -
8/16/11	Payment			$2,391.30 -
8/16/11	Payment			$2,391.30 -
12/28/10	Payment			$ 100.00 -
8/25/10	Payment			$2,291.30 -
10/26/09	Payment			$ 21.07 -
9/16/09	Payment			$1,384.02 -
7/29/08	Payment			$1,384.02 -
10/16/07	Payment			$ 42.14 -
9/10/07	Payment			$1,384.02 -
7/31/06	Payment			$1,384.02 -
8/03/05	Payment			$1,384.02 -
7/26/04	Payment			$1,694.55 -
12/15/03	Payment			$1,821.22 -
11/20/03	Payment			$1,796.22 -
10/31/02	Payment			$1,770.95 -
10/02/01	Payment			$1,749.76 -
10/06/00	Payment			$1,775.25 -
8/18/99	Payment			$ 25.48 -
8/13/99	Payment			$1,698.80 -
7/30/98	Payment			$1,698.80 -

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Property Tax lookup

eBilling sign up here

Account History Inquiry

Account ID	6386
Tax Map Number	ED-05-076.11-02-590.000-000
Address	1128 FORREST AVE
Owner name	NISTAZOS HOLDINGS LLC

Add to My Properties

No Payment Due

Account Summary

Pending	$ 0.00
Taxes	$ 0.00
Penalty	$ 0.00
Total Due	**$ 0.00**

* Balance as of end of last business day

If you have any questions, call Customer Service at (302) 736-7035
Click on a payment or bill to view more details

Date	Type	Year	Period	Amount
7/19/17	Payment			$ 337.70 -
10/12/16	Payment			$25,084.86 -
10/12/16	Payment			$25,084.86 -
10/12/16	Payment			$25,084.86 -
10/12/16	Payment			$25,084.86 -
10/12/16	Payment			$25,084.86 -
10/12/16	Payment			$25,084.86 -
10/12/16	Payment			$25,084.86 -
5/18/16	Payment			$ 713.07 -
2/24/16	Payment			$6,149.10 -
2/24/16	Payment			$6,149.10 -
2/24/16	Payment			$6,149.10 -
2/24/16	Payment			$6,149.10 -
2/24/16	Payment			$6,149.10 -
2/24/16	Payment			$6,149.10 -
2/24/16	Payment			$6,149.10 -
2/24/16	Payment			$6,149.10 -
2/24/16	Payment			$6,149.10 -
2/24/16	Payment			$6,149.10 -
2/24/16	Payment			$6,149.10 -
2/24/16	Payment			$6,149.10 -
12/31/14	Payment			$ 658.80 -
1/24/14	Payment			$ 666.67 -
1/25/12	Payment			$1,230.98 -
1/25/12	Payment			$1,230.98 -
10/30/09	Payment			$ 513.25 -
7/30/08	Payment			$ 498.30 -
7/31/07	Payment			$ 498.30 -
7/26/06	Payment			$ 498.30 -
8/26/05	Payment			$ 498.30 -
7/26/04	Payment			$ 628.01 -
7/25/03	Payment			$ 628.01 -
7/30/02	Payment			$ 628.15 -
7/23/01	Payment			$ 339.08 -
7/18/00	Payment			$ 339.08 -
7/26/99	Payment			$ 339.08 -
7/14/98	Payment			$ 339.08 -

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Account History Inquiry

Account ID	60582
Tax Map Number	ED-05-076.11-02-200.001-000
Address	1126 FORREST AVE
Owner name	NISTAZOS HOLDINGS LLC

Add to My Properties

No Payment Due

Account Summary

Pending	$ 0.00
Taxes	$ 0.00
Penalty	$ 0.00
Total Due	**$ 0.00**

* Balance as of end of last business day

If you have any questions, call Customer Service at (302) 736-7035
Click on a payment or bill to view more details

Date	Type	Year	Period	Amount
7/19/17	Payment			$ 113.36 -
10/12/16	Payment			$1,187.61 -
10/12/16	Payment			$1,187.61 -
10/12/16	Payment			$1,187.61 -
5/18/16	Payment			$ 455.04 -
2/24/16	Payment			$5,130.92 -
2/24/16	Payment			$5,130.92 -
2/24/16	Payment			$5,130.92 -
2/24/16	Payment			$5,130.92 -
2/24/16	Payment			$5,130.92 -
2/24/16	Payment			$5,130.92 -
2/24/16	Payment			$5,130.92 -
2/24/16	Payment			$5,130.92 -
2/24/16	Payment			$5,130.92 -
12/31/14	Payment			$ 894.09 -
1/24/14	Payment			$ 904.77 -
1/25/12	Payment			$1,670.63 -
1/25/12	Payment			$1,670.63 -

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Property Tax

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Account History Inquiry

Account ID	6384
Tax Map Number	ED-05-076.11-02-200.000-000
Address	1124 FORREST AVE
Owner name	NISTAZOS HOLDINGS LLC

Add to My Properties

No Payment Due

Account Summary

Pending	$ 0.00
Taxes	$ 0.00
Penalty	$ 0.00
Total Due	**$ 0.00**

* Balance as of end of last business day

If you have any questions, call Customer Service at (302) 736-7035
Click on a payment or bill to view more details

Date	Type	Year	Period	Amount
7/19/17	Payment			$ 119.83 -
10/13/16	Payment			$19,164.19 -
10/13/16	Payment			$19,164.19 -
10/13/16	Payment			$19,164.19 -
10/13/16	Payment			$19,164.19 -
10/12/16	Payment			$19,160.49 -
10/12/16	Payment			$19,160.49 -
10/12/16	Payment			$19,160.49 -
5/18/16	Payment			$ 142.06 -
2/24/16	Payment			$1,972.12 -
2/24/16	Payment			$1,972.12 -
2/24/16	Payment			$1,972.12 -
2/24/16	Payment			$1,972.12 -
2/24/16	Payment			$1,972.12 -
2/24/16	Payment			$1,972.12 -
2/24/16	Payment			$1,972.12 -
1/24/14	Payment			$ 386.11 -
1/25/12	Payment			$ 712.93 -
1/25/12	Payment			$ 712.93 -
10/30/09	Payment			$ 400.06 -
7/30/08	Payment			$ 388.41 -
7/31/07	Payment			$ 388.41 -
7/26/06	Payment			$ 388.41 -
8/26/05	Payment			$ 388.41 -
7/26/04	Payment			$ 348.12 -
7/25/03	Payment			$ 348.12 -
7/30/02	Payment			$ 347.98 -
7/23/01	Payment			$ 321.27 -
7/18/00	Payment			$ 321.27 -
7/26/99	Payment			$ 321.27 -
7/14/98	Payment			$ 321.27 -

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

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

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

WHEREAS, the City of Dover is entitled to $230,289 through the United States Department of Housing and Urban Development Community Development Block Grant program; and **WHEREAS**, the City of Dover has prepared the 2017 Action Plan, in accordance with the United States Department of Housing and Urban Development guidelines, that serve as the primary planning document for identifying and meeting the housing and community development needs for the low and moderate-income residents of Dover; and **WHEREAS**, the City of Dover is in favor of utilizing the Community Development Block Grant funds for the community development purposes in accordance with the National Community Development objectives of benefiting low and moderate income families, eliminating slums and blight, and meeting other community development objectives; and **WHEREAS**, the United States Department of Housing and Urban Development requires the City of Dover to submit a Consolidated Plan and an Action Plan for Application for Federal Assistance including the proposed use of funds and including certain certifications and policies to obtain its $230,289 entitlement; for eligible activities; and **NOW, THEREFORE BE IT RESOLVED THAT THE MAYOR AND COUNCIL OF THE CITY OF DOVER APPROVE THE 2017** Community Development Block Grant Action Plan and application for Federal Assistance included in the Action Plan, along with certifications and policies attached and authorize its forwarding to the United States Department of Housing and Urban Development for consideration.

ADOPTED: JUNE 26, 2017

CITY OF DOVER ORDINANCE # 2017-08

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

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

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

OPERATING REVENUES

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

OPERATING EXPENSES

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

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

ADOPTED: JUNE 26, 2017

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)

OPERATING REVENUES

	2015/2016 ACTUAL	ORIGINAL BUDGET	2016/17 PROJECTED	2017/18 APPROVED	$ DIFFERENCE FY18 VS FY17 BUDGET	% CHANGE
PRIOR YEAR BALANCE CDBG	2,013	2,100	2,100	2,100	-	0.0%
PRIOR YEAR BALANCE NSP	85,277	-	-	-	-	0.0%
CDBG GRANTS RECEIVED	231,161	236,500	279,700	216,700	(19,800)	-8.4%
REVENUE FROM NSP	25,501	-	-	-	-	0.0%
TOTALS	**343,952**	**238,600**	**281,800**	**218,800**	**(19,800)**	**-8.3%**

OPERATING EXPENSES

	2015/2016 ACTUAL	ORIGINAL BUDGET	2016/17 PROJECTED	2017/18 APPROVED	$ DIFFERENCE FY18 VS FY17 BUDGET	% CHANGE
Prior year Closing cost/down payment program	892	-	900	-	-	0.0%
Prior year Ncall Research Inc.	-	-	1,000	-	-	0.0%
Prior year Connection Supp Program	-	-	2,500	-	-	0.0%
Prior year MHDC emergency home repair	-	-	22,300	-	-	0.0%
Prior year Habitat for Humanity	5,500	-	3,000	-	-	0.0%
Prior year Milford housing H/O rehab	-	-	13,400	-	-	0.0%
Current year closing cost/down payment program	59,108	50,000	50,000	60,000	10,000	20.0%
Current year Connection Comm Supp program	4,952	7,200	7,300	3,000	(4,200)	-58.3%
Current year Dover interfaith ministry	27,000	22,000	22,000	24,000	2,000	9.1%
Current year MHDC emergency home repair	12,990	25,000	25,000	25,000	-	0.0%
Current year Habitat for Humanity	37,047	30,000	30,000	21,300	(8,700)	-29.0%
Current year MHDC homeowner rehab.	39,506	55,000	55,000	40,000	(15,000)	-27.3%
Current year Peoples Place	6,722	-	-	-	-	0.0%
Current year admin expense	37,444	47,300	47,300	43,400	(3,900)	-8.2%
NSP program expenditures	95,453	-	-	-	-	0.0%
CURRENT YEAR BALANCE CDBG	2,013	2,100	2,100	2,100	-	0.0%
CURRENT YEAR BALANCE NSP	15,325	-	-	-	-	0.0%
TOTALS	**343,952**	**238,600**	**281,800**	**218,800**	**(19,800)**	**-8.3%**

Mr. Koenig advised members that, while the write-off would be substantial, the long term benefit of the proposal outweighed the financial impact of this write-off. Mr. Koenig stated that it was staff's strong belief, from an administrative standpoint, that transferring this property would be a good thing for the City of Dover. He noted that the City had preached home ownership in this area and Habitat would virtually guarantee long-term home ownership.

Staff recommended authorizing the properties to be transferred from Dr. Joe Burden, Jr. to Central Delaware Habitat for Humanity without collecting the City's liens against the properties in exchange for a payment of $30,000 from Central Delaware Habitat for Humanity ($7,500 per parcel).

In response to Mr. Shevock regarding whether Dr. Burden owned any other properties in the City, Mr. Koenig stated that Dr. Burden owned a substantial amount of property within the City.

Responding to Mr. Shevock as to whether either the write-off or the total lien amount could be transferred to Dr. Burden's other properties and attached for payment, Mr. Koenig stated his belief that this could not be done. He expressed his opinion, in the larger context of dealing with distressed properties, that this would not be a good precedent to start and was unsure if the City could legally do this. Mr. Koenig stated that staff had talked to Mr. William Pepper, Deputy City Solicitor, about this particular transaction and there was no legal reason that the City could not transfer a lien from one (1) property owner to another and then forgive the lien.

Mr. Koenig advised members that Dr. Burden had been working with staff and had paid all of his FY 15 taxes. He stated his belief that Dr. Burden had paid FY 16 taxes on all but the subject properties; therefore, progress had been made in a number of areas. Mr. Koenig indicated staff's belief that this land transfer would clear the water in some cases and provide a fast forward to home ownership on these four (4) lots. He stated that if the City continued to pursue the liens and forced a tax sale, there would be no guarantee that those purchasing the properties would occupy them, as they could be rentals. Mr. Koenig reiterated, under the proposal, that the City would be virtually guaranteed home ownership.

Mr. Sudler stated that he was glad that Dr. Burden and the City of Dover had reached an understanding and agreement and were working together.

Mr. Sudler moved to recommend approval of Staff's recommendation to authorize the properties to be transferred from Dr. Joe Burden, Jr. to Central Delaware Habitat for Humanity without collecting the City's liens against the properties in exchange for a payment of $30,000 from Central Delaware Habitat for Humanity ($7,500 per parcel). The motion was seconded by Mr. Cole and unanimously carried.

Disposition of City Owned Land – Property Located at 710 and 715 Slaughter Street

Members were informed that the City of Dover acquired properties located at 710 and 715 Slaughter Street at a monition sale due to liens for taxes and demolition expenses. Mr. Scott Koenig, City Manager, stated that these were excess properties, as the City had no use for them and would be better served by the properties being redeveloped and restored as taxable properties.

Excerpts from:

Affirmatively Furthering Fair Housing in Delaware

Delaware Housing Coalition

Michael Allen
Relman, Dane & Colfax, PLLC
Georgetown, Delaware

April 4, 2013

"Today's Federal housing official commonly inveighs against the evils of ghetto life even as he pushes buttons that ratify their triumph—even as he OK's public housing sites in the heart of the [African-American] slums, releases planning and urban renewal funds to cities dead-set against integration, and approves the financing of suburban subdivisions from which [African-Americans] will be barred.... "These and similar acts are committed daily by officials who say they are unalterably opposed to segregation, and have the memos to prove it....But when you ask one of these [HUD administrators] why, despite the [fair housing legislation] most public housing is still segregated, he invariably blames it on regional custom, local traditions, personal prejudices of municipal housing officials." --Senator Edward Brooke: 114 Cong. Rec. 2281 [1968]

FHA requires HUD to "administer [housing] programs...in a manner affirmatively to further the policies of [the Fair Housing Act]," including the general policy to "provide, within constitutional limits, for fair housing throughout the United States."
– 42 USC §3608

42 U.S.C. §5304(b)(2): "Any grant under [the CDBG program] shall be made only if the grantee certifies to the satisfaction of the Secretary that ... the grant will be conducted and administered in conformity with the Civil Rights Act of 1964 [42 U.S.C. 2000a et seq.] and the Fair Housing Act [42 U.S.C. 3601 et seq.], and the grantee will affirmatively further fair housing."

Preventing the Increase of Segregation
"...the affirmative duty placed on the Secretary of HUD by § 3608(d)(5)... requires that consideration be given to the impact of proposed public housing programs on the racial concentration in the area in which the proposed housing is
to be built. Action must be taken to fulfill, as much as possible, the goal of open integrated residential housing patterns and to prevent the increase of segregation, in ghettos, of racial groups whose lack of opportunities the
Act was designed to combat." "...every court that has considered the question has held or stated that Title VIII imposes upon HUD an obligation to do more than simply refrain from

discriminating (and from purposely aiding discrimination by others)...This broader goal [of truly open housing] ... reflects the desire to have HUD use its grant programs to assist in ending discrimination and segregation, to the point where the supply of genuinely open housing increases."
– *NAACP v. Sec'y of Housing and Urban Development*,

Westchester Litigation: A
Cautionary Tale
County received $52 million+ in CDBG, HOME, ESG funds from 2000-2006
Receipt of funds required repeated AFFH certifications
Litigation brought under the False Claims Act: AFFH certifications were false because County did not consider race-based impediments to fair housing choice

Westchester AI
2000 and 2004 Analyses of Impediments ("AIs"): "The [Fair Housing Plan] describes the housing needs of handicapped persons, larger/smaller families [and] extended families...." AIs do not identify any impediments on the basis of race, color, national origin or any other protected class, even though County is part of one of the most segregated regions in the country No mention of housing discrimination or residential segregation

Settlement Terms
County required to ensure development of 750 affordable housing units, within 7 years, in the whitest neighborhoods – 660 units must be built in municipalities with African-American population of less than 3% and Latino population of less than 7% – Additional integrative criteria at the census block group level

Settlement Terms
County Returns $30 Million to HUD – $21.6 Million to Fund Integrative Units – $7.5 Million to Pay "Relator's Share" for Ferreting out False Claims County Must Supply an Additional $30 Million for Integrative Units County Pays $2.5 Million in Attorneys' fees and Costs

HUD Administrative Complaints
City of Atlanta (race and disability)
State of Louisiana (race)
Jefferson Parish, Louisiana (race)
Danville, Illinois (race)
Sussex County, Delaware (race and national origin)
Waukesha County, Wisconsin (race)
State of Maryland (LIHTC/race)

Sussex County, Delaware

Attempt to build a new subdivision of single family, for-sale homes in a community land trust for low-income service and agricultural workers blocked by Planning Commission and County Council

The lawsuit, filed today in the U.S. District Court for the District of Delaware, alleges that the county's planning and zoning commission denied land use approval for a 50-lot affordable housing subdivision proposed by Diamond State Community Land Trust, a Delaware affordable housing developer, in southwestern Sussex County near the town of Laurel, Del. The suit alleges that the Sussex County Council later affirmed the denial of the proposed development. The suit alleges that opposition to the proposal was based partly on the assumption that the subdivision's residents would be Latino and African-American and on stereotypes based on race, color and national origin. The lawsuit arose from a complaint to the U.S. Department of Housing and Urban Development (HUD) that was referred to the Department of Justice.

The settlement, also filed today as a proposed consent decree that must be approved by the court, requires that the defendants reconsider the affordable housing proposal using nondiscriminatory criteria and take no actions to obstruct or delay the development of the subdivision. It also requires the county to pay $750,000 to Diamond State Community Land Trust in compensation for its damages.

In addition, the settlement requires that the county take affirmative steps to provide for future affordable housing, communicate its commitment to fair housing, and establish mechanisms to ensure affordable and fair housing in Sussex County. Among other things, the county must formulate an affordable and fair housing marketing plan to encourage the development of housing opportunities that are available and accessible to all residents of Sussex county regardless of race, color or national origin, appoint a fair housing compliance officer, and ensure that county officials and staff undergo fair housing training.

"The Fair Housing Act guarantees that all Americans have the opportunity to live where they choose regardless of the color of their skin," said Thomas E. Perez, Assistant Attorney General for Civil Rights Division. "It is especially important that counties employ their land use powers in a manner that does not obstruct housing choice, and we will take action when jurisdictions block housing because of the race or ethnicity of those who would live there."

Lessons for Recipients of Housing and Community Development Funds

"[T]he central goal of the obligation to AFFH [is] to end housing discrimination and segregation." Taking AFFH seriously can alert a recipient to ways in which private sector activity is harming the recipient AFFH certifications are material preconditions to the receipt of HUD funds Courts likely to see claims for payment as implicit AFFH certifications Recipients ignore HUD's *Fair Housing Planning Guide* and AFFH regulations at their peril A recipient must identify *all* impediments experienced by *all* protected classes, and must keep records of this analysis – Whether created by public or private sector, impediments must be analyzed – Impediments may include actions or policies that discriminate on the basis of protected class, whether by way of intentional discrimination or disparate treatment – A recipient is not excused from such an analysis by identifying the "greatest" or "most challenging" impediment; it must analyze everything it finds

Permitting concentration of affordable housing development in minority neighborhoods likely perpetuates segregation and is a violation of the recipient's AFFH obligation A recipient must take appropriate actions to overcome the impediments identified, and keep records of those actions It is impossible to meet this requirement in the absence of an adequate identification and analysis of underlying impediments

Recipients are responsible for the AFFH compliance of their sub-recipients

– You can't fund jurisdictions whose policies and practices are AFFH non-compliant
– There will be more vigorous AFFH enforcement in the coming years:
– Administrative complaints to HUD
– HUD "front end" and compliance reviews
– Litigation by civil rights groups
– Litigation by developers and property owners

AFFH FACT SHEET:

THE DUTY TO AFFIRMATIVELY FURTHER FAIR HOUSING

WHAT IS THE DUTY TO AFFIRMATIVELY FURTHER FAIR HOUSING?

From its inception, the Fair Housing Act (and subsequent laws reaffirming its principles) not only prohibited discrimination in housing related activities and transactions but also imposed a duty to affirmatively further fair housing (AFFH). The AFFH rule sets out a framework for local governments, States, and public housing agencies (PHAs) to take meaningful actions to overcome historic patterns of segregation, promote fair housing choice, and foster inclusive communities that are free from discrimination. The rule is designed to help programs participants better understand what they are required to do to meet their AFFH duties and enables them to assess fair housing issues in their communities and then to make informed policy decisions.

For purposes of the rule, affirmatively furthering fair housing "means taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics. Specifically, affirmatively furthering fair housing means taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws. The duty to affirmatively further fair housing extends to all of a program participant's activities and programs relating to housing and urban development."

For purposes of the rule, meaningful actions "means significant actions that are designed and can be reasonably expected to achieve a material positive change that affirmatively furthers fair housing by, for example, increasing fair housing choice or decreasing disparities in access to opportunity."

WHAT IS THE PROCESS PROGRAM PARTICIPANTS MUST FOLLOW?

Under the AFFH rule, an "Assessment of Fair Housing" (AFH) will replace the current "Analysis of Impediments" (AI) process. The AFH Assessment Tool, which includes instructions and data provided by HUD, consists of a series of questions designed to help program participants identify, among other things, fair housing issues pertaining to patterns of integration and segregation; racially and ethnically concentrated areas of poverty; disparities in access to opportunity; and disproportionate housing needs, as well as the contributing factors for those issues.

- The Assessment Tool is intended to help communities understand and identify local barriers to fair housing choice. The AFH provides an approach that will help program participants more effectively affirmatively further the purposes and policies of the Fair Housing Act.
- HUD will review the AFH within 60 calendar days after the date of submission. An AFH submission is deemed accepted 61 days after submission unless HUD provides notification on or before that it is not accepted. Non-acceptance notifications will explain the reasons for non-acceptance and how a program participant may remedy deficiencies.
- The AFFH rule establishes specific requirements for the incorporation of the AFH into subsequent Consolidated Plans and PHA Plans in a manner that connects housing and community development policy and investment planning with meaningful actions to AFFH.
- The AFFH rule links existing community participation and consultation requirements to the AFH process to ensure program participants give the public opportunities for involvement in the development of the AFH and in its incorporation into the Consolidated Plan and PHA Plan.

INTERIM GUIDANCE FOR PROGRAM PARTICIPANTS ON STATUS OF ASSESSMENT TOOLS AND SUBMISSION OPTIONS

HUD is providing guidance for Program Participants to assist in carrying out certain responsibilities related to their obligation to affirmatively further fair housing (AFFH) pending issuance of the final Assessment of Fair Housing (AFH) Tool for States and Insular Areas. As interim guidance, this guidance will be updated based on the availability of Assessment Tools for States and Insular Areas and Public Housing Agencies (PHAs),[1] or by January 1, 2019, whichever is earlier.

STATUS OF ASSESSMENT TOOLS

Program participants will not be required to begin conducting their assessments until the full array of online resources, including both the Data and Mapping Tool (AFFH-T) and the User Interface are complete and operational. The status of these Assessment Tools and related online resources are as follows:

- **Local Government and Joint/Regional**: Final and available OMB. Control No. 2529-0054).
- **PHA and PHA-only collaboration**: Final and available (OMB Control No. 2529-0055). OMB has approved the AFH Assessment Tool for PHAs. HUD will issue an additional Federal Register notice notifying PHA's of their new submission date at a later time once additional resources become available.
- **Qualified PHA (QPHA)**: Currently unavailable—final version subject to full Paperwork Reduction Act (PRA) process.
- **State and Insular Area**: Currently going through PRA Process (see additional details below).

GENERAL GUIDANCE FOR PROGRAM PARTICIPANTS

Pursuant to 24 C.F.R. § 5.160, AFH submission requirements depend on the type of program participant (or lead entity in the case of a collaboration) and the availability of applicable Assessment Tools and their related Data and Mapping Tool. The following tables are meant to assist program participants in identifying options for collaboration[2] and accompanying submission deadlines.

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[1] HUD has announced its intention to release an Assessment Tool for Qualified PHAs (QPHAs). This will be subject to the Paperwork Reduction Act (PRA) process, and the public will have an opportunity to submit comment.
[2] Guidance on how program participants can collaborate on their AFH submissions can be found on www.hudexchange.info/programs/affh.

Issued January 18, 2017

Local Governments, States, and Insular Areas			
	Option 1: Submit an AFH Alone	**Option 2: Collaboration with one or more Local Governments or PHAs on an AFH**	**Option 3: Collaboration with State Lead Entity on an AFH**
Local Government Program Participants with CDBG Grants in FY15 of $500,000 or Less[3]	Applicable Assessment Tool: Local Government Assessment Tool	Applicable Assessment Tool: Local Government Assessment Tool with option to use $500,000 or Less Local Government Insert if the Program Participant is eligible	Applicable Assessment Tool: Assessment Tool for States and Insular Areas with option to use $500,000 or Less Local Government Insert if the Program Participant is eligible
	Submission Deadline: 270 days prior to the program year start date for the next 3-5-year consolidated planning cycle beginning on or after January 1, 2019.	Submission Deadline: Based on Lead Submitter's Submission Deadline	Submission Deadline: Based on Lead Submitter's Submission Deadline, which is triggered by approval and publication of a final State Assessment Tool
Local Government Program Participants with CDBG Grants in FY15 that are Over $500,000	Applicable Assessment Tool: Local Government Assessment Tool	Applicable Assessment Tool: Local Government Assessment Tool	Applicable Assessment Tool: Assessment Tool for States and Insular Areas
	Submission Deadline: 270 days prior to the program year start date for the next 3-5-year consolidated planning cycle.	Submission Deadline: Based on Lead Submitter's Submission Deadline	Submission Deadline: Based on Lead Submitter's Submission Deadline, which is triggered by approval and publication of a final State Assessment Tool
States and Insular Areas	Applicable Assessment Tool: Assessment Tool for States and Insular Areas	Applicable Assessment Tool: Assessment Tool for States and Insular Areas	
	Submission Deadline: Triggered by approval and publication of a final Assessment Tool for State and Insular Areas	Submission Deadline: Triggered by approval and publication of a final Assessment Tool for State and Insular Areas	

[3] For any HOME consortium whose members do not receive CDBG funds or whose members collectively received $500,000 or less in CDBG funds in FY2015, the consortium's first AFH is due 270 days prior to the program year for which a new 3-5-year Consolidated Plan is due starting on or after January 1, 2019. For any HOME consortium in which members received more than $500,000 in CDBG funds in FY2015, the consortium's first AFH is due 270 days prior to the program year for which a new 3-5 Consolidated Plan is due starting on or after January 1, 2017. 81 Fed. Reg. 73129.

Public Housing Agencies				
	Option 1: Submit an AFH Alone	**Option 2: PHA-Only Collaboration on an AFH**	**Option 3: Collaboration with one or more Local Governments on an AFH**	**Option 4: Collaboration with State as Lead Entity on an AFH**
QPHAs (Fewer than 550 Units)	Applicable Assessment Tool: QPHA Assessment Tool	Applicable Assessment Tool: PHA Assessment Tool with option to use PHA Insert	Applicable Assessment Tool: Local Government Assessment Tool with option to use PHA Insert	Applicable Assessment Tool: Assessment Tool for States and Insular Areas with option to use PHA Insert
	Submission Deadline: 270 days prior to the program year start date for the next 5-year cycle. Triggered by the announcement of the availability of all resources for completion of the Final QPHA Assessment Tool	Submission Deadline: 270 days prior to the program year start date for the next 5-year cycle of the Lead PHA. Triggered by the announcement of the availability of all resources for completion of the Final PHA Assessment Tool	Submission Deadline: Based on Lead Submitter's Submission Deadline	Submission Deadline: Triggered by approval and publication of a final Assessment Tool for States and Insular Areas
PHAs 1250 or fewer Units	Applicable Assessment Tool: PHA Assessment Tool	Applicable Assessment Tool: PHA Assessment Tool with option to use 1,250 unit or fewer PHA Insert ("PHA Insert")	Applicable Assessment Tool: Local Government Assessment Tool with option to use the PHA Insert	Applicable Assessment Tool: Assessment Tool for States and Insular Areas with option to use PHA Insert[4]

[4] While not final, HUD announced its intention to make an insert available to PHAs with 1250 units or fewer in the case of collaboration using the State Assessment Tool, as it has in the Local Government and PHA Assessment Tools. See 82 Fed. Reg. 4388 (Jan. 13, 2017).

Public Housing Agencies				
	Option 1: Submit an AFH Alone	**Option 2: PHA-Only Collaboration on an AFH**	**Option 3: Collaboration with one or more Local Governments on an AFH**	**Option 4: Collaboration with State as Lead Entity on an AFH**
	Submission Deadline: 270 days prior to the program year start date for the next 5-year PHA Planning cycle. Triggered by the announcement of the availability of all resources for completion of the Final PHA Assessment Tool	Submission Deadline: 270 days prior to the program year start date for the next 5-year PHA planning cycle of the Lead PHA. Triggered by the announcement of the availability of all resources for completion of the Final PHA Assessment Tool	Submission Deadline: Based on Lead Submitter's Submission Deadline	Submission Deadline: Triggered by approval and publication of a final Assessment Tool for States and Insular Areas
PHAs with more than 1250 units	Applicable Assessment Tool: PHA Assessment Tool	Applicable Assessment Tool: PHA Assessment Tool	Applicable Assessment Tool: Local Government Assessment Tool	Applicable Assessment Tool: Assessment Tool for States and Insular Areas
	Submission Deadline: 270 days prior to the program year start date for the next 5-year PHA Planning cycle. Triggered by the announcement of the availability of all resources for completion of the Final PHA Assessment Tool	Submission Deadline: 270 days prior to the program year start date for the next 5-year PHA Planning cycle. Triggered by the announcement of the availability of all resources for completion of the Final PHA Assessment Tool	Submission Deadline: Based on Lead Submitter's Submission Deadline	Submission Deadline: Triggered by approval and publication of a final Assessment Tool for States and Insular Areas

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Part III

Department of Housing and Urban Development

24 CFR Parts 5, 91, 92, *et al.*
Affirmatively Furthering Fair Housing; Final Rule

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

24 CFR Parts 5, 91, 92, 570, 574, 576, and 903

[Docket No. FR–5173–F–04]

RIN 2501–AD33

Affirmatively Furthering Fair Housing

AGENCY: Office of the Secretary, HUD.

ACTION: Final rule.

SUMMARY: Through this final rule, HUD provides HUD program participants with an approach to more effectively and efficiently incorporate into their planning processes the duty to affirmatively further the purposes and policies of the Fair Housing Act, which is title VIII of the Civil Rights Act of 1968. The Fair Housing Act not only prohibits discrimination but, in conjunction with other statutes, directs HUD's program participants to take significant actions to overcome historic patterns of segregation, achieve truly balanced and integrated living patterns, promote fair housing choice, and foster inclusive communities that are free from discrimination. The approach to affirmatively furthering fair housing carried out by HUD program participants prior to this rule, which involved an analysis of impediments to fair housing choice and a certification that the program participant will affirmatively further fair housing, has not been as effective as originally envisioned. This rule refines the prior approach by replacing the analysis of impediments with a fair housing assessment that should better inform program participants' planning processes with a view toward better aiding HUD program participants to fulfill this statutory obligation.

Through this rule, HUD commits to provide states, local governments, public housing agencies (PHAs), the communities they serve, and the general public, to the fullest extent possible, with local and regional data on integrated and segregated living patterns, racially or ethnically concentrated areas of poverty, the location of certain publicly supported housing, access to opportunity afforded by key community assets, and disproportionate housing needs based on classes protected by the Fair Housing Act. Through the availability of such data and available local data and knowledge, the approach provided by this rule is intended to make program participants better able to evaluate their present environment to assess fair housing issues such as segregation, conditions that restrict fair housing choice, and disparities in access to housing and opportunity, identify the factors that primarily contribute to the creation or perpetuation of fair housing issues, and establish fair housing priorities and goals.

DATES: *Effective Date:* August 17, 2015.

FOR FURTHER INFORMATION CONTACT: George D. Williams, Sr., Deputy Assistant Secretary for Policy, Legislatives Initiatives and Outreach, Office of Fair Housing and Equal Opportunity, Department of Housing and Urban Development, 451 7th Street SW., Room 5246, Washington, DC 20410; telephone number 866–234–2689 (toll-free) or 202–402–1432 (local). Individuals who are deaf or hard of hearing and individuals with speech impairments may access this number via TTY by calling the toll-free Federal Relay Service during working hours at 1–800–877–8339.

SUPPLEMENTARY INFORMATION:

I. Executive Summary

Purpose of the Regulatory Action

From its inception, the Fair Housing Act (and subsequent laws reaffirming its principles) has not only prohibited discrimination in housing related activities and transactions but has also provided, through the duty to affirmatively further fair housing (AFFH), for meaningful actions to be taken to overcome the legacy of segregation, unequal treatment, and historic lack of access to opportunity in housing. Prior to this rule, HUD directed participants in certain HUD programs to affirmatively further fair housing by undertaking an analysis of impediments (AI) that was generally not submitted to or reviewed by HUD. This approach required program participants, based on general guidance from HUD, to identify impediments to fair housing choice within their jurisdiction, plan, and take appropriate actions to overcome the effects of any impediments, and maintain records of such efforts. Informed by lessons learned in localities across the country, and with program participants, civil rights advocates, other stakeholders, and the U.S. Government Accountability Office all commenting to HUD that the AI approach was not as effective as originally envisioned, in 2013 HUD initiated the rulemaking process to propose a new and more effective approach for program participants to use in assessing the fair housing issues and factors in their jurisdictions and regions and for establishing fair housing priorities and goals to address them.

The approach proposed by HUD in 2013, and adopted in this final rule, with revisions made in response to public comments, strengthens the process for program participants' assessments of fair housing issues and contributing factors and for the establishment of fair housing goals and priorities by requiring use of an Assessment Tool, providing data to program participants related to certain key fair housing issues, and instituting a process in which HUD reviews program participants' assessments, prioritization, and goal setting. While the statutory duty to affirmatively further fair housing requires program participants to take actions to affirmatively further fair housing, this final rule (as was the case in the proposed rule) does not mandate specific outcomes for the planning process. Instead, recognizing the importance of local decisionmaking, the new approach establishes basic parameters to help guide public sector housing and community development planning and investment decisions in being better informed about fair housing concerns and consequently help program participants to be better positioned to fulfill their obligation to affirmatively further fair housing.

Summary of Legal Authority

The Fair Housing Act (title VIII of the Civil Rights Act of 1968, 42 U.S.C. 3601–3619) declares that it is "the policy of the United States to provide, within constitutional limitations, for fair housing throughout the United States." See 42 U.S.C. 3601. Accordingly, the Fair Housing Act prohibits, among other things, discrimination in the sale, rental, and financing of dwellings, and in other housing-related transactions because of "race, color, religion, sex, familial status,[1] national origin, or handicap."[2] See 42 U.S.C. 3604 and 3605. Section 808(d) of the Fair Housing Act requires all executive branch departments and agencies administering housing and urban development programs and activities to administer these programs in a manner that affirmatively furthers fair housing. See 42 U.S.C. 3608.

[1] The term "familial status" is defined in the Fair Housing Act at 42 U.S.C. 3602(k). It includes one or more children who are under the age of 18 years being domiciled with a parent or guardian.

[2] Although the Fair Housing Act was amended in 1988 to extend civil rights protections to persons with "handicaps," the term "disability" is more commonly used and accepted today to refer to an individual's physical or mental impairment that is protected under federal civil rights laws, the record of such an impairment, and being regarded as having such an impairment. For this reason, except where quoting from the Fair Housing Act, this preamble and final rule use the term "disability."

Section 808(e)(5) of the Fair Housing Act (42 U.S.C. 3608(e)(5)) requires that HUD programs and activities be administered in a manner affirmatively furthering the policies of the Fair Housing Act.

Summary of the Major Provisions of the Rule

The Affirmatively Furthering Fair Housing (AFFH) regulations promulgated by this final rule:

a. Replace the AI with a more effective and standardized Assessment of Fair Housing (AFH) through which program participants identify and evaluate fair housing issues, and factors contributing to fair housing issues (contributing factors);

b. Improve fair housing assessment, planning, and decisionmaking by HUD providing data that program participants must consider in their assessments of fair housing—designed to aid program participants in establishing fair housing goals to address these issues and contributing factors;

c. Incorporate, explicitly, fair housing planning into existing planning processes, the consolidated plan and PHA Plan, which, in turn, incorporate fair housing priorities and goals more effectively into housing, and community development decisionmaking;

d. Encourage and facilitate regional approaches to address fair housing issues, including collaboration across jurisdictions and PHAs; and

e. Provide an opportunity for the public, including individuals historically excluded because of characteristics protected by the Fair Housing Act, to provide input about fair housing issues, goals, priorities, and the most appropriate uses of HUD funds and other investments, through a requirement to conduct community participation as an integral part of the new assessment of fair housing process.

This new approach is designed to empower program participants and to foster the diversity and strength of communities by overcoming historic patterns of segregation, reducing racial or ethnic concentrations of poverty, and responding to identified disproportionate housing needs consistent with the policies and protections of the Fair Housing Act. The rule also seeks to assist program participants in reducing disparities in housing choice and access to housing and opportunity based on race, color, religion, sex, familial status, national origin, or disability, thereby expanding economic opportunity and enhancing the quality of life.

Summary of Benefits and Costs

HUD believes that the rule, through its improvements to the fair housing planning process, has the potential for substantial benefit not only for program participants but also for the communities they serve and the United States as a whole. The new approach put in place by this rule is designed to improve the fair housing planning process by providing better data and greater clarity to the steps that program participants must undertake to assess fair housing issues and contributing factors and establish fair housing priorities and goals to address them. The fair housing issues, contributing factors, goals, and priorities identified through this process will be available to help inform program participants' investments and other decisionmaking, including their use of HUD funds and other resources. These improvements should yield increased compliance with fair housing and civil rights laws and fewer instances of litigation pertaining to the failure to affirmatively further fair housing. Through this rule, HUD commits to provide states, local governments, PHAs, the communities they serve, and the general public, to the fullest extent possible, with local and regional data on patterns of integration and segregation, racially or ethnically concentrated areas of poverty, access to housing and key community assets that afford opportunity, and disproportionate housing needs based on characteristics protected by the Fair Housing Act. From these data, program participants should be better able to evaluate their present environment to assess fair housing issues, identify the significant contributing factors that account for those issues, set forth fair housing priorities and goals, and document these activities.

As detailed in the Regulatory Impact Analysis (found at *www.regulations.gov* under the docket number 5173–F–03–RIA), HUD does not expect a large aggregate change in compliance costs for program participants as a result of the proposed rule. Currently, HUD program participants are required to conduct an AI to fair housing choice, take appropriate actions to overcome the effects of identified impediments, and maintain records relating to the duty to affirmatively further fair housing. An increased emphasis on affirmatively furthering fair housing within the planning process may increase compliance costs for some program participants, but this final rule, as provided in Section III of this preamble, has strived to mitigate the increase of such costs. The net change in burden for specific local entities will depend on the extent to which they have been complying with the planning process already in place. The local entities that have been diligent in completing rigorous AIs may experience a net decrease in administrative burden as a result of the revised process. Program participants are currently required also to engage in outreach and collect data in order to meet the obligation to affirmatively further fair housing. As more fully addressed in the Regulatory Impact Analysis that accompanies this rule, HUD estimates compliance costs to program participants of $25 million annually, as well as resource costs to HUD of $9 million annually.

The rule covers program participants that are subject to a great diversity of local conditions and economic and social contexts, as well as differences in the demographics of populations, housing needs, and community investments. The rule provides for program participants to supplement data provided by HUD with available local data and knowledge and requires them to undertake the analysis of this information to identify barriers to fair housing. Also, the rule affords program participants considerable choice and flexibility in formulating goals and priorities to achieve fair housing outcomes and establishing the metrics that will be used to monitor and document progress. The precise outcomes of the proposed AFH planning process are uncertain, but the rule will enable each jurisdiction to plan meaningfully.

II. Background

A. Legal Authority

HUD's July 2013 proposed rule fully set out the legal basis for HUD's authority to issue regulations implementing the obligation to affirmatively further fair housing, but HUD believes it is important to restate such authority in this final rule.

The Fair Housing Act (title VIII of the Civil Rights Act of 1968, 42 U.S.C. 3601–3619), enacted into law on April 11, 1968, declares that it is "the policy of the United States to provide, within constitutional limitations, for fair housing throughout the United States." See 42 U.S.C. 3601. Accordingly, the Fair Housing Act prohibits discrimination in the sale, rental, and financing of dwellings, and in other housing-related transactions because of race, color, religion, sex, familial status, national origin, or handicap. See 42 U.S.C. 3601 *et seq.* In addition to prohibiting discrimination, the Fair Housing Act (42 U.S.C. 3608(e)(5))

requires that HUD programs and activities be administered in a manner to affirmatively further the policies of the Fair Housing Act. Section 808(d) of the Fair Housing Act (42 U.S.C. 3608(d)) directs other Federal agencies "to administer their programs . . . relating to housing and urban development . . . in a manner affirmatively to further" the policies of the Fair Housing Act, and to "cooperate with the Secretary" in this effort.

The Fair Housing Act's provisions related to "affirmatively . . . further[ing]" fair housing, contained in sections 3608(d) and (e) include more than the Act's anti-discrimination mandates. *NAACP, Boston Chapter* v. *HUD,* 817 F.2d 149 (1st Cir. 1987); see, *e.g., Otero* v. *N.Y. City Hous. Auth.,* 484 F.2d 1122 (2d Cir. 1973); *Shannon* v. *HUD,* 436 F.2d 809 (3d Cir. 1970).When the Fair Housing Act was originally enacted in 1968 and amended in 1988, major portions of the statute involved the prohibition of discriminatory activities (whether undertaken with a discriminatory purpose or with a discriminatory impact) and how private litigants and the government could enforce these provisions

In section 3608(d) of the Fair Housing Act, however, Congress went further by mandating that "programs and activities relating to housing and urban development" be administered "in a manner affirmatively to further the purposes of this subchapter." This is not only a mandate to refrain from discrimination but a mandate to take the type of actions that undo historic patterns of segregation and other types of discrimination and afford access to opportunity that has long been denied. Congress has repeatedly reinforced this mandate, requiring in the Housing and Community Development Act of 1974, the Cranston-Gonzalez National Affordable Housing Act, and the Quality Housing and Work Responsibility Act of 1998, that covered HUD program participants certify, as a condition of receiving Federal funds, that they will affirmatively further fair housing. See 42 U.S.C. 5304(b)(2), 5306(d)(7)(B), 12705(b)(15), 1437C–1(d)(16).[3]

In examining the legislative history of the Fair Housing Act and related statutes, courts have found that the purpose of the affirmatively furthering fair housing mandate is to ensure that recipients of Federal housing and urban development funds and other Federal funds do more than simply not discriminate: Recipients also must take actions to address segregation and related barriers for groups with characteristics protected by the Act, as often reflected in racially or ethnically concentrated areas of poverty. The U.S. Supreme Court, in one of the first Fair Housing Act cases it decided, referenced the Act's cosponsor, Senator Walter F. Mondale, in noting that "the reach of the proposed law was to replace the ghettos 'by truly integrated and balanced living patterns.' " *Trafficante* v. *Metro. Life Ins. Co.,* 409 U.S. 205, 211 (1972).[4] The Act recognized that "where a family lives, where it is allowed to live, is inextricably bound up with better education, better jobs, economic motivation, and good living conditions." 114 Cong. Rec. 2276–2707 (1968). As the First Circuit has explained, section 3608(d) and the legislative history of the Act show that Congress intended that "HUD do more than simply not discriminate itself; it reflects the desire to have HUD use its grant programs to assist in ending discrimination and segregation, to the point where the supply of genuinely open housing increases." *NAACP, Boston Chapter* v. *HUD,* 817 F.2d at 154; See also *Otero* 484 F.2d at 1134 (section 3608(d) requires that "[a]ction must be taken to fulfill, as much as possible, the goal of open, integrated residential housing patterns and to prevent the increase of segregation, in ghettos, of racial groups whose lack of opportunity the Act was designed to combat").

The Act itself does not define the precise scope of the affirmatively furthering fair housing obligation for HUD's program participants. Over the years, courts have provided some guidance for this task. In the first appellate decision interpreting section 3608, for example, the U.S. Court of Appeals for the Third Circuit emphasized the importance of racial and socioeconomic data to ensure that "the agency's judgment was an informed one" based on an institutionalized method to assess site selection and related issues. *Shannon,* 436 F.2d at 821–22. In multiple other decisions, courts have set forth how the section applies to specific policies and practices of HUD program participants. See, *e.g., Otero,* 484 F.2d at 1132–37; *Langlois* v. *Abington Hous. Auth.,* 207 F.3d 43 (1st Cir. 2000); *U.S. ex rel. Anti-Discrimination Ctr.* v. *Westchester Cnty.,* 2009 WL 455269 (S.D.N.Y. Feb. 24, 2009).

In addition to the statutes and court cases emphasizing the requirement of recipients of Federal housing and urban development funds and other Federal funds to affirmatively further fair housing, executive orders have also addressed the importance of complying with this requirement.[5]

B. HUD's July 19, 2013, Proposed Rule

On July 19, 2013, at 78 FR 43710, HUD published its proposed rule that described the new assessment of fair housing (AFH) process that would replace the AI. As stated in the July 19, 2013, rule, HUD proposed a process that should aid program participants to more effectively carry out the obligation to affirmatively further fair housing by more directly linking the identification of fair housing issues, prioritization, and goal setting to housing and community development planning processes currently undertaken by program participants and that is required as a condition of their receipt of HUD funds.

At the jurisdictional planning level, HUD requires program participants

[3] Section 104(b)(2) of the Housing and Community Development Act (HCD Act) (42 U.S.C. 5304(b)(2)) requires that, to receive a grant, the state or local government must certify that it will affirmatively further fair housing. Section 106(d)(7)(B) of the HCD Act (42 U.S.C. 5306(d)(7)(B)) requires a local government that receives a grant from a state to certify that it will affirmatively further fair housing. The Cranston-Gonzalez National Affordable Housing Act (NAHA) (42 U.S.C. 12704 *et seq.*) provides in section 105 (42 U.S.C. 12705) that states and local governments that receive certain grants from HUD must develop a comprehensive housing affordability strategy to identify their overall needs for affordable and supportive housing for the ensuing 5 years, including housing for homeless persons, and outline their strategy to address those needs. As part of this comprehensive planning process, section 105(b)(15) of NAHA (42 U.S.C. 12705(b)(15)) requires that these program participants certify that they will affirmatively further fair housing. The Quality Housing and Work Responsibility Act of 1998 (QHWRA), enacted into law on October 21, 1998, substantially modified the United States Housing Act of 1937 (42 U.S.C. 1437 *et seq.*) (1937 Act), and the 1937 Act was more recently amended by the Housing and Economic Recovery Act of 2008, Public Law 110–289 (HERA). QHWRA introduced formal planning processes for PHAs—a 5-Year Plan and an Annual Plan. The required contents of the Annual Plan included a certification by the PHA that the PHA will, among other things, affirmatively further fair housing.

[4] Reflecting the era in which it was enacted, the Fair Housing Act's legislative history and early court decisions refer to "ghettos" when discussing racially concentrated areas of poverty.

[5] Executive Order 12892, entitled "Leadership and Coordination of Fair Housing in Federal Programs: Affirmatively Furthering Fair Housing," issued January 17, 1994, vests primary authority in the Secretary of HUD for all federal executive departments and agencies to administer their programs and activities relating to housing and urban development in a manner that furthers the purposes of the Fair Housing Act. Executive Order 12898, entitled "Executive Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," issued on February 11, 1994, declares that Federal agencies shall make it part of their mission to achieve environmental justice "by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations."

receiving Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), Emergency Solutions Grants (ESG), and Housing Opportunities for Persons With AIDS (HOPWA) formula funding to undertake an analysis to identify impediments to fair housing choice within the jurisdiction and take appropriate actions to overcome the effects of any impediments, and keep records on such efforts. See §§ 91.225(a)(1), 91.325(a)(1).[6] Similarly, PHAs must commit, as part of their planning process for PHA Plans and any plans incorporated therein, to examine their programs or proposed programs, identify any impediments to fair housing choice within those programs, address those impediments in a reasonable fashion in view of the resources available, work with jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require PHA involvement, maintain records reflecting those analyses and actions, and operate programs in a manner that is consistent with the applicable jurisdiction's consolidated plan. See §§ 903.7(o), 903.15.

Over the past several years, HUD reviewed the efficacy of these mechanisms to fulfill the affirmatively furthering fair housing mandate and concluded that the AI process could be improved to make it a more meaningful tool to integrate fair housing into program participants' planning efforts. HUD issued its Fair Housing Planning Guide (Planning Guide) in 1996 to provide extensive guidance on how to affirmatively further fair housing. However, HUD has not, in a systematic manner, offered to its program participants the data in HUD's possession that may better help them frame their fair housing analysis, and HUD generally did not require AIs to be submitted to HUD for review.

These observations are reinforced by a recent report by the U.S. Government Accountability Office (GAO) entitled "HUD Needs to Enhance Its Requirements and Oversight of Jurisdictions' Fair Housing Plans," GAO–10–905, Sept. 14, 2010. See *http://www.gao.gov/new.items/d10905.pdf* (GAO Report). In this report, the GAO found that there has been uneven attention paid to the AI by local communities in part because sufficient guidance and clarity were viewed as lacking. Specifically, GAO stated that it found that "HUD's limited regulatory requirements and oversight" contributed to many HUD program participants placing a "low priority on ensuring that their AIs serve as effective planning tools."[7] In its recommendations, GAO emphasized that HUD could assist program participants by providing more effective guidance and technical assistance and the data necessary to prepare fair housing plans.

Stemming from substantial interaction with program participants and advocates, and in light of the GAO Report, HUD concluded that the current AI process was not well integrated into the planning efforts for expenditure of funds made by HUD program participants. HUD recognized that many program participants actively grapple with how issues involving race, national origin, disability, and other fair housing issues do and should influence grant decisions as part of housing and community development planning. HUD found that program participants often turned to outside consultants to collect data and conduct the analysis, but that program participants had little incentive or awareness to use this analysis as part of the investments and other decisions they made as part of the consolidated plan or PHA Plan processes. HUD further concluded that, in a time of limited resources, HUD could do more to support program participants in the process, especially through the provision of data, meaningful technical assistance, and additional guidance. All these findings led HUD to the decision to offer a new approach of linking fair housing issue identification, prioritization, and goal setting with program participants' traditional planning processes related to housing and community development.

To more effectively carry out its affirmatively furthering fair housing obligation, in the July 19, 2013, rule, HUD proposed a new AFH process to replace the AI process. As provided in the proposed rule, the new AFH process involved the following key features: (1) A new fair housing assessment tool; (2) the provision of nationally uniform data that would be the predicate for and would help frame program participants' assessment activities; (3) meaningful and focused direction regarding the purpose of the AFH and the standards by which it would be evaluated; (4) a more direct link between the AFH and subsequent program participant planning documents—the consolidated plan and the PHA Plan—that would tie fair housing planning into the priority setting, commitment of resources, and specification of activities to be undertaken; and (5) a new HUD review procedure based on clear standards that would facilitate the provision of technical assistance and reinforce the value and importance of fair housing planning activities.

As provided in the proposed rule, the new AFH process would be established in regulations in 24 CFR part 5, subpart A, with conforming amendments provided in the following regulations: 24 CFR part 91 (Consolidated Submission for Community Planning and Development Programs); 24 CFR part 92 (HOME Investment Partnerships Program); 24 CFR part 570 (Community Development Block Grants); 24 CFR part 574 (Housing Opportunities for Persons With AIDS); 24 CFR part 576 (Emergency Solutions Grants Program); and 24 CFR part 903 (Public Housing Agency Plans).

A more detailed discussion of HUD's July 19, 2013, proposed rule, including the specific AFH regulations and conforming amendments proposed, can be found at 79 FR 43716 through 43723. HUD refers interested parties to the preamble to the proposed rule for a detailed discussion of the proposed AFH process and the reasons for HUD's proposal of the features and elements of the new AFH process.

C. Proposed Assessment Tool

On September 26, 2014, at 79 FR 57949, HUD published in the **Federal Register**, the proposed "Assessment Tool" to be used by program participants to evaluate fair housing choice in their jurisdictions, to identify barriers to fair housing choice at the local and regional levels, and to set fair housing goals to overcome such barriers and advance fair housing choice. HUD published the proposed Assessment Tool for a period of 60 days in accordance with HUD's July 19, 2013, proposed rule, and in accordance with the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*

HUD appreciates the comments submitted on the proposed Assessment Tool, and will follow the September 2014 notice with a second notice soliciting comment for another 30-day period, as required by the Paperwork Reduction Act, and advise of changes made to the proposed Assessment Tool in response to the initial 60-day solicitation of comment.

[6] For these programs, the consolidated plan is intended as the program participant's comprehensive mechanism to gather relevant housing data, detail housing, homelessness, and community development strategies, and commit to specific actions. These are then updated through annual action plans.

[7] The GAO noted that close to 30 percent of the grantees from whom GAO sought documentation had outdated AIs and that almost 5 percent of the grantees were unable to provide AIs when requested.

In addition, it is important to note that the burden imposed by the Assessment Tool and additional Assessment Tools issued by HUD must, in accordance with the Paperwork Reduction Act, be renewed for approval by the Office of Management and Budget (OMB) every 3 years, at which point, the opportunity is also presented to assess whether the Assessment Tool is aiding fair housing planning as intended by this rule.

D. Solicitation of Comment on Proposed Staggered Submission of AFH

On January 15, 2015, at 80 FR 2062, HUD published in the **Federal Register** a document reopening the public comment period on the issue of providing a later submission deadline for certain entities. In this document, HUD advised that it was considering providing certain HUD program participants—States, Insular Areas, qualified PHAs, jurisdictions receiving a small CDBG grant—with the option of submitting their first AFH at a date later than would otherwise be required for program participants that are neither States, Insular Areas, qualified PHAs, nor grantees receiving a small CDBG grant, as proposed to be defined by the January 15, 2015, document.

For PHAs, section 2702 of title II of the Housing and Economic Recovery Act (HERA) [8] introduced a definition of "qualified PHAs" to exempt such PHAs, that is, PHAs that have a combined total of 550 or fewer public housing units and section 8 vouchers, are not designated as troubled under section 6(j)(2) of the 1937 Act, and do not have a failing score under the Section Eight Management Assessment Program (SEMAP) during the prior 12 months, from the burden of preparing and submitting an annual PHA Plan. Given that Congress has determined that qualified PHAs should have reduced administrative burdens, HUD proposed that it is appropriate to provide these agencies with more time to submit their first AFH.

With respect to small CDBG grants, there is no statutory definition on which HUD can rely as is the case for qualified PHAs. However, as noted in the January 15, 2015, document, in HUD's Congressional Justifications issued in support of HUD's Fiscal Years (FYs) 2013 and 2014 budget requests, HUD proposed to establish a minimum grant threshold of approximately $350,000, based on a percentage of the CDBG formula appropriation. Therefore, HUD proposed, similar to qualified PHAs, to delay the submission date of the first AFH for entitlement jurisdictions receiving a grant of 0.0125 percent of the CDBG formula appropriation or less.

With respect to States and Insular Areas, HUD advised that it decided to design a separate Assessment Tool for States and Insular Areas. HUD agreed with commenters responding to the Assessment Tool, published on September 26, 2014, that a separate Assessment Tool for States and Insular Areas would address commenters' concerns about the AFH approach being better suited for entitlement jurisdictions. HUD also advised that the separate Assessment Tool will not be provided for public comment as part of the second statutorily required public comment period on the Assessment Tool published on September 26, 2014. Rather, HUD will have the Assessment Tool for States and Insular Areas separately undergo the full notice and comment process (a 60-day notice and a 30-day notice) under the Paperwork Reduction Act, and this decision automatically means a later first AFH submission deadline for States and Insular areas.

Although not part of the January 15, 2015, document, in the preamble to the Assessment Tool published on September 26, 2014, HUD advised that the draft Assessment Tool for which public comment was sought is the Assessment Tool designed for use by entitlement jurisdictions and for joint submissions by entitlement jurisdictions and for PHAs where the entitlement jurisdiction is chosen as the lead entity. HUD clarified that the Assessment Tool is not the tool that will be used by regionally collaborating entitlement jurisdictions or PHAs that will not be making a joint submission, nor will it be used by States and Insular Areas. In brief, HUD committed to provide a separate Assessment Tool for PHAs. HUD also advised of its intention to develop program-specific participant Assessment Tools to be available for public comment at the time that HUD publishes the first Assessment Tool for its additional 30 days of public comment. HUD since decided to have the State and PHA Assessment Tools undergo the full notice and comment process under the Paperwork Reduction Act (a 60-day notice and a 30-day notice).

In response to the January 15, 2015, document HUD received 21 public comments. The majority of public commenters were supportive of a delayed submission of the first AFH for States, Insular Areas, qualified PHAs, and jurisdictions receiving small CDBG grants. Commenters, however, differed on where to draw the threshold for a small CDBG. Commenters suggested that the threshold should be drawn at $1 million. A commenter, commenting on the percentage that HUD proposed, suggested a percentage cutoff of 0.018 percent rather than HUD's suggested percentage of 0.0125. The commenter explained that this threshold would bring the cutoff to approximately $500,000, and at that level, administrative funds can be up to $100,000, an increase from $70,000, which is the amount that would be available to entitlement jurisdictions receiving $348,875—the amount under the HUD-proposed threshold. The public comments received in response to the January 15, 2015, document can be found at the following Web site: *http://www.regulations.gov/#!docketDetail;D=HUD-2015-0009.*

After consideration of the comments on the CDBG threshold, HUD has decided to set the threshold for a small CDBG grant at a FY 2015 grant of $500,000 or less. HUD believes that this dollar threshold is appropriate for providing a delayed first AFH submission for certain CDBG grantees. Therefore, as a result of HUD's January 15, 2015, proposal and in consideration of comments responding to that proposal, States, Insular Areas, qualified PHAs, and CDBG grantees receiving an FY 2015 CDBG grant of $500,000 or less will have a delayed first-AFH submission deadline, as will all PHAs, even those that are not qualified PHAs. For PHAs, the first AFH submission deadline will be based on when the PHA Assessment Tool has been approved by OMB—following HUD undertaking the notice and comment process required by the Paperwork Reduction Act—and announced by HUD as available for use.

III. Overview of Final Rule—Key Changes Made at Final Rule Stage

In the proposed rule, HUD solicited public comment on the new AFH process and included 19 issues for which HUD specifically solicited comment. In Section IV of this preamble, HUD provides a summary of the significant comments raised by the public comments and provides HUD's response to these issues. HUD received more than 1,000 public comments on the July 19, 2013, proposed rule. HUD appreciates all the questions raised, and suggestions and recommendations made by the public commenters. After review and consideration of the public comments and upon further consideration of issues by HUD, the following highlights key clarifications

[8] Public Law 110–289, 122 Stat. 2654, approved July 30, 2008, see 122 Stat. 2863.

and changes made by HUD in this final rule.

The final rule:

- Clarifies that HUD supports a balanced approach to affirmatively furthering fair housing by revising the "Purpose" section of the rule and the definition of "affirmatively furthering fair housing." Also, HUD has created a new provision listing goals and priorities a program participant may take to affirmatively further fair housing, which may include, but are not limited to, place-based solutions and options to increase mobility for protected classes. (See §§ 5.150, 5.152, and 5.154.)
- Replaces the term "proactive steps" in the definition of "affirmatively furthering fair housing" with the term "meaningful actions" and defines "meaningful actions." (See § 5.152.)
- Revises the definition of "Assessment Tool" to advise that the tool is not solely a single form or template, but refers to any form or template issued by HUD as an Assessment Tool for the AFH and includes instructions. The definition makes clear that HUD may issue different Assessment Tools for different types of program participants.
- Clarifies, through the addition of a new § 5.151, that implementation of the new AFH process commences for a program participant when the Assessment Tool designated for use by the program participant has been approved by OMB, and the availability for use of such Assessment Tool is published in the **Federal Register.**
- Adds a definition of "data" to collectively refer to "HUD-provided data" and "local data," both of which terms are also defined. (See § 5.152.)
- Replaces the term "determinant" with a more plain language term—"fair housing contributing factor" or simply "contributing factor." (See § 5.152.)
- Adds a definition of "disability." (See § 5.152.)
- Clarifies when disproportionate housing needs exist by revising the definition of "disproportionate housing needs." (See § 5.152.)
- Revises the definitions of "fair housing choice" and "fair housing issue" by removing outdated terminology (*i.e.*, "handicap") and making certain additional clarifying changes. (See § 5.152.)
- Adds a definition of "geographic area" which refers to the area of analysis of a program participant that may be a jurisdiction, region, state, Core-Based Statistical Area (CBSA), or another applicable area, depending on the area served by the program participant. (See § 5.152.)
- Adds a definition of "housing programs serving specified populations" to clarify that participation in HUD and Federal housing programs serving specified populations does not present a fair housing issue of segregation, provided that such programs comply with the program regulations and applicable Federal civil rights statutes and regulations. (See § 5.152.)
- Revises the definition of "integration" to provide greater clarity as to the meaning of this term. (See § 5.152.)
- Adds a definition of "local knowledge" based on and consistent with the description of such term in the Assessment Tool. (See § 5.152.)
- Revises the definition of "segregation" to provide greater clarity. (See § 5.152.)
- Adds a definition of "qualified PHA." (See § 5.152.)
- Revises and clarifies how the analysis of data and the identification of fair housing priorities and goals should be undertaken, including emphasizing that the program participant is responsible for establishing appropriate priorities and goals. (See § 5.154(d).)
- Clarifies that although regionally collaborating program participants need not be contiguous and may cross state boundaries, regionally collaborating program participants should be located within the same CBSA, as defined by OMB at the time of submission of the regional AFH, but HUD allows for exceptions. (See § 5.156.)
- Emphasizes that "acceptance" of an AFH means only that, for purposes of administering HUD program funding, HUD has determined that the program participant has provided an AFH that meets the required elements. Acceptance does not mean that the program participant has complied with its obligation to affirmatively further fair housing under the Fair Housing Act; has complied with other provisions of the Fair Housing Act; or has complied with other civil rights laws and regulations. (See § 5.162.)
- Provides a staggered submission deadline for AFHs; that is, the rule specifies the order of submission by which program participants will submit their first AFH. The rule provides that entitlement jurisdictions receiving an FY 2015 CDBG grant of $500,000 or less, States, Insular Areas, and PHAs will submit their first AFH in the second stage of submission, or at such time as the Assessment Tool specifically applicable to one of these program participants has been approved by OMB and announced by HUD as available for use. The Assessment Tool specifically applicable to a program participant will specify the first-AFH submission deadline, and will ensure the same level of transition as provided for entitlement jurisdictions, which will be the first program participants to submit an AFH. (See § 5.160(a).)
- Allows PHAs, whether submitting an AFH as part of participation with their consolidated plan program participants, other PHAs, or on their own, to submit an AFH every 5 years, imposing on PHAs similar requirements to those placed on jurisdictions subject to the consolidated plan requirements. (See §§ 5.160 and 903.15.)
- Provides that a program participant that undertook a Regional AI in connection with a grant awarded under HUD's FY 2010 or 2011 Sustainable Communities Competition is not required to undertake an AFH for the first AFH submission stage. (See § 5.160(a).)
- Clarifies the conditions under which HUD may not accept an AFH, and provides examples of an AFH that is substantially incomplete with respect to the fair housing assessment, and examples of an AFH that is inconsistent with fair housing and civil rights requirements; and emphasizes that HUD will work with program participants to achieve an AFH that is accepted. (See § 5.162.)
- Provides greater flexibility to program participants in determining when a program participant must revise an AFH, and specifies conditions when HUD may intervene and require a program participant to revise an AFH, but also provides program participants with the opportunity to disagree with HUD's determination. HUD also expands the time frame in which to revise an AFH. (See § 5.164.)
- Revises for PHAs the three options provided in the proposed rule by which a PHA may conduct and submit an AFH. (See § 903.15.)
- Adds a new "certification" provision, which clarifies that program participants must certify that they will affirmatively further fair housing when required by statutes and regulations governing their programs, and provides that challenges to the certifications will follow the procedures for consolidated plan program participants in 24 CFR part 91 and for PHA Plan program participants in 24 CFR part 903, as revised in this final rule. (See § 5.166.)
- Moves fair housing-related material from § 903.2(d) to § 903.15(d).

In addition to these changes, HUD also corrected editorial and technical errors identified by the commenters. HUD believes that these changes, more fully discussed below, respond to commenters' requests that they be given

DELAWARE STATEWIDE
ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

OBSERVATION: Minimum wage and single-income households cannot afford a housing unit renting for the HUD Fair Market Rent in Dover. This situation forces these individuals and households to double-up with others, or lease inexpensive, substandard units from unscrupulous landlords. Minorities and female-headed households will be disproportionately impacted because of their lower incomes.

OBSERVATION: Persons receiving a monthly SSI check of $674 as their sole source of income, including persons with disabilities, cannot afford a one-bedroom unit renting at the Fair Market Rent of $757.

OBSERVATION: Overall, the housing market in the City of Dover is moderately unaffordable, as only 30.9% of the housing units sold in 2009 were considered to be affordable to households earning the median household income of $44,490. When median household income by race is considered, Black households would have a more difficult time purchasing a home than Whites.

OBSERVATION: Overall, the housing market in the City of Dover is moderately unaffordable, as only 30.9% of the housing units sold in 2009 were considered to be affordable to households earning the median household income of $44,490. When median household income by race is considered, Black households would have a more difficult time purchasing a home than Whites.

OBSERVATION: Black households are disproportionately represented among Section 8 voucher holders. Of the 182 households in Dover using vouchers, 80.2% are Black. In addition, Black households are also disproportionately represented among applicants on the Section 8 waiting list. Of the 641 households waiting for a Section 8 voucher, 81.6% are Black.

OBSERVATION: The extensive waiting lists for public housing (614 applicants) and Section 8 (641 applicants) demonstrate a high demand for affordable housing in Dover. Demand is high due to consumer desires to be close to amenities and transit options.

OBSERVATION: Analysis of the City's Annual Plan and CAPER documents reveal a balanced investment of CDBG funds in both impacted and non-impacted areas. The City should continue its efforts to affirmatively further fair housing by expanding the availability of affordable housing in non-impacted areas. The City should allocate funds for new family housing developments (both sales and rental) on sites outside of impacted areas.

OBSERVATION: The City's Planned Neighborhood Design program could be improved from a fair housing perspective by adding incentives for the production of affordable units. The City could provide financial and other incentives to developers in exchange for the provision of a percentage of housing units to be set-aside for households with incomes at or below a certain percentage of the area median income.

OBSERVATION: The City should simplify its definition of "family" by focusing on whether a household functions as a cohesive unit rather than distinguishing between related and unrelated persons. A restrictive definition that limits the number or type of relationship between persons living together as a household unit in a single-family dwelling unit is incompatible with many modern living situations and potentially discriminates against persons with disabilities.

OBSERVATION: The City's Planned Neighborhood Design program could be improved from a fair housing perspective by adding incentives for the production of affordable units. The City could provide financial and other incentives to developers in exchange for the provision of a percentage of housing units to be set-aside for households with incomes at or below a certain percentage of the area median income.

OBSERVATION: The City of Dover has no provision in its zoning ordinance to allow more than five unrelated persons with disabilities to live together as a group home. This circumstance limits fair housing choice, particularly for persons with disabilities. The City should amend its ordinance to remove obstacles to the creation of group homes.

e. Definition of Family

Restrictive definitions of family may impede unrelated individuals from sharing a dwelling unit. Defining family broadly advances nontraditional families and supports the blending of families who may be living together for economic purposes. Restrictions in the definition of family typically cap the number of unrelated individuals that can live together. These restrictions can impede the development of group homes, effectively impeding housing choice for the disabled. However, in some cases, caps on unrelated individuals residing together may be warranted to avoid the health and safety problems created by overcrowding. The City of Dover defines a family as one or more persons occupying a dwelling unit as a single nonprofit housekeeping unit. More than five persons, exclusive of domestic servants, or not more than one boarder or roomer, not related by blood, marriage or adoption, shall not be considered to constitute one family. The City limits the number of unrelated individuals to five persons. Because the ordinance does not have an exception for group homes for persons with disabilities, this cap unduly restricts the number of persons who can live together in such an arrangement. However, in some cases, restrictions on the number of unrelated individuals residing together may be warranted for health and overcrowding issues and to comply with Building and Fire codes adopted at the state and Municipal levels.

f. Regulations for Group Homes for Persons with Disabilities

Group homes are residential uses that do not adversely impact a community. Efforts should be made to ensure group homes can be easily accommodated throughout the community under the same standards as any other residential use. Of particular concern are those that serve members of the protected classes such as the disabled. Because a group home for the disabled serves to provide a non-institutional experience for its occupants, imposing conditions are contrary to the purpose of a group home. More importantly, the restrictions, unless executed against all residential uses in the zoning district, are an impediment to the siting of group homes and are in violation of the Fair Housing Act. Two primary purposes of a group home residence are normalization and community integration. By allowing group residences throughout the community in agreement with the same standards as applied to all other residential uses occupied by a family, the purposes of the use are not hindered and housing choice for the disabled is not impeded. Towards this end, municipalities may not impose distancing requirements on group homes for persons with disabilities.

In *Horizon House Development Services, Inc. v. Township of Upper Southampton, PA*, the court found a 1,000-foot spacing requirement to be in violation of the Fair Housing Act. The court also found the Township's requirement for an applicant to seek and receive a variance from the ordinance to establish a group home within the 1,000-foot distance also to be a violation. The City of Dover has no definition encompassing the "group home" use. Presumably, a group home could be established as a single-family dwelling unit in any residential district as a result. However, the City's definition of "family" does not allow for more than five unrelated persons to share a family household, which would also not allow more than five unrelated persons to live together in a group home.

Impediment #1: The City's increasingly diverse minority population may require language accommodations to ensure that all residents can access programs and services.

Impediment #2: Minority households have greater difficulty becoming home owners in Dover because of lower incomes.

Impediment #3: The City's supply of housing that is affordable to households up to 80% of median household income is inadequate

Impediment #4: The City's supply of affordable and accessible housing units is inadequate to meet demand.

Impediment #5: The City's process for allocating and reporting CDBG funds could be improved from a fair housing perspective.

Impediment #6: Policy documents utilized by the Dover Housing Authority could be improved from a fair housing perspective.

Impediment #7: The 2008 Comprehensive Plan does not recognize the City's responsibility to affirmatively further fair housing.

Impediment #8: The City of Dover's zoning ordinance limits fair housing choice for certain families and persons living in group homes.

Impediment #9: Members of the protected classes could be more fully represented on City boards and commissions dealing with housing issues.

Impediment #10: Mortgage loan denials and high-cost lending disproportionately affect minority applicants.

K. Signature Page for the City of Dover

By my signature I certify that the Analysis of Impediments to Fair Housing Choice for the City of Dover is in compliance with the intent and directives of the regulations of the Community Development Block Grant Program regulations.

_____

(Signature of Authorizing Official)

_____

Date

In the AI report The Delaware Code "Definition of Family" reads:

One or more persons occupying a dwelling unit as a single nonprofit housekeeping unit. Does not include more than five persons not related by blood, marriage or adoption.

The comments: **No explicit exception for group homes for persons with disabilities.**

In the report The Delaware Treatment of Group Homes reads: "No definition". Could presumably exist as single family unless it exceeds five residents.

The comments: Cap on unrelated residents sharing house prevents any group home from having more than five residents. **That is inconsistent with the Fair Housing Act.**

At a Sept 12, 2011 Dover City council meeting a review of the Analysis of Impediments to Fair Housing Choice was discussed. As a federal entitlement community that receives CDBG funds from HUD the city is required to certify that funds will be carried out and administered according to the fair housing act. It was noted that HUD defines an impediment to fair housing choice as any actions, omissions, or decisions that restrict, or have the effect of restricting, the availability of housing choices based on race, religion, sex, disability, familial status, or national origin. Ann Marie Townshend reported that the city had contracted a consulting firm to conduct the Analysis of Impediment which reviews entitlement community's laws, regulations, and administrative policies and procedures affecting accessibility of housing. This analysis outlines the impediments for Dover and provides recommendations and strategies in order for the city to meet fair housing goals. Approval and implementation of the Fair Housing Action Plan will preserve the City's eligibility for funding from HUD and protect the City in the event of litigation relating to fair housing.

Responding to a question from Mr. Anderson, Mrs. Townshend stated that the current definition of family, in this context, is "not more than five (5) unrelated people functioning as a household, not including a butler." She explained that the difficulty is determining whether or not people are functioning as a household. Mrs. Townshend indicated that staff plans to conduct research on this topic and will submit an ordinance to redefine "family." Mr. Anderson felt that there should not be any amendment that would hinder college students who are residing together from obtaining affordable housing, noting this is a very important industry for the City.
Responding to Dr. Jones, Mrs. Harvey advised members that 2012 timelines were provided for some of the Strategies to Address Impediments since the consultants felt that these measures could be implemented within one (1) year; however, others were assigned a later date for completion since the Comprehensive Plan will not be released until 2014. She noted that the consultants suggested a five (5) year timeframe for implementation of many of the strategies. Mrs. Townshend explained that she and Mrs. Harvey plan to set annual goals for achievement of the objectives listed.

To this day the definition in the City of Dover Code is:

Family: **One or more persons occupying a dwelling unit as a single nonprofit housekeeping unit. More than five persons, exclusive of domestic servants, or not more than one boarder or roomer, not related by blood, marriage or adoption, shall not be considered to constitute one family.**

Interesting to note that the Feb 2006 council minutes report that Mrs. Tracey Harvey advised members that the Analysis of Impediments study completed by the Center for Community Research U of D completed in Sept of 2003 and the addendum of Jan 2004 identified the following impediments and the need for corrective actions to remedy the; Lack of Affordable Housing General and for Persons with Disabilities; lack of Fair Housing Education and Outreach and Segregated Housing and Fair Housing Programs and Activities for the City of Dover.

According to The Federal Office of Housing and Urban Development definitions of what constitutes a family are very clearly defined. The Equal Access Rule defines family as follows:

Family includes, but is not limited to, regardless of marital status, actual or perceived sexual orientation, or gender identity, the following:

1. A single person, who may be an elderly person, displaced person, disabled person, near-elderly person, or any other single person; or,
2. A group of persons residing together, and such group includes, but is not limited to:
    a. A family with or without children (a child who is temporarily away from the home because of placement in foster care is considered a member of the family);
    b. An elderly family;
    c. A near-elderly family;
    d. A disabled family;
    e. A displaced family; and,
    f. The remaining member of a tenant family.

Family includes, but is not limited to, regardless of marital status, actual or perceived sexual orientation, or gender identity, any group of persons presenting for assistance together with or without children and irrespective of age, relationship, or whether or not a member of the household has a disability. A child who is temporarily away from the home because of placement in foster care is considered a member of the family.

What this means is that any group of people that present together for assistance and identify themselves as a family, regardless of age or relationship or other factors, are considered to be a family and must be served together as such. Further, a recipient or subrecipient receiving funds under the ESG or CoC Programs cannot discriminate against a group of people presenting as a family based on the composition of the family (e.g., adults and children or just adults), the age of any member's family, the disability status of any members of the family, marital status, actual or perceived sexual orientation, or gender identity.

Here are two examples of how this might apply:

- **An emergency shelter, transitional housing project, or permanent housing project that serves households with children.** While it is acceptable for a shelter or housing program to limit assistance to households with children, it may not limit assistance to only women with children. Such a shelter must also serve the following family types, should they present, in order to be in compliance with the Equal Access rule:
- Single male head of household with minor child(ren); and
- Any household made up of two or more adults, regardless of sexual orientation, marital status, or gender identity, presenting with minor child(ren).
  In this example, the emergency shelter or housing program would not be required to serve families composed of only adult members and could deny access to these types of families provided that all adult-only families are treated equally, regardless of sexual orientation, marital status, or gender identity.

- **A permanent supportive housing project under the CoC Program rule that serves chronically homeless families.** A permanent supportive housing program that serves families must serve all types of families and cannot discriminate against any family based on marital status, actual or perceived sexual orientation of the family members, or gender identities of the family members. Therefore, if two adults present together as a family, the recipient or subrecipient must serve the two adults as a family and may not require proof of marriage and may not limit assistance to couples in a heterosexual relationship.

Group House of Port Washington v. Board of Zoning and Appeals of the Town of North Hempstead, 45 N.Y. 2d 266, at 272 (1978). The Town had defined family as

- "[o]ne (1) or more persons related by blood, marriage or legal adoption residing or cooking or warming food as a single housekeeping unit; with whom there may not be more than two (2) boarders, roomers or lodgers who must live together in a common household."
- In a 4-3 decision, Court of Appeals held that the definition of "family" improperly excluded from its scope group homes. The Court explained that in zoning for stable neighborhoods in a single family district, local governments must include the functional and factual equivalents of natural families, as well as traditional families.

I. Guidelines to Drafting a Definition of Family

In light of the numerous state and federal court decisions on the subject of defining "family," some guidelines may be gleaned as to constitutionally permissible standards.

1. Preservation of the character of single-family areas remains a legitimate purpose of zoning.
2. Zoning may not exclude a group which "in every way but a biological sense is a single family" (White Plains, supra); or a household "which poses no threat to the goal of preserving the character of the traditional single-family neighborhood" (McMinn supra).
3. Court decisions have indicated that the "factual and functional equivalent" of a traditional family of unrelated persons may be evidenced by the following:

1. single housekeeping unit;
2. more or less permanent living arrangement;
3. stable, rather than transient living arrangements (except where the handicapped are affected);
4. a group headed by a householder caring for a reasonable number of children as one would be likely find in a biologically unitary family (White Plains 34 N.Y.2d at 306).

The Supremacy Clause of the US Constitution gives federal laws, such as the Fair Housing Act, precedence over conflicting state and local laws. Consequently, the Fair Housing Act prohibits state and local land use and zoning laws, policies, and practices that discriminate based on a characteristic protected under the Fair Housing Act. As defined in the Fair Housing Act, prohibited practices include making unavailable or denying housing (including vacant land that may be developed into residences) because of a protected characteristic.

In a joint statement between HUD and DOJ practices that may violate the FHAA are:

- Prohibiting or restricting the development of housing based on the belief that the residents have a particular protected characteristic, such as race, disability, or family status
- Imposing restrictions on housing because of alleged public safety concerns based on stereotypes about the residents or anticipated residents who have protected characteristics.
- Refusing to provide reasonable accommodations to land use or zoning policies when such accommodations may be necessary to allow persons with disabilities to have an equal opportunity to u se and enjoy housing.

A Land use or zoning practice can result in an unjustified discriminatory effect if it caused or predictably will cause a disparate impact on a group of persons, or if it creates, increases, reinforces, or perpetuates segregated housing patterns because of protected characteristics.

When enacting or applying zoning or land use laws, state and local governments may not act because of the fears, prejudices, stereotypes, or unsubstantiated assumptions that community members may have about current or prospective residents because of the residents protected characteristics.

A local government may not block a group home or deny a requested reasonable accommodation in response to neighbors' stereotyping fears or prejudices about persons with disabilities or a particular type of disability.

DEFINITION OF DISABILITY / HANDICAP

The Fair Housing Act uses the term "handicap" instead of "disability." Under the Act, "handicap" means, with respect to a person, or mental impairment which substantially limits one or more major life activities; a record of such an impairment; or being regarded as having such an impairment. This term does not include current, illegal use of or addiction to a controlled substance. "Physical or mental impairment" includes:

1. any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genito-urinary; hemic and lymphatic, skin; and endocrine; or
2. any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.[99]

The term "physical or mental impairment" includes, but is not limited to, such diseases and conditions as orthopedic, visual, speech and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, Human Immunodeficiency Virus (HIV) infection, mental retardation, emotional illness, drug addiction (other than addiction caused by current, illegal use of a controlled substance) and alcoholism.[100]

"Major life activities" means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.[101]

In July of 2015 HUD announced the "Final Rule". Meaningful actions to address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintain compliance with the civil rights and fair housing laws. The AFFH Final rules applies to States and local governments that received CPD formula grants (CDBG, HOME, ESG, or HOPWA) as well as public housing agencies. Those agencies that were previously required to complete the AI will now be required to complete will now conduct a new Assessment of Fair Housing (AFH).

The rights of recovering alcoholics and drug addicts to live in Oxford Houses located in good neighborhoods are well established. A memorandum summarizing cases involving Oxford House precedents under the federal Fair Housing Act entitled Legal Memo Zoning **can be downloaded.**

City of Dover, Delaware

Governing Policy

For

Energy Commodity
Risk Management

Effective: August 28, 2017

Approved by: City of Dover Council

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PURPOSE OF THE RISK MANAGEMENT POLICY

A. Introduction

The City of Dover ("**City**") and its customers are routinely exposed to energy price risk, volume variability risk, basis risk and credit risk – herein referred to collectively as energy commodity risk - in the normal conduct of serving its electric load requirements. Volatility of energy commodity prices and volumetric uncertainty (either supply/generation or load obligations) impose a substantial and direct risk to the City's financial and operating performance.

By authority of its charter, the City has responsibility for overseeing the City's electricity operations, including the management of its cost of serving Dover's customers. By agreement dated May 6, 2011 and approved by the City (the "**EMA**"), the City has engaged The Energy Authority, Inc. ("**TEA**") to assist the City with Asset Management and Strategic Planning Services, Risk Management Services, and Energy Management Services.

This Policy for Energy Commodity Risk Management ("**Policy**") is established the explicit understanding that the City has retained and delegated responsibilities to TEA to provide Risk Management Services.

Additionally, the City has issued this Policy for dealing with the philosophy, framework and delegation of responsibilities necessary to govern activities related to Dover's energy commodity risk management. As set forth herein, the City has established an organizational structure, delegated responsibility and established internal controls and procedures to ensure that all transactional and oversight activities are conducted in compliance with this Policy and in accordance with the City's normal reporting, legal, financing and regulatory requirements relating to energy assets and transactions.

B. Scope of Policy

This Policy covers all transactions entered into the by the City of Dover designed to meet the City's electric load requirement and the management of risk related to these transactions.

In the event of conflict between this Policy and the EMA, the Policy shall control. This Policy is separate and distinct from enterprise risk management policies and procedures addressing the City's safe operation of its generating stations and energy infrastructure, insurance requirements, permit compliance, employee matters regulatory compliance with laws and regulations of the State of Delaware and Federal

Agencies such as EPA, FERC, NERC and CFTC or other potential risks to the City beyond the purchase and sale of fuel and electric power and its ancillary products.

C. Objectives and Risk Philosophy

The objectives of the Policy are to identify energy commodity price and credit risk exposures and give the City a framework for the quantification and management of these exposures. The Policy will identify the reports needed to convey how the identified risk exposures can potentially impact the City's overall cost of providing electricity service to its customers and report on the risk management of the transactions associated with City's electric load requirements.

Under the Policy, risk management activities will be conducted consistent with the City's overall objective of appropriate risk mitigation. There are several objectives of the Policy which, when taken and executed together, serve to manage the City's energy commodity price exposures. Specifically, the Policy:

- Establishes framework for developing credit limits for counterparties and quantifies and manages the credit exposures related to potential counterparty abrogation
- Quantifies the impact of the above exposures on City's financial results
- Manages the impact of the above exposures in line with the City's identified level of risk tolerance
- Provides clear delineation of responsibilities and authority, outline a separation of duties, and ensure reporting of risk is timely and accurate.
- Ensures that the impact of any action affecting the City's position is consistently quantified, monitored and authorized.

The City's risk management activities will be conducted consistent with its overall objective of appropriate risk mitigation and never for purposes of speculation.

D. Policy Administration

This Policy has been approved by the Executive Risk Management Committee and The Utility Committee of the Dover City Council. The Utility Committee must approve modifications to the Policy with the exception of the appendix information which can be modified with the approval of the Executive Risk Management Committee.

MANAGEMENT AND CONTROLS

This Policy articulates the management and organization of the City and TEA to serve as a control framework outlining delegation of duties and responsibilities.

A. Utility Committee of The City Council

The Utility Committee of The City Council (The Committee) has a responsibility to provide approval of this Policy. With this approval, The Committee also assumes additional duties. They will understand the risks the City is and could be exposed to due to their energy commodity risk management activities. In this role, the Committee will have a responsibility to also understand the City's policies and procedures, internal controls and systems which are used to help manage the City's energy commodity risks.

The Committee will approve any amendments to the Policy or limits within. The Executive Risk Management Committee will update the Committee periodically regarding the Policy and its functions. It will be the Committee's responsibility to:

- Discuss guidelines and strategic policies that govern the process by which the Energy Risk Management Committee assesses and manages risks
- Review and approve the risk policy at least annually
- Approve new members of the Executive Risk Management Committee
- Acknowledge the risk inherent in transactions covered under this Policy

B. Executive Risk Management Committee

An Executive Risk Management Committee ("**ERMC**") has been formed to provide executive management oversight for the City's energy commodity risk management activities. The ERMC is charged with the creation, amendment and administration of this Policy, including acquiring any approvals required by the Utility Committee, and will ensure that all energy commodity risk management activities of the City are performed consistent with this Policy. The ERMC will meet at least monthly to review compliance and conduct its business as described in this Policy.

The ERMC shall be comprised of the following voting members: The City Manager, The Director of Utility, The City's Controller and TEA's Client Service Manager.

The City's ERMC will make decisions following the process outlined in this Policy. TEA's Client Services Manager may include representatives from other areas within TEA in the monthly ERMC meetings who will attend in person or by conference call as non-voting advisors. Other City employees and TEA staff may also be asked to attend

meetings from time-to-time, as the ERMC deems necessary. The responsibilities of the ERMC shall include:

- Establish scope and frequency for management reporting to the Utility Committee.
- No less than annually, review the City's Energy Commodity Policies and Procedures for correctness and completeness.
- Review and approve any new risk report or change to an existing risk report provided by TEA to monitor risks outlined in this Policy.
- Understand and approve any models, methodologies, and assumptions used for measuring risks such as volume risk, process risk, counterparty risk and commodity risk.
- Monitor the City's risks and ensure they are within the limits and are being managed according to what is indicated within the City's Policy and associated procedures
- Understand the City's risk management objectives and risk tolerances.
- Review and approve the risk management and trading strategy programs and associated risk. Each program should be reviewed to ensure alignment with Policy objectives and compliance with risk limits within this Policy.
- Periodically review any risk management program approved in light of recent market changes, and ensure continued compliance with its established guidelines
- Review and approve new products, markets, trading counterparties and credit limits
- Review all violations and exceptions to this Policy and report such to the Committee.
- Approve the individuals or companies that engage in the City's commodity transactions and are subject to the limits within this Policy.
- Ensure that the individuals or companies authorized to transact on behalf of the City as well as manage its risks, are appropriately trained and qualified.
- Ensure independence and segregation of duties between front, middle and back office at TEA.
- Recommend changes to this Policy to the City's Utility Committee for approval and ensure the Utility Committee understands the City's overall compliance with this Policy and associated procedures.
- The ERMC will meet at least monthly to review risks identified and reported on by the Policy, this meeting shall be chaired by The City Manager. Minutes of each meeting of the ERMC shall be recorded and reflect any decisions and follow-up action items to be performed. These minutes will be reviewed and approved by the members of the ERMC in a timely manner.

Each member of the ERMC has a unique role as defined below:

1. City Manager

The City Manager is independent of all commercial functions and carries the responsibility of establishment and maintenance of risk management for the City. The City Manager will be a voting member of the ERMC and act as a chair of the ERMC. Other responsibilities include:

- Ensure this Policy is maintained.
- Oversee reviews of the City's energy commodity risks, limits, risk measurement methodologies and models, and programs and recommend changes to the ERMC.
- Ensure potential transactions and their impacts on the City's risks and limits defined within this Policy.
- Develop and monitor the implementation of the Policy, and oversee other risk management processes and procedures established by this Policy or otherwise by the ERMC.

2. Director of the Utility

The Director of the Utility has oversight for all trading, hedging, pricing, structuring, and market and operational risk management activities associated with the City. The Director of the Utility will be a voting member of the ERMC. Other responsibilities include:

- Review the effectiveness of transaction processing systems and procedures relating to risk measurement.
- Recommend operational risk and business risk assessment guidelines.

3. Controller

The Controller is independent of all commercial functions and carries the oversight responsibilities associated with the City's accounting practices. The Controller will be a voting member on the ERMC. Other responsibilities include:

- Perform financial accounting including accounting for hedging and derivatives activities.
- Comply with tax rules and make appropriate tax elections.
- Record realized and unrealized gains and losses.
- Reconcile general ledger, cash transactions and margin accounts.
- Implement tax-hedge accounting policies and other regulatory tax requirements.

- Develop and maintain documentation outlining standard procedures for conducting business.
- Invoice counterparties and resolve billing disputes.
- Perform daily/weekly/monthly transaction checkout with counterparties.
- Develop and maintain documentation outlining standard procedures for conducting business.

4. TEA Client Services Manager

The TEA Client Service Manager roles and responsibilities are defined exhibit B of the EMA between the City and TEA. The TEA Client Service Manager will be a voting member on the ERMC. Other responsibilities include:

- Monitor risk reports between ERMC meetings.
- Report to the Committee and the ERMC on the City's adherence to all limits and functions within this policy.
- Engage the ERMC in discussions regarding events or developments that could expose the company to potential losses.
- Recommend to the ERMC specific risk limits consistent with the City's risk management objectives, risk tolerance, and risk management policy.
- Coordinate and distribute independent market fundamental analysis.
- Provide advisory support and recommendations as specified in Article 5 of the EMA.
- Update RMC on training of TEA employees.

DISCUSSION OF RISKS

This Policy covers the management of all material energy market risks faced by the City. A comprehensive list of risks that are or could be relevant to City is shown in Appendix C of the Policy. Among the most critical of these risks are commodity risk, counterparty risk, process risk, volume risk, and budget risk. These risks are measured by the limit structure and controls outlined in the Policy.

Commodity risk represents the potential adverse impacts to the value of the City's portfolio due to changes in the market. Commodity risk encompasses volatility risk, forward price risk, basis risk, correlation risk and liquidity risk.

Counterparty risk represents the potential losses the City could incur due to delivery risk and receivable risk. Delivery risk stems from a supplier or trading counterparty that is unable or unwilling to perform on its commitments including but not limited to delivery or receipt of commodities. Receivable Risk includes the City's risk associated with a counterparty's timeliness of payment for services rendered.

Process risk represents the risks associated with process problems including, but not limited to, inaccurate data capture, untimely trade execution or settlement problems. Controls over process risks are embedded in the organizational structure of TEA through the design processes and operating procedures.

Volume Risk represents the potential for unforeseen changes from projections of excess or shortfall of capacity or energy from the actual needs. When variances are large coupled with large costs to transact and adverse moves in market prices this risk could be realized. In management of this risk, the City must be aware of the fact that unexpected variations in volume are often highly correlated with price movements.

Budget Risk represents the potential to deviate outside of tolerable bounds of the City's budget. Deviations from budget can be caused by forecast error or unforeseeable adverse changes in market prices.

Regulatory Risk arises from participation in regulated markets. With the Independent System Operator (ISO) implementation of Federal Energy Regulatory Commission (FERC) Order 741, the City faces increasing regulatory risk when participating in wholesale energy markets. The TEA Compliance department works in conjunction with the TEA Risk Control department to help the City manage regulatory risk. Regulatory risk is managed by:

- Annual Compliance Training for all employees participating in regulated markets;
- Integration of the appropriate compliance culture within the Trading department through ongoing interaction between Compliance and Trading;
- An independent monitoring and exposure measurement on transactions that could trigger an increase in regulatory risk.

MARKETING AND TRADING PRACTICES

A. Standards of Conduct

Individuals authorized to transact for the City shall not misrepresent, conceal or withhold information regarding energy commodity trading and risk management transactions to any person responsible for the accurate recording and/or reporting of such transactions; participate in any such transaction or similar activity for the benefit of any party other than the City; or hold or be a beneficiary of any financial interest in any entity with which the employee is engaged in trading or other business activity (other than ownership of an interest in a mutual fund managed by another party). Further, no employee authorized to place or execute such transactions may engage in trading power or energy commodities derivative instruments for his or her personal account.

B. Products, Activities and Limitations

Pursuant to achieving the City's core objectives for the purpose of energy commodity risk management, the following limitations shall apply.

- Permissible instruments will be restricted to the products and instruments specified in Appendix A – Approved Products of the Policy;
    - All physical forward transactions shall be governed by the Edison Electrical Institutive (EEI), North American Energy Standards Board (NAESB), or similar agreements with counterparties approved by the City.
    - The City reserves the right to enter into financial hedge transactions to effectuate Policy objectives, but does not authorize TEA to enter into financial hedge transactions on its behalf. Any such financial transactions that the City may enter into shall be governed by ISDA agreements with counterparties as approved by the City.
- The maturity for each permissible instrument will be restricted to the maturity limits specified in the risk limits section of the Policy.
- Transaction volumes for each risk management transaction will be restricted to the amounts specified in the Risk Limits section of the Policy.
- Risk management transactions will be outlined in the ***City of Dover Hedge Program*** which will be approved by the ERMC. Risk management transactions may include the following:
    - Hedging the forward price of purchased power for delivery to the City as needed to meet its electric load requirements.
    - Hedging the forward price of natural gas and fuels as needed to generate power to meet the City's electric load requirements.
    - Unwinding of hedges to accommodate changes in expected load requirements, or for economic reasons subject to explicit constraints set by the ERMC.

C. Contract Documentation and Confirmations

No over-the-counter transaction may be executed until an EEI, NAESB, or similar agreement has been authorized by the City, approved by the ERMC and fully executed by the parties.

Written confirmations will be required from counterparties, as defined in the Master Service Agreement between the City and counterparty, within one business day or such longer time as required by the contract in question for all risk management transactions. Contemporaneous with any commitments and prior to receipt of written confirmations, verbal commitments shall be memorialized internally as to instrument structure, quantity, relevant time horizon, price and any other relevant terms; such internal

documentation shall be time stamped and correlated to the ultimate written confirmation to or from the counterparty. Both the internal documentation as well as the written confirmation from the counterparty shall be provided to TEA's Risk Control Group immediately upon receipt for verification.

In the event that there is a material failure to provide timely documentation or confirmations, then at the City Manager's sole discretion, the offending individual's authorization may be suspended. Similarly, if the failure to provide timely documentation or confirmations is due to the failure of counterparty, then at the discretion of the City Manager, a moratorium may be imposed on transactions with that counterparty. In such cases, the City Manager shall notify the ERMC of the issues leading to the suspension or moratorium shall.

Nothing herein shall inhibit the City Manager from bringing control issues to the TEA's Client Services Manager prior to a decision on materiality or the imposition of a suspension of trading privileges or counterparty moratorium.

D. Training

The ERMC will ensure that all City employees and/or TEA Staff that will execute transactions on behalf of the City will have appropriate training in the markets in which the transactions occur.

E. New Product Protocol

As required to manage the City's energy commodity risk the ERMC shall approve new products provided the requirements of the ***New Product Approval Procedure*** are met.

RISK LIMITS AND RISK MEASUREMENTS

A. Limits

The limit structure is designed to quantify the types of risk in the City's energy commodity portfolio. The City will manage and report on its energy commodity market risk using Delegation of Authority Limit, a Volume Limit and a Locational Limit.

1. Delegation Authority

The Utility Committee delegates the following approval authority limits to the Dover ERMC. The ERMC may not delegate these authorities to individuals authorized to commit Dover to financial obligations.

Position	Maturity Limit	Term Limit	Notional Value Limit
Dover ERMC	5 years	5 years	20,000,000
TEA	1 month	1 month	1,000,000

This limit structure is not intended for use when transacting day-ahead and real time in the PJM market.

2. Volume Limits

For no reason should a transaction be executed that exceeds the City's electric load requirements. If there is an adjustment to the City's electric load requirements and the existing transactions greater than 100% of the adjusted electric load requirements the ERMC will review and approve the offsetting strategy deployed in sufficient proportion to mitigate the encroachment.

3. Locational Limits

Non-Commodity Transactions must support the requirement of one of the City's generation units, native load or transaction locations.

B. Stress Testing and Back Testing

The City's positions shall be periodically stress tested and models shall be back tested. The processes around these tests are outlined in the ***Stress Testing and Back Testing Procedure***.

C. Instances of Exceeding Risk Limits

Should the City or TEA enter into a transaction that causes the portfolio to exceed any above mentioned limits the Director of the Utility shall, in addition to notifying the ERMC, also notify the Chair of The Committee as soon as practicable and shall provide periodic reports to the Chair on the status the transactions for as long as the City is exceeding its limits. The ERMC will review and determine whether any liquidation or offsetting of transactions is warranted. The incident will be documented as a Policy Exception by the Director of the Utility.

CREDIT POLICY

Credit Risk is the risk due to the uncertainty in a counterparty's ability to meet its contractual obligations. The primary objective of this credit policy is to mitigate, to the

extent commercially reasonable, the credit risks associated with transactions covered in this Policy while still allowing the City to achieve its objectives.

A. Measuring Credit Risk

The status of credit risk will be measured and reported through reports provided by TEA.

The current credit exposure will be reported at the agreement level via a Counterparty Credit Report provided by TEA. This information will be made available in real time to TEA trading personnel so that it can be checked prior to executing transactions for the City. Those responsible for risk oversight at the City and TEA will have access to this information no less frequently than once per day. The ERMC will monitor overall credit utilization and any credit exceptions at least monthly. When measuring the current credit risk, netting will be applied to the exposure if the City's contract with a counterparty includes provisions for netting.

B. Analysis and Extension of Credit Limits

Physical and financial commodity transactions will be executed with counterparties approved by the ERMC with credit available to support the transactions. The creditworthiness of a counterparty will be determined by both qualitative and quantitative factors. Factors shall include, but not limited to:

- A company's debt credit ratings provided by the rating agencies.
- Financial data such as an analysis of the income statement, balance sheet, and cash flow, as well as liquidity and capital structure.
- Subjective factors such as company's fuel diversity, overall size, risk management policy and internal controls, geographic diversity, and market intelligence.

A credit limit is the amount of unsecured credit granted to a counterparty. Unsecured credit exposure includes amounts owed by the counterparty, whether billed or not, and the mark-to-market differences in value of any collateral which the counterparty has provided the City. Any net exposure above the collateral threshold will require the posting of collateral by a counterparty. Further information on the City's procedure for establishing credit is contained in the ***Counterparty & Credit Review Process***.

Collateral thresholds, term limitations and credit exposure limits will be subject to the maximums indicated in Appendix B, based upon the lower of the S&P and Moody's credit ratings.

At no time will the City incur a credit exposure with any counterparty greater than $60,000,000.

C. Instances of Exceeding Credit Limits

The City and TEA are restricted by the credit limits approved by the ERMC. The ERMC can suspend trading with a counterparty, if that counterparty's credit limit has been reached or exceeded. **The City or TEA traders shall not exceed the Counterparty Credit Limit by executing transactions with any counterparty without approval of the ERMC.**

The ERMC will determine when it's appropriate to require additional collateral if a counterparty's credit exposure exceeds its credit limit. Collateral includes standing letter of credit, cash, and prepayments.

All credit exceptions will be documented and reported to the ERMC and the Committee as Policy Exceptions.

REPORTING

A. Risk Reporting

Preparation of timely reports is critical to monitoring risk. TEA will furnish the required reports on a regular frequency for the City in a format acceptable to the ERMC. In addition, the ERMC and its designees will be provided access to the City's risk reports as updated daily via TEA's secure Web Portal.

Reports required on a monthly basis and for periodic meetings of the ERMC include the following:

- **Profit and Loss Report**

The Profit and Loss (P&L) Report shows the daily realization of transactions at either the transaction price or the market price as transaction roll from unrealized to realized. This report should show volumes, transaction prices and market prices of realized physical and financial power and fuel transactions.

- **Mark to Market Report**

The Mark to Market ("MTM") Report conveys the potential transaction exposure, of all existing forward transactions executed, if the energy commodity portfolio was liquidated at the most recent market settlement prices. This report should show volumes, transaction prices and market prices of unrealized physical and financial power and fuel transactions.

- **Daily Activity Report**

The Activity Report presents a summary of the day's trades executed in the bilateral energy market.

- **Cost of Service Report**

The City's exposure to energy price risk shall be monitored and reported on a Cost-of-Service basis. All calculations are at the wholesale level. The Cost-of-Service recognizes all prior (expired) months within the Power Year on the basis of actual (incurred) costs, and recognizes all forward (pending) months within the Power Year on the basis of expected forward power and fuel prices and expected forward load-following risks. As defined below, the Cost-of-Service is an aggregation of Forward Energy Commodity Portfolio Cost, the Load Following Cost Expectation and the City's Budget Target for Purchase Power Expense.

- The Net Purchased Power Cost shows the net cost of all physical and financial transactions related to the City's anticipated commodity requirements for power and fuel and is based on the price of all hedge transactions plus the forward market price of all unhedged transactions valued at current forward prices for energy commodities, customer-level cost per MWH of all physical and financial transactions related to Dover's actual plus anticipated energy.
- The expected fixed costs defined as load-serving entity (LSE) capacity costs, transmission costs and TEA management fees.
- The Expected Load-Following Cost for a specified power year is defined as the expected cost (or revenue) associated with intra-month load variations due to weather or other events affecting demand. As an interim measure due to lack of necessary market information and the rapid evolution of the PJM RTO market, the ERMC has specified $2.50 per MWH as an estimate of the Load Following Cost to be used for estimating the City's Forward Cost-of-Service Report. The ERMC will update the Expected Load Following estimate while lack of necessary market information persists no less than annually.
- The Budget Target for Purchase Power Expense represents the City's view of expected purchase power expense.

B. Credit Reporting

- **Counterparty Credit Report**

The Counterparty Credit Report conveys the exposure to all counterparties with which the City has credit exposure resulting from its energy commodity risk management activities.

- **CFTC Reporting**

The City understands that transacting over the counter (OTC) swaps carries an additional Commodity Futures Trading Commission (CFTC) reporting function. Once

required by the CFTC, the City will report on how the City generally meets its financial obligations associated with entering into non-cleared swaps in a manner acceptable to the CFTC.

C. Hedge Effectiveness Reporting

If the City's transactions require a hedge effectiveness test, those testing results will be reported to the ERMC no later than one month after the end of the financial reporting period. The report will include a summary of testing methodology, assumptions of the testing and the outcome of results with a pass or fail by transaction.

INFORMATION TECHNOLOGY SYSTEMS

Since information systems play a vital role in The City's trading abilities, the City shall ensure that the information systems and technology used to store all transaction information is maintained and secure. The City's transactions will be stored in TEA's enterprise trading and risk management system. TEA uses the TriplePoint Commodity XL (CXL) system, integrated with Commodity XL for Credit Risk (Credit Risk). TEA has assigned a Database Administrator (DBA) that is charged with the database security and maintenance for the transaction database, CXL.

The following safeguards for data security and backup will be installed:

- Transaction data stored in the system of record will be replicated daily to ensure data redundancy;
- The CXL database will be backed up at least daily after the close of business.

POLICY DISTRIBUTION AND COUNSEL

A. Distribution Outside The City

The City's Policy is restricted to the use of the City and TEA organizations. It shall not be distributed outside these organizations without the consent the ERMC.

B. Designated Counsel

Questions about the interpretation of any matters of this Policy should be referred to ERMC. The ERMC will provide clarification and explanation on any updates to this Policy.

All legal matters stemming from this Policy will be referred to the City's Legal Counsel.

APPENDIX A – Approved Products

The following shall constitute a list of approved products to be utilized by TEA to manage the City's energy commodity portfolio:

- Physical Power
- Physical Natural Gas
- Physical Residual Fuel Oil (#2)
- Capacity
- Financial Power
- Financial Options
- PJM Demand Bids and Generation Offers
- PJM InSchedules
- PJM Transmission Products
  - Financial Transmission Rights
  - Annual Auction Revenue Rights
- PJM Tier 2 Synchronized Reserves

The above instruments can be executed by TEA on behalf of the City of Dover for the current and next two successive Power Years (July to June).

APPENDIX B – Approved Counterparties and Threshold Tables

This Appendix establishes approved counterparties and their Collateral thresholds. Collateral thresholds, term limitations and credit exposure limits that are subject to the following maximums based upon the lower of the S&P and Moody's credit ratings:

Credit Thresholds from Dover Extended to the Counterparty

Exelon Generation Company, LLC

Threshold	S&P	Moody's
$ 60,000,000	AAA	Aaa
$ 50,000,000	A- to AA+	A3 to Aa1
$ 40,000,000	BBB+	Baa1
$ 30,000,000	BBB	Baa2
$ 20,000,000	BBB-	Baa3
$ -	Below BBB-	Below Baa3

AEP Energy Partners, Inc.

Threshold	S&P	Moody's
$ 10,000,000	BBB- and Above	Baa3 and Above
$ -	Below BBB-	Below Baa3

BP Energy Company

Threshold	S&P	Moody's
$ 60,000,000	AA- to AAA	Aa3 to Aaa
$ 45,000,000	A+	A1
$ 30,000,000	A	A2
$ 15,000,000	BBB to A-	Baa2 to A3
$ -	Below BBB	Below Baa2

Calpine Energy Services, L.P.

Threshold	S&P	Moody's
$ 25,000,000	AAA	Aaa
$ 15,000,000	AA- to AA+	Aa3 to Aa1
$ 10,000,000	A- to A+	A3 to A1
$ 5,000,000	BBB+	Baa1
$ 3,000,000	BBB- to BBB	Baa3 to Baa2
$ -	Below BBB-	Below Baa3

EDF Trading North America, LLC

Threshold	S&P	Moody's
$ 18,000,000	Fixed	Fixed

PSEG Energy Resources & Trade, LLC

Threshold	S&P	Moody's
$ 20,000,000	BBB- and Above	Baa3 and Above
$ -	Below BBB-	Below Baa3

Sequent Energy Management, L.P.

Threshold	S&P	Moody's
$ 5,000,000	Fixed	Fixed

Conectiv

Threshold	S&P	Moody's
Unspecified *	Above BBB+	Above Baa3
$ -	Below BBB-	Below Baa3

*** Conectiv does not have a defined credit threshold, so for planning purposes, a $10,000,000 threshold is imposed as a conservative limit**

Macquarie Energy, LLC

Threshold	S&P	Moody's
$ 25,000,000	AAA	Aaa
$ 20,000,000	AA- to AA+	Aa3 to Aa1
$ 15,000,000	A- to A+	A3 to A1
$ 10,000,000	BBB+	Baa1
$ 5,000,000	BBB	Baa2
$ -	BBB- or below	Baa3 or below

Morgan Stanley Capital Group

Threshold	S&P	Moody's
$ 25,000,000	AAA	Aaa
$ 20,000,000	AA- to AA+	Aa3 to Aa1
$ 15,000,000	A- to A+	A3 to A1
$ 10,000,000	BBB+	Baa1
$ 5,000,000	BBB	Baa2
$ -	BBB- or below	Baa3 or below

NextEra Energy Marketing, LLC

Threshold	S&P	Moody's
$ 30,000,000	AAA	Aaa
$ 25,000,000	AA- to AA+	Aa3 to Aa1
$ 20,000,000	A- to A+	A3 to A1
$ 15,000,000	BBB+	Baa1
$ 10,000,000	BBB	Baa2
$ -	BBB- or below	Baa3 or below

Deutsche Bank

Threshold	S&P	Moody's
$ 25,000,000	AAA	Aaa
$ 20,000,000	AA- to AA+	Aa3 to Aa1
$ 15,000,000	A- to A+	A3 to A1
$ 10,000,000	BBB+	Baa1
$ 5,000,000	BBB	Baa2
$ -	BBB- or below	Baa3 or below

Barclays Bank

Threshold	S&P	Moody's
$ 25,000,000	AAA	Aaa
$ 20,000,000	AA- to AA+	Aa3 to Aa1
$ 15,000,000	A- to A+	A3 to A1
$ 10,000,000	BBB+	Baa1
$ 5,000,000	BBB	Baa2
$ -	BBB- or below	Baa3 or below

Credit Thresholds from the Counterparty Extended to Dover

AEP Energy Partners, Inc.

Threshold	S&P	Moody's
$ 10,000,000	BBB- and Above	Baa3 and Above
$ -	Below BBB-	Below Baa3

BP Energy Company

Threshold	S&P	Moody's
$ 30,000,000	AA to AAA	Aa2 to Aaa
$ 25,000,000	AA-	Aa3
$ 20,000,000	A+	A1
$ 15,000,000	A	A2
$ 5,000,000	BBB to A-	Baa2 to A3
$ -	Below BBB-	Below Baa3

Calpine Energy Services, L.P.

Threshold		S&P	Moody's
$	10,000,000	AA- to AAA	Aa3 to Aaa
$	7,500,000	A- to A+	A3 to A1
$	5,000,000	BBB+	Baa1
$	3,000,000	BBB- to BBB	Baa3 to Baa2
$	-	Below BBB-	Below Baa3

Exelon Generation Company, LLC

Threshold		Fitch	Moody's
$	60,000,000	AAA	Aaa
$	50,000,000	A- to AA+	A3 to Aa1
$	40,000,000	BBB+	Baa1
$	30,000,000	BBB	Baa2
$	20,000,000	BBB-	Baa3
$	-	Below BBB-	Below Baa3

Conectiv

Threshold		Fitch	Moody's
Unspecified *		Above BBB+	Above Baa3
$	-	Below BBB-	Below Baa3

***Conectiv does not have a defined credit threshold, so for planning purposes, a $10,000,000 threshold is imposed as a conservative limit**

PSEG Energy Resources & Trade, LLC

Threshold		S&P	Moody's
$	12,000,000 *	Fixed	Fixed

***Threshold is $12,000,000 as long as Dover maintains a Debt Service Coverage greater than 1.25% and Total Net Assets of at least $50,000,000 and Total Net Assets do not decline by more than 25% on a fiscal year end basis.**

Morgan Stanley Capital Group

Threshold		S&P	Moody's
$	25,000,000	AAA	Aaa
$	20,000,000	AA- to AA+	Aa3 to Aa1
$	15,000,000	A- to A+	A3 to A1
$	10,000,000	BBB+	Baa1
$	5,000,000	BBB	Baa2
$	-	BBB- or below	Baa3 or below

Macquarie Energy, LLC

Threshold	Fitch	Moody's
$ 25,000,000	AAA	Aaa
$ 20,000,000	AA- to AA+	AA3 to Aa1
$ 15,000,000	A- to A+	A3 to A1
$ 10,000,000	BBB+	Baa1
$ 5,000,000	BBB	Baa2
$ -	BBB- or below	Baa3 or below

NextEra Energy Marketing, LLC

Threshold	Fitch	Moody's
$ 23,000,000	AAA	Aaa
$ 18,000,000	AA- to AA+	AA3 to Aa1
$ 13,000,000	A- to A+	A3 to A1
$ 8,000,000	BBB+	Baa1
$ 3,000,000	BBB	Baa2
$ -	BBB- or below	Baa3 or below

EDF Trading North America, LLC

Threshold	S&P	Moody's
$ 18,000,000	Fixed	Fixed

Deutsche Bank

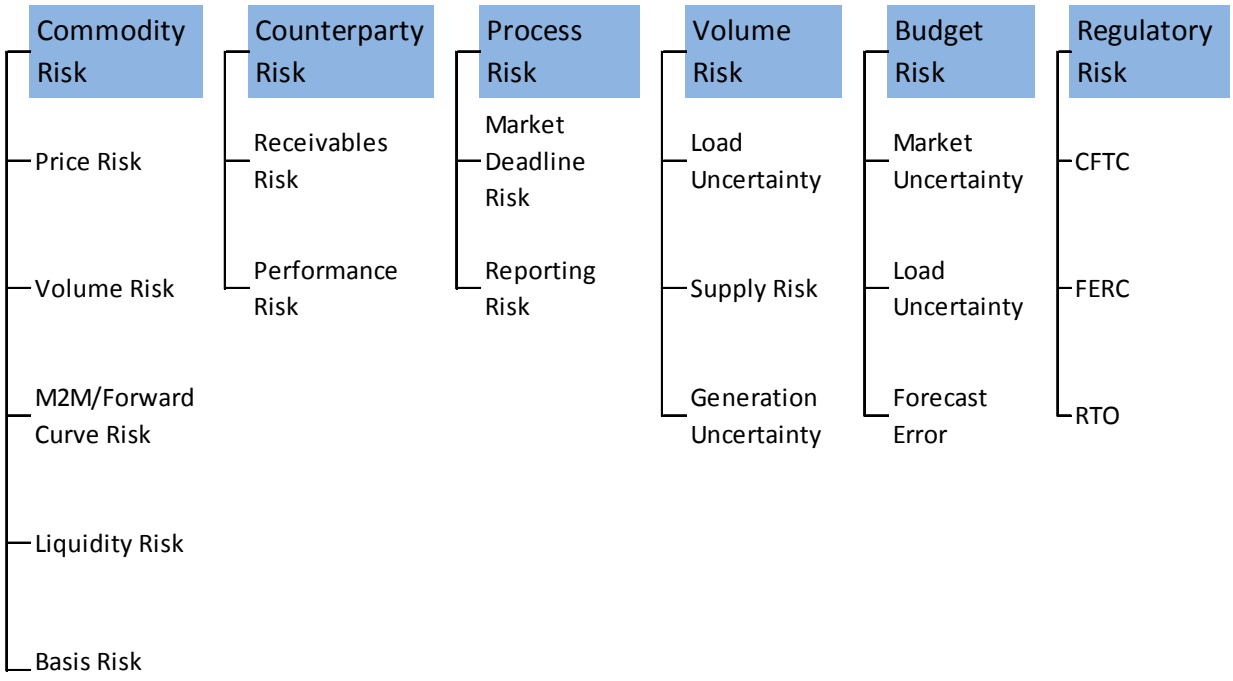
Threshold	Fitch	Moody's
$ 25,000,000	AAA	Aaa
$ 20,000,000	AA- to AA+	AA3 to Aa1
$ 15,000,000	A- to A+	A3 to A1
$ 10,000,000	BBB+	Baa1
$ 5,000,000	BBB	Baa2
$ -	BBB- or below	Baa3 or below

Barclays Bank

Threshold	Fitch	Moody's
$ 25,000,000	AAA	Aaa
$ 20,000,000	AA- to AA+	AA3 to Aa1
$ 15,000,000	A- to A+	A3 to A1
$ 10,000,000	BBB+	Baa1
$ 5,000,000	BBB	Baa2
$ -	BBB- or below	Baa3 or below

APPENDIX C – Business Risks

Business Risks Topology



APPENDIX D – Glossary

Back Office – That part of a trading organization which handles transaction accounting, confirmations, management reporting, and working capital management.

Bilateral Transaction - Any physical or financial transaction between two counterparties, neither of whom is an Exchange or market entity (e.g. MISO).

Capacity – The real power output rating of a generator or system, typically in megawatts, measured on an instantaneous basis.

Commodity - A basic good used in commerce that is interchangeable with other commodities of the same type. Commodities are most often used as inputs in the production of other goods or services. The quality of a given commodity may differ slightly, but it is essentially uniform across producers. When they are traded on an exchange, commodities must also meet specified minimum standards, also known as a basis grade.

Financial Bilateral Transaction – A Bilateral Transaction that is non-physical and is defined by a Source Point, Sink Point, and Delivery Point that may be any CP Nodes as specified by the Midwest ISO.

Financial Forward – An agreement regarding a position in a specified commodity, a specified price, and a specified future settlement date, that does not result in physical delivery of the commodity. Rather one party in the agreement makes a payment to the other party on the basis of the commodity price at the future date.

Front Office – That part of a trading organization which solicits customer business, services existing customers, executes trades and ensures the physical delivery of commodities.

Hedging Transaction - A transaction designed to reduce the exposure of a specific outstanding position or portfolio; "fully hedged" equates to complete elimination of the targeted risk and "partially hedged" implies a risk reduction of less than 100%.

Mark-to-Market Value – A measure of the current value of unrealized positions; includes both Open Positions and Closed Positions.

Middle Office – That part of a trading organization that measures and reports on market risks, develops risk management policies and monitors compliance with those policies, manages contract administration and credit, and keeps management and the Board informed on risk management issues.

Policy – Dover's Governing Policy for Energy Commodity Risk, as amended and approved by The Utility Committee.

Portfolio – A collection of transactions.

Realized Gains/(Losses) – The amount earned (or lost) from a transaction, considered to be **realized** once the time for performance has lapsed (e.g. delivery of power in the case of physical transactions or expiration of an option in the case of financial transactions).

Term – The total duration of a contract, defined as the number of days between the beginning flow date and ending flow date, inclusive.

Unrealized Gains/ (Losses) – The amount expected to earn (lose) on a specific transaction(s); however, the time for performance has not lapsed. The total value of Unrealized Gains/ (Losses) is the Mark-to-Market value.

APPENDIX E – Swap Transaction Representative

Purpose:
To ensure that the City of Dover, a Special Entity under the Dodd-Frank Financial Reform Act, selects a qualified representative ("Representative") to provide advice and guidance when entering into swap transactions with Swap Dealers or Major Swap Participants.

Definitions:
Special Entity: As defined in 7 U.S.C. 6s(h)(2)(C) and further interpreted in 17 C.F.R. 23.401(c). The City of Dover is a Special Entity as defined by 17 C.F.R. 23.401(c)(2).

Swap Dealer: As defined in 7 U.S.C. 1a(49) and further interpreted in 17 C.F.R. 1.3(ggg)

Major Swap Participant: As defined in 7 U.S.C. 1a(33) and further interpreted in 17 C.F.R. 1.3(hhh)

Representative: As defined in this policy and 17 C.F.R. 23.450

Policy:
Selection: The City of Dover shall endeavor to seek and employ an individual or entity that will voluntarily act as a Representative for all energy commodity swap transactions between XXXX and any Swap Dealer or Major Swap Participant. The Representative must meet the following qualifications identified in 17 C.F.R. 23.450(b):

(i) Has sufficient knowledge to evaluate the transaction and risks;
(ii) Is not subject to a statutory disqualification;
(iii) Is independent of the swap dealer or major swap participant;
(iv) Undertakes a duty to act in the best interests of the Special Entity it represents;
(v) Makes appropriate and timely disclosures to the Special Entity;
(vi) Evaluates, consistent with any guidelines provided by the Special Entity, fair pricing and the appropriateness of the swap; and
(vii) In the case of a Special Entity as defined in § 23.401(c)(2) or (4), is subject to restrictions on certain political contributions imposed by the Commission, the Securities and Exchange Commission, or a self-regulatory organization subject to the jurisdiction of the Commission or the Securities and Exchange Commission; provided however, that this paragraph (b)(1)(vii) of this section shall not apply if the representative is an employee of the Special Entity.

The Representative and the City of Dover shall enter into a legal agreement that binds the Representative to comply with items (i) through (vii) in this policy.

At no longer than any 12 month interval, the City of Dover shall review the performance of the Representative to ensure compliance with items (i) through (vii) in this policy.

McDowell, Traci

From: David Anderson <davidlevianderson@gmail.com>
Sent: Monday, August 28, 2017 5:05 PM
To: Sudler, Roy; Lewis, Brian E.
Cc: Anderson, David; City Clerks Office
Subject: Re: Fwd: Councilman Lewis would like for you to read this Statement of Absence from Meetings at tonight's Council Meeting

Will do.

On Aug 28, 2017 4:51 PM, "Roy Sudler Jr" <Roysudlerjr@comcast.net> wrote:

Sent from my iPhone

Begin forwarded message:

From: Brian Lewis <belewis1966@hotmail.com>
Date: August 28, 2017 at 12:49:23 PM EDT
To: "davidlevianderson@gmail.com" <davidlevianderson@gmail.com>
Cc: "roysudlerjr@comcast.net" <roysudlerjr@comcast.net>
Subject: RE: Statement of Absence from Meetings

I believe it is important that the following statement be read into the record since I am not in attendance at this evenings council meeting and would like for the people that I represent to be aware of the reason for my recent absence.

Last week my mom passed away to meet her creater and today I am finishing the final arraignments of her journey home. The last couple of weeks have been very sad and difficult for my family and I. I had to leave the State of Delaware and travel to Florida where my mom resided. She became ill and was placed on a ventilator then hospice care? I would hope that everyone understands family comes first and again this is a very sad time for me.

So everyone is aware, on Thursday, August 10th, I notified Council President Slavin and copied City Solicitor Rodriguez of my mothers illness. I asked Council President Slavin if I could be Excused from the 8/14/17, Council Meeting and this evenings Regular Council Meeting for I knew I would be out of town and didn't want any problems for missing the meetings. Council President Slavin responded in an email with "No Problem" and said my family and I would be in his thoughts and prayers, which I sincerely appreciated.

While I was down in Florida caring for my Mom at her bedside. I had my Cell Phone on me at all times and randomly checked my e-mails and texts messages on my phone. I received emails from Councilman Slavin inquiring how I was doing and received text messages from Councilman Sudler and Anderson asking the same.

During my absence from Delaware I received no communication from Mayor Christiansen or Mr. Lindell pertaining to this evenings agenda item "Proposed Amendment to Committees, Commissions and Boards Appointment Process. In a Delaware State News Article forwarded to me by Council President Slavin on 8/16/17, while in Florida. Mayor Christiansen stated in the article "he doesn't seem to be anywhere to get ahold of" referring to me. (See Newspaper Article) In a email to Mr. Polce and copied to me by Mr. Lindell on 8/18/17, Mr. Lindell states,

"Brian is a hard man to find in order to have a conversation"(See Attached Email). In addition to this statement , Mr. Lindell wrote extended comments in his email that I believe were unnecessary or relevant to the matter. In fact, I felt the comments expressed bitterness and animosity towards me. Something, I don't think we need with all Rhetoric of Hate that is going on in this Country today. It is abundantly clear that Mr. Lindell does not believe in Transparency for he criticizes me for talking to the press on city matters as he eluded to when he indicated "he's looking into getting press credentials because Brian seems to have no problem having conversation or being available to those who posses one." I would have certainly responded to a text or email from Mr. Lindell or the Mayor if they reached out to me like in the past.

After carefully reviewing my phone records, emails and even junk emails I have found no record of the Mayor or Mr. Lindell ever attempting to contact me in regard to Agenda Item "Proposed Amendment to Committees, Commissions and Boards Appointment Process" to discuss other then the copied email I received from Mr. Lindell on 8/18/17, to Mr Polce. (See Attached Email) In fact the last direct email I received from Mr. Lindell was on 7/5/17, requesting that a traffic matter near Fox Hall be placed on the Safety Advisory and Transportation Committee Agenda in which he knew how to contact me then (See Attached). So, I believe Mr. Lindell has my email if he needed to reach me within the last 3 weeks. The last text message I received from Mayor Christiansen was 5/30/17. So, I believe the Mayor has my cell phone number and email if he needed to reach me within the last 3 weeks. As far as Mr. Lindells's comment regarding Facebook it is my right to block who I want.

As far as the Agenda Item "Proposed Amendment to Committees, Commissions and Boards Appointment Process" At the Council Committee of the Whole - Legislative, Finance, and Administration Committee meeting of August 23, 2016, members asked Councilman Anderson and I to come up with recommendations for advancing a more effective recruitment process for city commissions committees and boards which included having current members reapply with an updated application. We introduced recommendations and ideas, that were solidified and then subsequently voted upon by both the Council Committee of a Whole and the Full City Council by unanimous vote.

I personally believe that the current process that was previously voted upon by a unanimous vote be left in place. I believe this issue has been politicized by the Mayor and have not seen any documented complaints since the process was implemented back on October, 2016. The only comment that I have heard, was from the Mayor who indicated one of his 4th of July Committee Appointees declined to fill out an updated application for whatever reason. On another note, to my recollection when this process was put in place a year ago there where no objection by the Mayor or anyone else. Why now?

Thank you
Councilman Lewis

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PETITION TO AMEND THE ZONING DISTRICT
Public Hearing before the
Dover City Council
September 11, 2017

Applicants/Owners:	Sarah E. Jones
Address:	826 Forest Street, Dover, DE (Store Addressed as 828 Forest Street)
Location:	South side of Forest Street between Gibbs Drive and Lincoln Street
Tax Parcel ID #:	ED-05-076.12-01-16.00-000
Size:	0.5 acres
Present Use:	Retail Establishment (Liquor Store)
Proposed Use:	Retail Establishment (Liquor Store)
Comprehensive Plan Designation:	Mixed Use
Present Zoning:	RG-1 (General Residence Zone)/COZ-1 (Corridor Overlay Zone)
Proposed Zoning:	C-1A (Limited Commercial Zone)/COZ-1 (Corridor Overlay Zone)
Reason for Request:	To allow the existing use to remain on site instead of sunset due to City Council action requiring the sunsetting of nonconforming uses in residential zones
File Number:	Z-17-04
Associated File Number:	MI-16-13 Nonconforming Uses in Residential Districts
Ordinance Number:	2017-10
Planning Commission Recommendation:	Following a public hearing on August 21, 2017, where two members of the public spoke regarding the application, the Planning Commission moved by vote of 8-0 to recommend in favor of the proposed rezoning. (Draft Minutes attached)

Overview

The applicant's property consists of one parcel currently zoned RG-1 (General Residence Zone). This rezoning request would rezone the parcel from RG-1 to C-1A (Limited Commercial Zone). The property is also subject to the COZ-1 (Corridor Overlay Zone) and would remain as such following rezoning.

The Rezoning request is necessary due to the Planning Office's ongoing project, assigned by City Council in December 2015, to sunset nonresidential, nonconforming uses in the City's residential zones. This sunsetting is required under the *Zoning Ordinance*, Article 7 §1.53:

> Article 7 Section 1. Nonconforming buildings and uses.
> 1.53 In any residence zone, any non-conforming use of buildings which is not permitted under the provisions of this ordinance may be continued for a period of:
>
> a) Twenty years after the effective date of this ordinance, or
> b) Forty years after the initial construction of the building containing such use or of any addition thereto adding 50 percent or more to the floor area occupied by such use,
>
> Whichever is the longer period, provided that, after the expiration of that period, such nonconforming use shall be terminated. However, no such nonconforming use shall be permitted to continue for a period exceeding two years, unless such use shall be operated in conformance with performance standards established in article 5, section 8.

The effective date of the current *Zoning Ordinance* is April 21, 1975. As such sufficient time has passed that most remaining nonconforming uses in the City's residence zones must now be discontinued or brought into compliance with the *Zoning Ordinance*.

Existing Property

The property at 826 Forest Street is the location of a retail store (liquor store) building. The retail store is addressed as 828 Forest Street and situated on the western portion of the property. Available Business License records dating back to 1998, show a Merchant License for the business known as E&J West Dover Liquors. Though in a residential zone, this store is located next to and across from several commercially zoned properties. It has a small amount of frontage on Lincoln Street but no driveway access to it; access is from Forest Street.

Surrounding Land Uses:

The surrounding uses vary. Immediately surrounding this property on the east and south are residential properties zoned RG-1 (General Residence Zone) and with properties zoned R-8 (One Family Residence Zone) further to the south. Directly adjacent on the west also fronting on Forest Street are two parcels zoned C-1 (Neighborhood Commercial Zone) which include one-family residences. This property is part of the general area of single family dwellings is known as Lincoln Park. To the north of the subject property across Forest Street is a mix of zoning including C-1A (Limited Commercial Zone), and C-3 (Service Commercial Zone). The commercial uses in this area include a laundromat, car wash, and retail store.

Comprehensive Plan:

In the *2008 Comprehensive Plan*, the Land Development Plan (Map 12-1 as amended, dated March 2012) recommends that this property be used for Mixed Use land use classification. Specifically, regarding Mixed Use in the downtown area, the *Comprehensive Plan* identifies the following goal:

> Enhance the role of Downtown Dover as a major employment, residential and commercial center as well as the symbolic and cultural heart of the community, and recognize its unique heritage and historic resources. Provide for mixed use development allowing greatest variation of uses.

The Rezoning request is also consistent with the Land Use Classification of Mixed Use. Table 12-1: Land Use and Zoning Matrix specifies that the following zones are compatible with this land use classification. The property is not located with the Downtown Development Target Area.[1]

- C-2 (Central Commercial) *within the Downtown Development Target Area only
- C-2A (limited Central Commercial)
- TND (Traditional Neighborhood Design)
- C-1 (Neighborhood Commercial)
- C-1A (Limited Commercial)
- RGO (General Residence and Office) *within the Downtown Development Target Area only
- R-8 (One Family Residential)
- R-7 (One Family Residential)
- RG-1 (General Residential)
- RG-2 (General Residential)
- RG-4 (Multi-Story Apartments)
- C-3 (Service Commercial)
- CPO (Commercial/Professional Office)
- IO (Institutional and Office)

Request for C-1A (Limited Commercial Zone)
The uses permitted in the C-1A zoning district are listed in Article 3 §12 of the *Zoning Ordinance.* See Code excerpt below.

Article 3
Section 12. - Limited commercial zone (C-1A).

12.1 *Uses permitted.* In a limited commercial zone (C-1A), no building or premises shall be used, and no building or part of a building shall be erected, which is arranged, intended, or designed to be used, in whole or in part, for any purpose, except the following:

(a) Retail stores.
(b) Personal service establishments.
(c) Service establishments.
(d) Restaurants.
(e) Business, professional, and governmental offices.
(f) One family residences, including attached and semi-detached dwellings, complying with the bulk standards of the RG-1 (General Residence) zone.
(g) Apartments and multi-family dwellings.

12.2 *Conditional uses.* The following uses are permitted, conditional upon the approval of the planning commission in accordance with the procedures and subject to the general conditions set forth in article 10, section 1:

(a) Drive-throughs accessory to a permitted use.

12.3 *Uses prohibited.* The following uses are prohibited:

[1] The 2008 Comprehensive Plan references the "Downtown Target Area." This is equivalent to the "Downtown Redevelopment Target Area" as defined and whose boundaries are described in *Dover Code of Ordinances,* Appendix C.

(a) Fuel pumps and motor vehicle storage, sales, or repairs.

12.4 *Enclosed buildings.* All permitted uses and all storage accessory thereto, other than offstreet parking, shall be carried on in buildings fully enclosed on all sides, except for outdoor eating areas associated with restaurants and outdoor sales areas approved by the city planner.

12.5 *Performance standards.* All uses are subject to performance standards as set forth in article 5, section 8.1.

12.6 *Site development plan approval.* Site development plan approval in accordance with article 10, section 2 hereof shall be required prior to the issuance of building permits for the erection or enlargement of all structures and prior to the issuance of certificates of occupancy for any change of use.

The existing and proposed use as a retail store (liquor store) would be permitted in the C-1A Zone.

Corridor Overlay Zone

The provisions of the COZ-1 (Corridor Overlay Zone) in *Zoning Ordinance,* Article 3 §27 are established to "promote superior urban corridor development and the highest quality built environment." There are a series architectural, parking, and landscaping guidelines that would be required by the COZ-1 zoning district, if redevelopment of the property is proposed.

Recommendation of the Planning Staff
And Recommendation of the Planning Commission:

Staff supports the rezoning request from RG-1 to C-1A. The zoning district of C-1A is in compliance with the *Comprehensive Plan* as the Map 12-1: Land Development Plan depicts property with a Mixed Use land use classification. The C-1A zone is the lowest density zoning classification that would permit a retail store utilized as a liquor store. There is another C-1A zoned property nearby. The property could be rezoned to C-1 (Neighborhood Commercial Zone), but in such a case it would still be a nonconforming use, albeit not in a residential zone because of the prohibition of liquor stores in the C-1 zone.

Staff recommends that the property remain subject to the COZ-1 (Corridor Overlay Zone) due to the frontage on to Forest Street. The purposes of the COZ-1 are to promote superior urban corridor development; to foster coordination and linkage among corridor properties; to preserve functionality and efficiency of the roadway for traffic movement; and to achieve a visually balanced streetscape environment friendly to the pedestrian and motorist. (*Zoning Ordinance*, Article 3 §27). This segment of Forest Street is a gateway into the Downtown area of Dover. The Staff recommendation was made without the benefit of hearing the comments of surrounding landowners and residents as the Public Hearing had not yet occurred.

Following a Public Hearing before the Planning Commission on August 21, 2017, where the application's representative and two members of the public spoke regarding the proposed rezoning, the Planning Commission unanimously (of the members present) recommended in favor of the rezoning as proposed (8-0). See the included excerpt of the DRAFT Meeting Minutes of the August 21, 2017 Planning Commission meeting. The comments received from the other member agencies of the Development Advisory Committee (D.A.C.) are also provided.

ADVISORY COMMENTS TO THE APPLICANT:

1) **In accordance with the provisions of *Dover Code, Chapter 1, Sec. 1-13 Clean Hands (b) Obligations which must be current,* the City will be unable to grant final action on this Rezoning Application as property taxes are delinquent (as of July 31, 2017) for the involved property. All payments due to the City must be paid in full into order to complete the review process and receive any final approval.**
    a. For questions regarding the property tax billing, you may contact the Tax Assessor's Office at (302) 736-7022.
    b. As of August 31, 2017, the property taxes for this property had not been paid.

2) Formal Notice of Decision will indicate actions taken on this rezoning by the Planning Commission and City Council, and will indicate the resolution (or lack thereof) of the property's nonconforming use status.

3) The applicant shall be aware that following any decision made by City Council in regards to approval of this rezoning, that a Site Plan, Subdivision Plan and or appropriate Building Permits must be submitted to the Planning Department prior to the establishment of a new use or any construction activity on the site. The applicant should contact the Planning Staff to determine the appropriate review process for any proposed projects.

4) The applicant shall be aware that approval of any rezoning application does not represent a Building Permit, other construction activity permit approval, or authorization to establish a new use. A separate application submission showing any proposed improvements is required before issuance of permits by the City of Dover.

5) The business (retail store) located on the property is required to maintain a City of Dover Business License. The new licensing year started August 1st and the applicant should have received information on the process for renewal of the Business License. For questions and processing of Business Licenses, contact the City's Permitting & Licensing Division at (302) 736-7010.

Attachments:

- Excerpt from DRAFT Planning Commission Meeting Minutes of August 21, 2017
- Development Advisory Committee Comments from City of Dover Electric & Public Works Departments, City Office of the Fire Marshal, DelDOT, and Kent Conservation District
- Zoning Map Exhibit

CITY OF DOVER PLANNING COMMISSION
August 21, 2017
Excerpt from Meeting Minutes – DRAFT

Z-17-04 Lands of Sarah Jones at 826/828 Forest Street – Public Hearing and Review for Recommendation to City Council on the rezoning of one parcel of land totaling 0.5 acres+/- located on the south side of Forest Street between Gibbs Drive and Lincoln Street. The property is zoned RG-1 (General Residence Zone) and subject to the COZ-1 (Corridor Overlay Zone). The proposed zoning is C-1A (Limited Commercial Zone) and subject to the COZ-1 (Corridor Overlay Zone). The owner of record is Sarah E. Jones. Property Address: 826/828 Forest Street. Tax Parcel: ED-05-076.12-01-16.00-000. Council District 4. Ordinance #2017-10. *For this zoning map amendment, the First Reading was completed on July 24, 2017. Public Hearing before the Planning Commission is scheduled for August 21, 2017, and Final Reading/Public Hearing is scheduled before City Council for September 11, 2017. This application is associated with item MI-16-13: Nonconforming Uses in Residential District. The Rezoning is proposed in order to comply with City Council action requiring the sunsetting of nonconforming uses in residential zones.*

Representatives: Ms. Jocelyn Jones, E&J West Dover Liquors

Mrs. Melson-Williams stated that this application is a rezoning application. It is in regards to the property located at 826 Forest Street. The store on the property is also addressed as 828 Forest Street. The property is on the south side of Forest Street between Gibbs Drive and Lincoln Street. Currently, the present zoning of the property is RG-1 (General Residence Zone) and it is subject to the COZ-1 (Corridor Overlay Zone). The application before us this evening seeks a zoning classification of C-1A (Limited Commercial Zone) with the property remaining subject to the COZ-1 (Corridor Overlay Zone). The reason for the request is to allow the existing use which is a retail establishment of a liquor store to remain on the site instead of sunsetting due to its nonconforming use status in the residential zone. As mentioned, the property is currently zoned RG-1 (General Residence Zone) and the Planning staff has been working through a project City wide to identify non-residential uses that are non-conforming that happen to be located on properties that are zoned residentially. It is the location of a retail store; specifically, the E&J West Dover Liquors which has been that for a number of years at the existing building on the site. This application does not involve any construction or redevelopment of the property. It is strictly about the zoning classification of the property. Surrounding the site is really a mix of residential zoning classifications as well as some nearby commercial zones including C-1 (Neighborhood Commercial Zone), C-1A (Limited Commercial Zone) and also C-3 (Service Commercial Zone). Most of the commercial zones are specifically across the street from this property. With all rezonings, we have to look at the *Comprehensive Plan* and the *Comprehensive Plan* for this area identifies the appropriate land use classification as Mixed Use. When they refer to the land-use and zoning matrix, the classification of C-1A (Limited Commercial Zone) is in compliance with the *Comprehensive Plan.* Specifically, the types of uses that are allowed in the C-1A (Limited Commercial Zone) include retail stores, personal service establishments, restaurants, and a variety of types of offices. It does allow for one-family residences and apartments and multi-family dwellings as permitted uses. There are some conditional uses that

are allowed through a specialized process and then several uses that are specifically prohibited which in this case would include a prohibition of fuel pumps and any kind of motor vehicle storage, sales or repairs in that C-1A (Limited Commercial Zone) classification. The property is also subject to the COZ-1 (Corridor Overlay Zone) and this is a zone that adds a series of architectural, parking and landscaping guidelines should re-development of the property be anticipated.

With this application, the Planning Staff is supporting the rezoning request from RG-1 (General Residence Zone) to C-1A (Limited Commercial Zone) noting that the C-1A (Limited Commercial Zone) is the lowest density zoning classification that would permit this type of retail store within the zone. They also recommend that the property remain subject to the COZ (Corridor Overlay Zone). They have a number of advisory comments to the applicant including a notation that currently the property taxes are delinquent on this property. That is an item that must be taken care of before City Council can take final action on this specific property and its rezoning request. There are comments from the participating Development Advisory Committee agencies but most of those comments indicate no objection to the rezoning of the property. They just identify some advisory comments should re-development in the future be anticipated by the property owner. Tonight, the Planning Commission is making a recommendation in regards to the rezoning of the property. The Planning Commission's recommendation after the public hearing will be forwarded to City Council. City Council will conduct their own public hearing and take all of the items and information under consideration before they take final action on the rezoning.

Mr. Holt questioned if there have been any problems or difficulties with the liquor store in that neighborhood or from the neighbors? Responding to Mr. Holt, Mrs. Melson-Williams stated that Planning Staff did have several people that did come in to inquire about the application that was filed because they received notice but they did not seem to indicate any issues with the property itself. There is public here this evening that you may hear from. The types of code violations that the property has had over the years have been related to licensing requirements for being slightly late on their Business License for the year and things of that nature.

Mr. Tolbert stated that the review process cannot be completed as long as taxes are delinquent. Will any action that the Planning Commission takes be impacted by the outstanding taxes that are due? Responding to Mr. Tolbert, Mrs. Melson-Williams stated that the indication from the Planning Staff is that they are continuing to move it through the process in hopes that the applicant will take care of that before they get to the final step in the process which is action by City Council. When this application initially started the review process, taxes were not yet due and they were due by July 31, 2017 which was mid-way through the process. The portion of the Ordinance that they are referring to is the Clean Hands Provisions of the *Dover Code of Ordinances* which require applications, permits, licenses and the like to be current with all obligations to the City and that would include paying taxes.

Ms. Jocelyn Jones stated that she was here on behalf of E&J West Dover Liquors and she is in agreement with the review that was just heard.

Mr. Tolbert opened a public hearing.

Ms. Amelia Howard – 814 Forest Street Dover DE 19904

Ms. Howard stated that she has no problem with them rezoning the liquor store which is 828 Forest Street but 826 Forest Street used to have a house there and is residential. Why can't that property remain residential and 828 Forest Street go to commercial? If they rezone it and the property is sold, then you don't know what's going to be put there.

Responding to Ms. Howard, Mrs. Melson-Williams stated that the information that they have indicates that the property is one large property. It is not two separate lots meaning that the store on one lot and where the house was is on another lot. The City's records indicate that it is one large tract of land and they typically rezone the entire parcel. The C-1A (Limited Commercial Zone) that they are seeking does allow for a single family residence or for an apartment or multi-family building as a use on the property. So that vacant area could still be used as residential under the proposed zoning if that is successful.

Ms. Howard stated that she doesn't have a problem with that being a residential area. She just doesn't want them to expand out with a bigger liquor store or something like that because they have a lot of traffic on that street. Most of the time she has to go east to a back street to go west from her house and so do her neighbors. If they put something bigger there it's going to be even more congested.

Responding to Ms. Howard, Mr. Tolbert stated that if they want to put something bigger there at some point, they are going to have to come before this Commission and everyone will have an opportunity to address that issue at that time.

Mr. Victor Giangrant – Westside Car Wash, 805 Forest Street Dover DE 19904

Mr. Giangrant stated that he owns Westside Car Wash. They are adjacent to the liquor store. It is quite interesting working next to a liquor store. He picks up beer cans and whiskey glass every day. His customers get panhandled every day. There are people hanging out along side of the liquor store in a drunken stupor yelling and screaming obscenities. It's a tough place to do business when you have that type of environment so he is against it. Although he is pro-business, he doesn't think that a liquor store is the proper place in a residential area in his opinion.

Mr. Tolbert closed the public hearing.

Dr. Jones questioned if the applicant understands and accepts the concern about the taxes, that it will not go further in all probability? Responding to Dr. Jones, Ms. Jones stated yes.

Mr. Tolbert stated that he would like to hear the applicant's response to Mr. Giangrant's concerns. Responding to Mr. Tolbert, Mr. Jones stated that she has not had any complaints and

there hasn't been any beer cans or bottles around the area of the liquor store. His employees drink there very much so the empty cans and bottles are on his side. She hasn't had anyone yelling in a stupor or drunk on the side of the store so she hasn't had any complaints. Also, this store has been here for over twenty years. Even before her family became the owners, the store was there for fifteen years prior. There were two owners before them.

Mr. Tolbert stated that the only reason that he brought it up was that he wanted her to be aware of a complaint that's being made. He also wants to state that if the complaint is valid then it should be brought to the attention of the police so that they can look into that matter. The Planning Commission can't come out and police that area so you have an obligation to bring it to the attention of the police or also talk to the owner of the establishment to come to an agreement as to what is going to be done about it.

Dr. Jones moved to recommend approval to City Council for Z-17-04 - Lands of Sarah Jones 826-828 Forest St for the rezoning request from RG-1 (General Residence Zone) to C-1A (Limited Commercial Zone) and to retain the zoning of the COZ-1 (Corridor Overlay Zone), seconded by Ms. Maucher and the motion was carried 8-0 by roll call vote with Ms. Edwards absent. Mr. Holden voting yes, due to Staff comments and the long standing history of the property utilized as currently. Mr. Roach voting yes. Mr. Holt voting yes; due to the last standing history of the property and hopefully something can be worked out with the car wash next door to resolve the problem. Mr. Baldwin voting yes; it fits within the zoning of that area. Dr. Jones voting yes; for previous reasons stated. Mrs. Welsh voting yes; as the rezoning brings the property in compliance with City Council's request for sunsetting of non-conforming uses. Ms. Maucher voting yes; as it eliminates a non-conforming use property. Mr. Tolbert voting yes; the application brings the applicant into compliance with the City Code.

Mrs. Melson-Williams stated that this application will next be heard at the City Council meeting on September 11, 2017. It is also subject to public hearing at that meeting as well.

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: AUGUST 2, 2017

CITY OF DOVER Electric & Public Works Departments

APPLICATION: **LANDS OF SARAH JONES AT 826 FOREST STREET**

FILE #: **Z-17-04**

REVIEWING AGENCY: **City of Dover**

CONTACT PERSON: **Paul Waddell - Electric**
Jason A. Lyon, P.E. – Public Works

CONTACT PHONE #: **ELECTRIC - 302-736-7072 PUBLIC WORKS – 302-736-7025**

THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY'S AUTHORITY AND AREA OF EXPERTISE.

THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESSED BY THE APPLICANT:

CITY AND STATE CODE REQUIREMENTS

ELECTRIC / WATER / WASTEWATER / STORMWATER / STREETS / SANITATION / GROUNDS

Our office has no objection to the rezoning of:

ED-05-076.12-01-16.00-000

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

ELECTRIC / WATER / WASTEWATER / SANITATION / STORMWATER / STREETS / GROUNDS

1. Should this site be redeveloped, which includes modifications to the use, the applicant / developer will be responsible for all costs associated with providing the appropriate meter / service / main to this site based upon the use including any necessary system upgrades or extensions. The appropriateness and adequacy of electric, water and sewer services and meters will be assessed at that time. (Please note that each water meter registered with the City of Dover must have a separate service line.) Should the existing water and sanitary sewer services no longer be required based upon the proposed use, they must be properly abandoned at the mains in accordance with all City of Dover Department of Public Works standards and specifications.
2. Any redevelopment shall adhere to the City of Dover Water/Wastewater Handbook, the Specifications, Standards & Procedures for City of Dover Public Works requirements, and the City of Dover's Electric Service Handbook.
3. Please note that renovations and or change of use projects must ensure that the water and wastewater service is brought up to current requirements. This may include relocating the water meter outside or changing service line sizes. Please ensure you schedule a meeting with the Department of Public Works during the planning phase for this site. Additional impact fees may apply for future development.

ADVISORY COMMENTS TO THE APPLICANT

ELECTRIC / WATER / WASTEWATER / STORMWATER / STREETS / SANITATION / GROUNDS

1. None.

IF YOU HAVE ANY QUESTIONS OR NEED TO DISCUSS ANY OF THE ABOVE COMMENTS, PLEASE CALL THE ABOVE CONTACT PERSON AND THE PLANNING DEPARTMENT AS SOON AS POSSIBLE.

Z-17-04

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: 08/09/17

CITY OF DOVER FIRE MARSHAL

APPLICATION: Lands of Sarah Jones at 826 Forest St

FILE #: Z-17-04 REVIEWING AGENCY: City of Dover, Office of the Fire Marshal

CONTACT PERSON: Jason Osika, Fire Marshal PHONE #: (302) 736-4457

THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY, AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY'S AUTHORITY AND AREA OF EXPERTISE.

THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESS BY THE APPLICANT:

Routine Comments:

1. The installation of natural gas and LP gas meters, regulators, valves, and LP gas bottles shall be protected from impact damage by impact protection. Natural gas and LP gas meters, regulators, and valves located inside structures shall have impact protection, except when located in separate protected utility rooms. *Dimensions of bollards.* Bollards shall be a minimum of six-inch diameter filled with concrete. The bollard shall be set into the ground at a depth of at least 36 inches (three ft.) embedded in concrete at a minimum of 18 inches surrounding the bollard. The bollards must be a least 48 inches (four ft.) in height above the finish grade elevation. Any deviation of the stated requirements must be approved by the fire marshal and/or chief building inspector. The above dimensions shall serve as the requirement for installation; however the fire marshal and/or chief building inspector shall have the authority to require more stringent dimensions to fit the needs of devices warranting impact protection. *Color of bollards.* Bollards should be of the following colors; yellow, amber or orange. All colors shall be of fluorescent or have a reflective coating. Any deviation of the stated requirements must be approved by the fire marshal and/chief building inspector. (City of Dover Code of Ordinances, 46-4)

2. Every house, building or structure used or intended for use as living quarters or as a place for conducting business, and having any wall facing or abutting any public or private street or alley, shall have displayed on that wall, in legible, easily read characters which are of contrasting color to the background, the proper street number for such house, building, or structure in accordance with the following: *One-family and two-family residential structures, height*, the number shall measure a minimum of four inches in height, *location*, the number shall be placed on the house above or to the left or right of the front entrance, *color*, the number shall be contrasting to the background color, A*rabic numerals*, all numbers shall be Arabic numerals. *Multiple-family dwellings, measurements*, the number shall measure a minimum of six inches when identifying individual apartments with exterior doors, and 12 inches when identifying buildings with apartment complexes where there

are two or more buildings not assigned street addresses. Individual buildings with street addresses shall have numbers measuring six inches, *location, n*umbers shall be placed either in the center of the building or on the street end of the building so as to be visible from either the public or private street or from the parking lot, *color, n*umbers shall be contrasting to the background color, *Arabic numerals, a*ll numbers used shall be Arabic numerals. *Commercial, industrial and office buildings, height, t*he numbers shall measure a minimum of 12 inches in height, *location generally, n*umbers shall be placed either in the center of the building or on the street end of the building so as to be visible from either the public or private street or from the parking lot, *property line or driveway, s*hould the building be located far enough from a public or private road so that the numbers are not clearly visible from the street, then the street address shall also be posted on the property at or near the property line or driveway to said building, *color; each building, n*umbers shall be contrasting to the background color and shall be placed on each building in the complex, *Arabic numerals, a*ll numbers used shall be Arabic numerals, *Shopping centers.* Shopping centers consisting of two or more stores shall have a tenant or suite number affixed to the front of the tenant space and on the outside of the rear door which corresponds with that tenant space. Numbers shall measure six inches in height. (City of Dover Code of Ordinances, 98-344)

APPLICABLE CODES LISTED BELOW (NOT LIMITED TO):
2015 NFPA 1 Fire Code (NFPA; National Fire Protection Association)
2015 NFPA 101 Life Safety Code (NFPA; National Fire Protection Association)
2013 NFPA 72 National Fire Alarm and Signaling Code (NFPA; National Fire Protection Association)
2013 NFPA 13 Installation of Sprinkler Systems (NFPA; National Fire Protection Association)
2009 IBC (International Building Code)
Latest editions of all other NFPA Codes as defined by the Delaware State Fire Prevention Regulations
2015 Delaware State Fire Prevention Regulations
City of Dover Code of Ordinances

***If you have any questions or need to discuss any of the above comments, please call the above contact person listed.**

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: August 2, 2017

D E L D O T

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APPLICATION: Lands of Sarah Jones at 826 Forest Street

FILE#: Z-17-04 REVIEWING AGENCY: DelDOT

CONTACT PERSON: Jonathan T. Moore PHONE#: 760-2145

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THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY'S AUTHORITY AND AREA OF EXPERTISE.

THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESSED BY THE APPLICANT:

CITY & STATE CODE REQUIREMENTS:

DelDOT has no comments regarding city & state code at this time.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

DelDOT has no recommendations at this time.

ADVISORY COMMENTS TO THE APPLICANT:

DelDOT has no advisory comments at this time.

If you have any questions or need to discuss any of the above comments, please call the above contact person and the planning department as soon as possible.

KENT CONSERVATION DISTRICT
800 BAY ROAD SUITE 2 • DOVER, DELAWARE • 19901 (302) 741-2600 EXT. 3 • FAX (302) 741-0347

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
August 2017

APPLICATION: Lands of Sarah Jones at 826 Forest Street

FILE #: Z-17-04

REVIEWING AGENCY: *Kent Conservation District*

CONTACT PERSON: *Jessica Verchick* **PHONE #:** *741-2600 ext.3*

THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY'S AUTHORITY AND AREA OF EXPERTISE. THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESSED BY THE APPLICANT:

Source: Delaware Sediment and Stormwater Regulations

CITY AND STATE CODE REQUIREMENTS:

1. Kent Conservation District has no objection to the re-zoning plan for the above referenced site.

ADVISORY COMMENTS TO THE APPLICANT:

1. If at any time expansion or earth disturbing activity (clearing, grubbing tree clearing etc.) takes place and exceeds 5000 square feet; a detailed Sediment and Stormwater Management Plan must be submitted and approved to the Kent Conversation District.

City of Dover

Department of Planning & Inspections

Application No.: Z-17-04



Title:	Lands of Sarah E. Jones
Address:	826 Forest Street
Parcel ID:	ED-05-076.12-01-16.00-000
Current Zoning:	RG-1, COZ-1 (partial)
Proposed Zoning:	C-1A, COZ-1 (partial)
Owner:	Sarah E. Jones
Date:	7/13/2017

Legend

- Subject Property
- Dover Parcels
- Zoning
- Corridor Overlay Zone
- 2012 Buildings
- Kent County Parcels
- Dover Boundary

N W E S

0 75 150 300 Feet

FINAL READING

City of Dover

PROPOSED ORDINANCE #2017-10

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER BY CHANGING THE ZONING DESIGNATION OF PROPERTY LOCATED AT 826 FOREST STREET

WHEREAS, the City of Dover has enacted a zoning ordinance regulating the use of property within the limits of the City of Dover; and

WHEREAS, it is deemed in the best interest of zoning and planning to change the permitted use of property described below from RG-1 (General Residence Zone) and subject to the COZ-1 (Corridor Overlay Zone) to C-1A (Limited Commercial Zone) and subject to the COZ-1 (Corridor Overlay Zone).

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

1) That from and after the passage and approval of this ordinance the Zoning Map and Zoning Ordinance of the City of Dover have been amended by changing the zoning designation from RG-1 (General Residence Zone) and subject to the COZ-1 (Corridor Overlay Zone) to C-1A (Limited Commercial Zone) and subject to the COZ-1 (Corridor Overlay Zone) on that property located on the south side of Forest Street between Gibbs Drive and Lincoln Street at 826 Forest Street, consisting of $0.5^{+/-}$ acres, owned by Sarah E. Jones.
(Tax Parcel: ED-05-076.12-01-16.00-000; Planning Reference: Z-17-04; Council District: 4)

ADOPTED: *

S:\ORDINANCES\2017\DRAFT\ORDINANCE #2017-10 REZONING - 826 FOREST STREET\ORDINANCE #2017-10 - REZONING-826 FOREST STREET-FINAL READING.wpd

Actions History
09/11/2017 - Scheduled for Public Hearing/Final Reading - City Council
08/21/2017 - Public Hearing - Planning Commission
07/24/2017 - First Reading - City Council

Draft

PETITION TO AMEND AND ZONING DISTRICT
Public Hearing before the
Dover City Council
September 11, 2017

Applicants/Owners: Equitable Owners:	Bennie Smith Real Estate, LLC St. Nicholas Ukrainian Orthodox Mission
Address:	870-872 Forest Street, Dover, DE
Location:	South side of Forest Street east of Gibbs Drive
Tax Parcel ID #:	ED-05-076.12-01-08.00-000
Size:	0.7473 acres (32,552 SF+/-)
Present Use:	Two Buildings: Office Building & Day Care Center
Proposed Use:	Two Buildings: Place of Worship, School, and Business Office of philanthropic and charitable institution & Day Care Center
Comprehensive Plan Designation:	Mixed Use
Present Zoning:	C-1A (Limited Commercial Zone)/COZ-1 (Corridor Overlay Zone)
Proposed Zoning:	IO (Institutional and Office Zone)/COZ-1 (Corridor Overlay Zone)
Reason for Request:	To allow for the establishment of new uses of a Place of Assembly (Place of Worship), School and Business Office of a philanthropic and charitable institution in existing building.
File Number:	Z-17-05
Ordinance Number:	2017-11
Planning Commission Recommendation:	Following a public hearing on August 21, 2017, where no members of the public spoke regarding the application, the Planning Commission moved by vote of 6-0 to recommend in favor of the proposed rezoning (2 members recused). (Draft Minutes attached)

Overview
This rezoning application consists of for one parcel of land totaling of 0.7473 acres (32,552 S.F.) of area. The property is currently zoned C-1A (Limited Commercial Zone) and subject to the COZ-1 (Corridor Overlay Zone). The proposed zoning classification is IO (Institutional and Office Zone) and subject to the COZ-1 (Corridor Overlay Zone). The property known as 870-872 Forrest Street is situated on the south side of Forest Street and east of Gibbs Drive. The owner of record is Bennie Smith Real Estate, LLC. The equitable owner is St. Nicholas Ukrainian Orthodox Mission. Tax Parcel: ED-05-076.12-01-08.00-000.

Previous Applications:
On September 22, 2003, this property at 870 Forest Street was approved for rezoning by City Council from RG-1 (General Residence Zone) to CPO (Commercial Professional Office Zone) with the property also subject to the COZ-1 (Corridor Overlay Zone 1). Application Z-03-03.

Redevelopment of this parcel of land was then reviewed under Site Plan S-04-01and approved by the Planning Commission on January 20, 2004. The Site Plan proposed that the two existing buildings be utilized as office buildings and include site improvements for parking and landscaping.

On November 15, 2004, a Conditional Use Site Plan C-04-08 was reviewed and granted conditional approval by the Planning Commission to permit the use of the existing Building #2 (rear building addressed as 872 Forest Street) on the property as a Day Care Center. As part of the motion, the Planning Commission set the maximum number of children for this Day Care Center at sixty (60) children. Conditional Use Site Plan (C-04-08) was granted Final Plan approval on June 8, 2005. Construction activities were begun to renovate the buildings and complete the site work. During the implementation of the plan a discrepancy between the approved Site Plan and the approved Landscape Plan was identified related to the opaque barrier requirements and as a result the Planning Commission considered and approved a waiver request for the opaque barrier requirements on September 19, 2005.

On September 10, 2012, this property at 870 Forest Street was approved for rezoning by City Council from CPO (Commercial Professional Office Zone) to C-1A (Limited Commercial Zone) with the property also subject to the COZ-1 (Corridor Overlay Zone 1). Application Z-12-02.

Existing Property:
The subject property consists of one parcel of land and includes two (2) existing buildings. The use of the front building at 870 Forest Street is currently established as an office building. The rear building at 872 Forest Street currently houses a Day Care Center known as Cindy's Bright Stars Learning.

Surrounding Land Uses:
The surrounding uses vary. Immediately surrounding this property are residential properties zoned RG-1 (General Residence Zone) and with properties zoned R-8 (One Family Residence Zone) further to the south. This area of single family dwellings is known as Lincoln Park. To the north of the subject property across Forrest Street (Route 8) is zoned IO (Institutional and Office Zone) and is the location of an elementary and middle school. To the northeast of this parcel at the intersection of Forrest Street and Division Street is a mix of zoning including C-1A (Limited

Commercial Zone), and C-3 (Service Commercial Zone). The commercial uses in this area include a laundromat, car wash, and retail store. Further east on Forest Street are two parcels zoned C-1 (Neighborhood Commercial Zone).

Those properties fronting on Forest Street are within the COZ-1 (Corridor Overlay Zone) which requires enhanced design requirements for development activities such as landscaping, setbacks, building placement, parking, buffering, etc. to promote superior urban design.

Comprehensive Plan:
In the *2008 Comprehensive Plan*, the Land Development Plan (Map 12-1 as amended, dated March 2012) recommends that this property be used for Mixed Use. Specifically, regarding mixed use in the downtown area, the *Comprehensive Plan* identifies the following goal:

> Enhance the role of Downtown Dover as a major employment, residential and commercial center as well as the symbolic and cultural heart of the community, and recognize its unique heritage and historic resources. Provide for mixed use development allowing greatest variation of uses.

The rezoning request is also consistent with the Land Use Classification of Mixed Use. Table 12-1: Land Use and Zoning Matrix specifies that the following zones are compatible with this land use classification. The property is not located with the Downtown Development Target Area.[1]

- C-2 (Central Commercial) *within the Downtown Development Target Area only
- C-2A (limited Central Commercial)
- TND (Traditional Neighborhood Design)
- C-1 (Neighborhood Commercial)
- C-1A (Limited Commercial)
- RGO (General Residence and Office) *within the Downtown Development Target Area only
- R-8 (One Family Residential)
- R-7 (One Family Residential)
- RG-1 (General Residential)
- RG-2 (General Residential)
- RG-4 (Multi-Story Apartments)
- C-3 (Service Commercial)
- CPO (Commercial/Professional Office)
- IO (Institutional and Office)

Request for IO (Institutional & Office Zone)
The types of permitted uses in the IO Zone are given Article 3 §10 of the *Zoning Ordinance*. The permitted uses include the following:

Article 3
Section 10. - Institutional and office zone (IO).

10.1 *Uses permitted.* In an institutional and office zone (IO), no building or premises shall be used, and no building or part of a building shall be erected, which is arranged, intended, or designed to be used, in whole or in part, for any purpose, except the following:

(a) Business, professional, or governmental offices.

[1] The 2008 Comprehensive Plan references the "Downtown Target Area." This is equivalent to the "Downtown Redevelopment Target Area" as defined and whose boundaries are described in *Dover Code of Ordinances,* Appendix C.

(b) Banks.

(c) Research, design, and development laboratories.

(d) Public and institutional uses including hospitals, medical clinics, libraries, police stations, courthouses, transit centers, schools, colleges, universities, places of public assembly, philanthropic and charitable institutions, parks, playgrounds, public indoor recreation centers, athletic fields.

(e) Public utility rights-of-way and structures necessary to serve areas within the city.

(f) Day care centers, provided they are established in accordance with all applicable state regulations pertaining to child care and provided that they are established and maintained in accordance with article 5, section 14 of this ordinance.

(g) Emergency shelters and transitional housing.

10.2 *Conditional uses.* The following uses are permitted, conditional upon the approval of the planning commission in accordance with the procedures and subject to the general conditions set forth in article 10, section 1:

(a) Firearm ranges, prisons, and correctional facilities.

(b) Public incinerators.

(c) Hotels and restaurants.

10.3 *Accessory uses.* The following uses shall be permitted accessory to other permitted uses on a lot.

(a) Clinics, cafeterias, and recreational facilities.

(b) Motor vehicle storage and repair facilities accessory to a public or institutional use.

(c) Restaurants that are on a campus and intended to support users of the campus.

10.4 *Uses prohibited.* The following uses are prohibited:

(a) Landfills, dumps.

10.5 *Enclosed buildings.* All permitted uses and all storage accessory thereto, other than offstreet parking, shall be carried on in buildings fully enclosed on all sides, except for outdoor eating areas associated with restaurants approved by the city planner.

10.6 *Performance standards.* All uses are subject to performance standards as set forth in article 5, section 8.1.

10.7 *Site development plan approval.* Site development plan approval in accordance with article 10, section 2 hereof shall be required prior to the issuance of building permits for the erection or enlargement of all structures and prior to the issuance of certificates of occupancy for any change of use.

Corridor Overlay Zone

The provisions of the COZ-1 (Corridor Overlay Zone) in *Zoning Ordinance,* Article 3 §27 are established to "promote superior urban corridor development and the highest quality built environment." There are a series architectural, parking, and landscaping guidelines that would be required by the COZ-1 zoning district, if redevelopment of the property is proposed.

Recommendation of the Planning Staff
And Recommendation of the Planning Commission:

Staff recommends that the rezoning be granted as requested from C-1A to IO. The zoning district of IO (Institutional & Office zone) is consistent with the *Comprehensive Plan* as the Map 12-1: Land Development Plan depicts the property with a Mixed Use classification.

Staff recommends that the property remain subject to the COZ-1 (Corridor Overlay Zone) due to the frontage on to Forest Street. The purposes of the COZ-1 are to promote superior urban corridor development; to foster coordination and linkage among corridor properties; to preserve functionality and efficiency of the roadway for traffic movement; and to achieve a visually balanced streetscape environment friendly to the pedestrian and motorist. (*Zoning Ordinance*, Article 3 §27). This segment of Forest Street is a gateway into Downtown Dover. The Staff recommendation was made without that benefit of hearing the comments of surrounding landowners and residents as the Public Hearing had not yet occurred.

Following a Public Hearing before the Planning Commission on August 21, 2017, where the application's representative and no members of the public spoke regarding the proposed rezoning, the Planning Commission recommended in favor of the rezoning as proposed (6-0) with two members recused. See the included excerpt of the DRAFT Meeting Minutes of the August 21, 2017 Planning Commission meeting. The comments received from the other member agencies of the Development Advisory Committee (D.A.C.) are also provided.

ADVISORY COMMENTS TO THE APPLICANT:

1) Prior to establishing any use or commencing with any construction on the subject property, including within the existing buildings, the applicant shall contact the Planning Office so that the appropriate review process can be determined and coordinated with other reviewing entities including the Fire Marshal's Office, Public Works/Utilities, and the Chief Building Inspector.

2) The applicant shall be aware that approval of any rezoning application does not represent Site Development Plan or Record Plan approval. A separate Site Development Plan must be submitted and approved if development activities are proposed on the property.

3) The applicant shall be aware that approval of any rezoning application does not represent a Building Permit or other construction activity permit approval. A separate application submission showing all improvements is required before issuance of permits by the City of Dover.

4) All businesses operating in the City of Dover are required to obtain a City of Dover Business Licenses from the Licensing and Permitting Division located in City Hall. Certain types of uses also require a Public Occupancy permit.

Attachments:

- Excerpt from DRAFT Planning Commission Meeting Minutes of August 21, 2017
- Development Advisory Committee Comments from City of Dover Electric & Public Works Departments, City Office of the Fire Marshal, DelDOT, and Kent Conservation District
- Zoning Map Exhibit

CITY OF DOVER PLANNING COMMISSION
August 21, 2017
Excerpt from Meeting Minutes – DRAFT

Z-17-05 Lands Bennie Smith Real Estate, LLC at 870-872 Forest Street – Public Hearing and Review for Recommendation to City Council on the rezoning of one parcel of land totaling of 0.7473 acres (32,552 S.F.) of area. The property is currently zoned C-1A (Limited Commercial Zone) and subject to the COZ-1 (Corridor Overlay Zone). The proposed zoning classification is IO (Institutional & Office Zone) and subject to the COZ-1 (Corridor Overlay Zone). The property known as 870-872 Forrest Street is situated on the south side of Forest Street and east of Gibbs Drive. The owner of record is Bennie Smith Real Estate, LLC. The equitable owner is St. Nicholas Ukrainian Orthodox Mission. Tax Parcel: ED-05-076.12-01-08.00-000. Council District 4. Ordinance #2017-11. *For this zoning map amendment, the First Reading was completed on July 24, 2017. Public Hearing before the Planning Commission is scheduled for August 21, 2017, and Final Reading/Public Hearing is scheduled before City Council for September 11, 2017.*

Representatives: Mr. Chuck Spiegleman, McGinnis Real Estate

Mr. Holt recused himself from this application. (As his wife is a member of the proposed church tenant.)

Mrs. Melson-Williams stated that this application is a rezoning that is located at 870-872 Forest Street. This location is on the south side of Forest Street closer to Gibbs Drive. The property has two existing buildings on it. Currently, the front building is utilized as an office building and the building at the rear is a day care center. The present zoning of the property is C-1A (Limited Commercial Zone) and it is subject to the COZ-1 (Corridor Overlay Zone). This proposal is a request to rezone to IO (Institutional and Office Zone) and remain subject to the COZ-1 (Corridor Overlay Zone). The reason for the request is to allow for the establishment of new uses in the building that is closest to Forest Street. The intended uses are a place of assembly as a place of worship with associated school and business office functions for that facility. The property is just over 32,000 SF in size and extends to the south of Forest Street. This property has been through several rezoning and site development applications over the years. It was originally zoned RG-1 (General Residence Zone) and then in 2003 was rezoned to CPO (Commercial Professional Office Zone). After which time the day care center was developed through a Conditional Use process and then in 2012 the property was rezoned from CPO (Commercial Professional Office Zone) to C-1A (Limited Commercial Zone) with the intent to include some retail uses in that initial building. Today, the Commission is considering the request to IO (Institutional and Office Zone).

Like the previous property, this one is surrounded by a variety of residential uses and zoning classifications with some residential specifically to its south, west and east. The bulk of the commercial in the area is located across Forest Street. The *Comprehensive Plan* for this area shows the land-use classification as Mixed Use. The IO (Institutional and Office Zone) is an

appropriate zoning classification for that land-use category. The types of uses that would be allowed in the IO (Institutional and Office Zone) include a variety of offices, banks and research and development laboratories. It also includes a variety of public and institutional uses which include things like schools and places of public assembly and also day care centers. There are some items that would be a Conditional Use application should they be pursued and there are some uses that are specifically prohibited in the IO (Institutional and Office Zone) and that would include landfills and dumps. The property is currently subject to the COZ-1 (Corridor Overlay Zone) and that would remain with the rezoning request. As noted, the COZ-1 (Corridor Overlay Zone) is more related to the redevelopment of a site because it focuses on architectural, parking, and landscaping guidelines for development activities.

With this application, the Planning Staff is recommending that the rezoning be granted from the C-1A (Limited Commercial Zone) to IO (Institutional and Office Zone) as it is consistent with the *Comprehensive Plan* as a fitting Mixed Use classification. They also recommend that it remain subject to the COZ-1 (Corridor Overlay Zone) for any future re-development. Planning Commissioners may note that this property also had a slight issue with its property taxes as of July but the property taxes have been paid for this specific property location. The DAC Report goes on to provide comments from the other participating agencies which have no objection to the rezoning; they just provide some guidance should re-development activities be anticipated at the site including new uses that may occupy the buildings on the site. The Planning Commission is making a recommendation to City Council on the applicant's request to seek the zoning classification of IO (Institutional and Office Zone) and remaining subject to the COZ-1 (Corridor Overlay Zone).

Dr. Jones recused herself from this application. While she is not on a regular payroll of the property owner but occasionally she is called (Bennie Smith Funeral Services).

Mr. Spiegleman stated that he agrees with the statements made by Mrs. Melson-Williams. Their office represents Mr. Bennie Smith, the property owner as well as Saint Nichols Ukrainian Orthodox Mission, the applicant. The applicant is present here tonight and they are requesting the rezoning of the property from its current zoning with Staff recommendation to allow a place of worship and a business office in an existing building while at the same time maintaining the existing day care facility located on the property.

Mr. Tolbert questioned if Mr. Spiegleman agreed with Staff's comments and would work collaboratively with them? Responding to Mr. Tolbert, Mr. Spiegleman stated yes.

Mr. Roach stated that he knows that the day care has been operating. Is the applicant planning on opening the place of worship in the front building and then closing the day care or will they be having that in conjunction with the place of worship or will it be a whole separate entity being run differently? Responding to Mr. Roach, Mr. Spiegleman stated that currently the day care is going to remain a day care. The front building will be changed. There are no development plans at this time.

Mr. Tolbert opened a public hearing and after seeing no one wishing to speak, closed the public hearing.

Ms. Maucher moved to recommend approval to City Council for Z-17-05 Lands of Bennie Smith Real Estate LLC 870-872 Forest Street for the change in zoning from C-1A (Limited Commercial Zone) to IO (Institutional and Office Zone) with the property remaining subject to the COZ-1 (Corridor Overlay Zone), seconded by Mrs. Welsh and the motion carried 6-0 with Mr. Holt and Dr. Jones recused and Ms. Edwards absent. Mr. Holden voting yes; due to Staff comments and the recommended rezoning is in compliance with the Comprehensive Plan and lack of public opposition. Mr. Roach voting yes. Mr. Baldwin voting yes; based on the previous statements. Mrs. Welsh voting yes; the rezoning brings the property into compliance with the City's Comprehensive Plan. Ms. Maucher voting yes; for reasons previously stated. Mr. Tolbert voting yes; the applicant is willing to work collaboratively with Staff and the application is in compliance with the Comprehensive Plan.

Mrs. Melson-Williams stated that this application will next be heard at the City Council meeting on September 11, 2017. It is also subject to public hearing at that meeting as well.

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

STAFF D.A.C. MEETING DATE: AUGUST 2, 2017

CITY OF DOVER Electric & Public Works Departments

APPLICATION: **LANDS OF BENNIE SMITH REAL ESTATE, LLC AT 870-872 FOREST STREET**

FILE #: **Z-17-05**

REVIEWING AGENCY: **City of Dover**

CONTACT PERSON: **Paul Waddell - Electric**
Jason A. Lyon, P.E. – Public Works

CONTACT PHONE #: **ELECTRIC - 302-736-7072 PUBLIC WORKS – 302-736-7025**

THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY'S AUTHORITY AND AREA OF EXPERTISE.

THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESSED BY THE APPLICANT:

CITY AND STATE CODE REQUIREMENTS

ELECTRIC / WATER / WASTEWATER / STORMWATER / STREETS / SANITATION / GROUNDS

Our office has no objection to the rezoning of:

ED-05-076.12-01-08.00-000

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES

ELECTRIC / WATER / WASTEWATER / SANITATION / STORMWATER / STREETS / GROUNDS

1. Should this site be redeveloped, which includes modifications to the use, the applicant / developer will be responsible for all costs associated with providing the appropriate meter / service / main to this site based upon the use including any necessary system upgrades or extensions. The appropriateness and adequacy of electric, water and sewer services and meters will be assessed at that time. (Please note that each water meter registered with the City of Dover must have a separate service line.) Should the existing water and sanitary sewer services no longer be required based upon the proposed use, they must be properly abandoned at the mains in accordance with all City of Dover Department of Public Works standards and specifications.
2. Any redevelopment shall adhere to the City of Dover Water/Wastewater Handbook, the Specifications, Standards & Procedures for City of Dover Public Works requirements, and the City of Dover's Electric Service Handbook.
3. Please note that renovations and or change of use projects must ensure that the water and wastewater service is brought up to current requirements. This may include relocating the water meter outside or changing service line sizes. Please ensure you schedule a meeting with the Department of Public Works during the planning phase for this site. Additional impact fees may apply for future development.

ADVISORY COMMENTS TO THE APPLICANT

ELECTRIC / WATER / WASTEWATER / STORMWATER / STREETS / SANITATION / GROUNDS

1. None.

IF YOU HAVE ANY QUESTIONS OR NEED TO DISCUSS ANY OF THE ABOVE COMMENTS, PLEASE CALL THE ABOVE CONTACT PERSON AND THE PLANNING DEPARTMENT AS SOON AS POSSIBLE.

Z-17-05

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: 08/09/17

CITY OF DOVER FIRE MARSHAL

APPLICATION: Lands Bennie Smith Real Estate, LLC at 870-872 Forest Street

FILE #: Z-17-05 REVIEWING AGENCY: **City of Dover, Office of the Fire Marshal**

CONTACT PERSON: **Jason Osika, Fire Marshal** PHONE #: **(302) 736-4457**

THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY, AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY'S AUTHORITY AND AREA OF EXPERTISE.

THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESS BY THE APPLICANT:

Routine Comments:

1. The installation of natural gas and LP gas meters, regulators, valves, and LP gas bottles shall be protected from impact damage by impact protection. Natural gas and LP gas meters, regulators, and valves located inside structures shall have impact protection, except when located in separate protected utility rooms. *Dimensions of bollards.* Bollards shall be a minimum of six-inch diameter filled with concrete. The bollard shall be set into the ground at a depth of at least 36 inches (three ft.) embedded in concrete at a minimum of 18 inches surrounding the bollard. The bollards must be a least 48 inches (four ft.) in height above the finish grade elevation. Any deviation of the stated requirements must be approved by the fire marshal and/or chief building inspector. The above dimensions shall serve as the requirement for installation; however the fire marshal and/or chief building inspector shall have the authority to require more stringent dimensions to fit the needs of devices warranting impact protection. *Color of bollards.* Bollards should be of the following colors; yellow, amber or orange. All colors shall be of fluorescent or have a reflective coating. Any deviation of the stated requirements must be approved by the fire marshal and/chief building inspector. (City of Dover Code of Ordinances, 46-4)

2. Every house, building or structure used or intended for use as living quarters or as a place for conducting business, and having any wall facing or abutting any public or private street or alley, shall have displayed on that wall, in legible, easily read characters which are of contrasting color to the background, the proper street number for such house, building, or structure in accordance with the following: *One-family and two-family residential structures, height*, the number shall measure a minimum of four inches in height, *location*, the number shall be placed on the house above or to the left or right of the front entrance, *color*, the number shall be contrasting to the background color, A*rabic numerals*, all numbers shall be Arabic numerals. *Multiple-family dwellings, measurements*, the number shall measure a minimum of six inches when identifying individual apartments with exterior doors, and 12 inches when identifying buildings with apartment complexes where there

are two or more buildings not assigned street addresses. Individual buildings with street addresses shall have numbers measuring six inches, *location, n*umbers shall be placed either in the center of the building or on the street end of the building so as to be visible from either the public or private street or from the parking lot, *color, n*umbers shall be contrasting to the background color, *Arabic numerals, a*ll numbers used shall be Arabic numerals. *Commercial, industrial and office buildings, height, t*he numbers shall measure a minimum of 12 inches in height, *location generally, n*umbers shall be placed either in the center of the building or on the street end of the building so as to be visible from either the public or private street or from the parking lot, *property line or driveway, s*hould the building be located far enough from a public or private road so that the numbers are not clearly visible from the street, then the street address shall also be posted on the property at or near the property line or driveway to said building, *color; each building, n*umbers shall be contrasting to the background color and shall be placed on each building in the complex, *Arabic numerals, a*ll numbers used shall be Arabic numerals, *Shopping centers.* Shopping centers consisting of two or more stores shall have a tenant or suite number affixed to the front of the tenant space and on the outside of the rear door which corresponds with that tenant space. Numbers shall measure six inches in height. (City of Dover Code of Ordinances, 98-344)

ADDITIONAL / SPECIFIC COMMENTS:

1. 870 Forest St is the front building, 872 Forest St is the rear building (daycare)
2. There has been discussion about 870 Forest St becoming a place of assembly. Please contact the Fire Marshal and Chief Building Inspector to schedule a meeting to discuss the same. Additional comments would be supplied in regards to a change of use (to possibly include, but not be limited to a Fire Alarm System, Fire Suppression System, and access).

APPLICABLE CODES LISTED BELOW (NOT LIMITED TO):
2015 NFPA 1 Fire Code (NFPA; National Fire Protection Association)
2015NFPA 101 Life Safety Code (NFPA; National Fire Protection Association)
2013 NFPA 72 National Fire Alarm and Signaling Code (NFPA; National Fire Protection Association)
2013 NFPA 13 Installation of Sprinkler Systems (NFPA; National Fire Protection Association)
2009 IBC (International Building Code)
Latest editions of all other NFPA Codes as defined by the Delaware State Fire Prevention Regulations
2015 Delaware State Fire Prevention Regulations
City of Dover Code of Ordinances

***If you have any questions or need to discuss any of the above comments, please call the above contact person listed.**

CITY OF DOVER

DEVELOPMENT ADVISORY COMMITTEE

APPLICATION REVIEW COMMENTARY

D.A.C. MEETING DATE: August 2, 2017

D E L D O T

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APPLICATION: Lands of Bennie Smith Real Estate, LLC at 870-872 Forest Street

FILE#: Z-17-05 REVIEWING AGENCY: DelDOT

CONTACT PERSON: Jonathan T. Moore PHONE#: 760-2145

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THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY'S AUTHORITY AND AREA OF EXPERTISE.

THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESSED BY THE APPLICANT:

CITY & STATE CODE REQUIREMENTS:

DelDOT has no comments regarding city & state code at this time.

RECOMMENDATIONS SUGGESTED AS CONDITIONS OF APPROVAL TO MEET CODE OBJECTIVES:

DelDOT has no recommendations at this time.

ADVISORY COMMENTS TO THE APPLICANT:

DelDOT has no advisory comments at this time.

If you have any questions or need to discuss any of the above comments, please call the above contact person and the planning department as soon as possible.

KENT CONSERVATION DISTRICT
800 BAY ROAD SUITE 2 • DOVER, DELAWARE • 19901 (302) 741-2600 EXT. 3 • FAX (302) 741-0347

CITY OF DOVER
DEVELOPMENT ADVISORY COMMITTEE
APPLICATION REVIEW COMMENTARY
August 2017

APPLICATION: Lands of Bennie Smith Real Estate, LLC at 870-872 Forest Street

FILE #: Z-17-05

REVIEWING AGENCY: *Kent Conservation District*

CONTACT PERSON: *Jessica Verchick* **PHONE #:** *741-2600 ext.3*

THE SUBJECT PROPOSAL HAS BEEN REVIEWED FOR CODE COMPLIANCE, PLAN CONFORMITY AND COMPLETENESS IN ACCORDANCE WITH THIS AGENCY'S AUTHORITY AND AREA OF EXPERTISE. THE FOLLOWING ITEMS HAVE BEEN IDENTIFIED AS ELEMENTS WHICH NEED TO BE ADDRESSED BY THE APPLICANT:

Source: Delaware Sediment and Stormwater Regulations

CITY AND STATE CODE REQUIREMENTS:

1. Kent Conservation District has no objection to the re-zoning plan for the above referenced site.

ADVISORY COMMENTS TO THE APPLICANT:

1. If at any time expansion or earth disturbing activity (clearing, grubbing tree clearing etc.) takes place and exceeds 5000 square feet; a detailed Sediment and Stormwater Management Plan must be submitted and approved to the Kent Conversation District.

City of Dover

Department of Planning & Inspections

Application No.: Z-17-05



Title:	Lands of Bennie Smith
Address:	870-872 Forest Street
Parcel ID:	ED-05-076.12-01-08.00-000
Current Zoning:	C-1A, COZ-1 (partial)
Proposed Zoning:	IO, COZ-1 (partial)
Owner:	Bennie Smith Real Estate LLC
Date:	7/13/2017

Legend

- Subject Property
- Dover Parcels
- Zoning
- Corridor Overlay Zone
- 2012 Buildings
- Kent County Parcels
- Dover Boundary

N W E S

0 75 150 300 Feet

FINAL READING

City of Dover

PROPOSED ORDINANCE #2017-11

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER BY CHANGING THE ZONING DESIGNATION OF PROPERTY LOCATED AT 870 - 872 FOREST STREET

WHEREAS, the City of Dover has enacted a zoning ordinance regulating the use of property within the limits of the City of Dover; and

WHEREAS, it is deemed in the best interest of zoning and planning to change the permitted use of property described below from C-1A (Limited Commercial Zone) and subject to the COZ-1 (Corridor Overlay Zone) to IO (Institutional and Office Zone) and subject to the COZ-1 (Corridor Overlay Zone).

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

1) That from and after the passage and approval of this ordinance the Zoning Map and Zoning Ordinance of the City of Dover have been amended by changing the zoning designation from C-1A (Limited Commercial Zone) and subject to the COZ-1 (Corridor Overlay Zone) to IO (Institutional and Office Zone) and subject to the COZ-1 (Corridor Overlay Zone) on that property located on the south side of Forest Street and east of Gibbs Drive at 870 - 872 Forest Street, consisting of $0.7473^{+/-}$ acres ($32{,}552^{+/-}$ S.F.), owned by Bennie Smith Real Estate, LLC.
(Tax Parcel: ED-05-076.12-01-08.00-000; Planning Reference: Z-17-05; Council District: 4)

ADOPTED: *

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Actions History
09/11/2017 - Scheduled for Public Hearing/Final Reading - City Council
08/21/2017 - Public Hearing - Planning Commission
07/24/2017 - First Reading - City Council

Draft

Application and Recruitment Process for City Committees, Commissions, and Boards - Summary/Timeline

07/11/2016 During the Regular City Council Meeting of July 11, 2016, members considered reappointments recommended by Mayor Christiansen and referred the issue of designing and expanding the recruitment for City committees, commissions and boards to the Council Committee of the Whole. Mr. Hare suggested requesting Councilmen Anderson and Lewis to get together and make recommendations to the Committee in this regard.

08/23/2016 During the Council Committee of the Whole/Legislative, Finance, and Administration Committee Meeting of August 23, 2016, Mr. Lewis reviewed his suggestions regarding designing and expanding recruitment. Mr. Anderson was absent. Among Mr. Lewis's suggestions were the following:

1) When applications come in, have the City Clerk or person receiving applications provide Council members with copies of resumes and applications to review before the City Council meeting.

2) Require all individuals interested in serving on a board or commission, including members wishing to be reappointed, to fill out an application with a resume since reappointed members may have new information they need to provide.

Mrs. Sass reviewed the proposed application. After discussion, the Committee deferred this matter until September 27, 2016 to allow the ideas to be solidified, Mr. Lewis and Mr. Anderson to review and refine it further, and for Mrs. Sass and the City Clerk's Office to work together.

09/27/2016 During the Council Committee of the Whole/Legislative, Finance, and Administration Committee Meeting of September 27, 2016, Ms. Kay Sass, Public Affairs and Emergency Management Coordinator, again reviewed the application. There was general discussion about designing and expanding recruitment for City Committees, Commissions, and Boards. Members recommended acceptance of staff's recommendation.

At the request of Mr. Anderson, Mrs. McDowell read the "Proposed Recommendations for Advancing a more effective Recruitment Process for City Commissions, Committees and Boards," which were submitted by Mr. Lewis into the record, as follows:

1) Advertise/publish vacancies via. Local Newspapers, City Website and City Social Media. (To include information on how to apply and the duties of the particular board/commission.) - Kay Sass, Public Relations

2) When applications of Interest are received by the City, provide City Council Members copies of all applications and resumes to personally review before placing on Council Agenda for Appointment. - City Clerk's Office

3) Members currently serving on City Boards/Committees/Commissions wishing to be reappointed and continuing to serve must reapply with an updated resume. - City Clerk's Office

4) A volunteer opportunities posting with all current vacancies be established on the website.

5) New Board/Committee/Commission appointments must agree to go for sponsored training provided by the DLLG or other training fascinators to assist in becoming more familiar and to get a better understanding of the board/committee/commission they will be serving on. This training will strengthen and enhance their role and duty.

Members recommended adoption of points #1 - #4 and deferred consideration of point #5, related to the requirement of training for board, committee, and commission appointees, until the next meeting of the Council Committee of the Whole/Legislative, Finance, and Administration Committee, and to recommend that the City Clerk's Office and the Human Resources Director come back with an explanation of the onboarding process for new appointees. These recommendations were approved on consent by Council during their meeting of October 10, 2016.

10/11/2016 During the Council Committee of the Whole/Legislative, Finance, and Administration Committee meeting of October 11, 2016, members considered Determination of Requirements in Addition to Being Economic or Business Oriented and Term Length for the Newly Added Minority Voting Members of the Economic Development Committee. Mayor Christiansen stated that it had been the intention to appoint two (2) minority voting members to the Economic Development Committee, and this had now been sanctioned by Council. Mayor Christiansen stated that they wished these minority members to have economic or business-oriented qualifications and be approved by the members of the City Council. He advised that it was recommended that the term length for members of the Committee be in accordance with the Council year, which runs from May to May. He indicated that it was recommended that applicants fill out a form of interest, along with a resume of qualifications, to be brought to the Legislative, Finance, and Administration Committee for review, and that nominees be subject to the approval of Council. He also noted that applicants would fall under the Clean Hands Ordinance that all members of Council and committees are subject to.

Members recommended that the nominations for the appointments of minority members to the Economic Development Committee be made by the Council President; that the full Council vote on them; that the terms be for one (1) year, from May to May; and that the initial appointments be for a partial year from now through May. This recommendation was approved by Council by consent agenda during their Regular Meeting of October 24, 2016.

Members also considered Onboarding for New Committee Members/Councilman Lewis' Recommendation #5 and tabled this matter to allow Mrs. Townshend to conduct research and come back to Council at a future date with her findings.

01/09/17 During the Regular Council Meeting of January 9, 2017, members considered Clarification of Appointment Application Requirements/Proposed Amendments to Application. Mr. Lewis advised that, after discussion with Mrs. McDowell, City Clerk, he agreed that the application should be revised to include more detailed information related to job duties and responsibilities and the requirement for resumes be eliminated.

08/15/17 During the Council Committee of the Whole Meeting of August 15, 2017, members reconsidered the Committee Appointment Process. Mr. Slavin proposed that, in deference to the fact that this item was originally introduced at Mr. Lewis' request and he was unable

to attend the meeting and Mr. Polce and Mr. Lindell had worked on a compromise, the Committee allow Mr. Polce to explain the compromise and it be forwarded to Council without a recommendation. The motion to send this matter to Council with no recommendation was unanimously carried.

08/28/17 During the Regular Council Meeting of August 28, 2017, due to the absence of Mr. Hare and Mr. Lewis, the motion to postpone the Proposed Amendment to Committees, Commissions, and Boards Appointment Process was unanimously carried.

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COUNCIL MINUTES HISTORY - APPLICATION AND RECRUITMENT PROCESS FOR CITY COMMITTEES, COMMISSIONS, AND BOARDS

An Excerpt from the Minutes of the Regular City Council Meeting of August 28, 2017:

COUNCIL COMMITTEE OF THE WHOLE REPORT - AUGUST 15, 2017

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

Proposed Amendment to Committees, Commissions, and Boards Appointment Process

Mr. Slavin proposed that, in deference to the fact that this item was originally introduced at Mr. Lewis' request and he was unable to attend the meeting and Mr. Polce and Mr. Lindell had worked on a compromise, the Committee allow Mr. Polce to explain the compromise and it be forwarded to Council without a recommendation. He explained that by proceeding in this way, when Mr. Lewis and Mr. Lindell return, Council will have the discussion from the Committee to consider and no time will be lost.

Mr. Polce indicated that, as a result of the conversation during the Regular Council meeting of July 24, 2017 regarding 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. Lindell and Mr. Lewis discussed that the right path forward would probably be looking at the application process and determining if a curriculum vitae (CV) or resume is required. Mr. Polce noted that based on the fact that an individual was previously serving, that information and documentation on record would be sufficient; however, if it is a new applicant, the individual would then have to comply with the elongated application that was previously approved. He stated that he thought both Mr. Lewis and Mr. Lindell were in agreement with this; however, he noted that neither was present.

Mr. Polce moved to send this matter to Council with no recommendation, seconded by Mr. Neil.

Mr. Anderson noted that he thought that there was always room to look for improvement. He stated that he believed that there should be a period of time when the applications are signed off on, explaining that they should be checked for new information. Mr. Anderson explained that if members do not regularly check to see if something has changed, there could be conflicts of interest that have arisen and not been asked about, and someone may not have thought to inform the City about them. He noted that just because someone has served on a committee for 10 years does not mean that things have not changed. Mr. Anderson stated that he did not think that the applications needed to be reviewed every year and that it should be simple,

explaining that if someone has an application on file, they should be able to review it and, if nothing has changed, sign it and say it's good. He indicated that he did not think a big process was needed but that the applications should be checked.

Mr. Sudler stated that, as a suggestion for the future, when members do ordinances or want to make changes, that there is some statistical data stating that something is not working rather than a few people saying it is not working. He stated that he thought it would behoove members to have some tangible data to support changes of ordinances in the future.

Mayor Christiansen commended the gentlemen for coming up with a compromise. He explained that it was very frustrating to find people who are interested in serving on committees, as many of the chairmen and the Council President were aware, and a number of people who had served the City for a great length of time had refused to go through the application process because they believe that their service to the City had been a proven fact. Mayor Christiansen advised members that for many of the appointees whom he has reappointed or intends to reappoint to the Planning Commission, Board of Adjustment and other bodies, he had attended meetings to see if they are performing to the expectations of himself, Council and, particularly, the citizens they all serve. He stated that he agreed with Mr. Anderson that members need to always be aware of conflicts of interest; however, he indicated that he thought that the application process was an insult to people who have served with exemplary service. He stated that he appreciated the compromise and concurred with the fact that any new applicant who has not previously served on any committees should fill out an application for the perusal, advice, and consent of Council.

Mr. Hare informed members that he would not be at the Regular Council meeting scheduled for August 28, 2017. He stated that he thought that any new applicant should fill out an application, and that anyone who was being considered for reappointment, such as Dr. Stewart or Mr. Shevock, should be asked if anything has changed and if they say no, then they are good. Mr. Hare noted that most of the appointees are professionals and they know if something comes up that is a conflict, they will abstain, just like Council members do. He explained that he did not think that individuals would know if there is going to be a conflict when it is time for their reappointment, and that simply having them sign off on an application to say nothing had changed would be okay.

Mr. Sudler indicated that he thought, in the best interest of the City, that the application needed to be on file. He stated that he appreciated the longevity of individuals serving, noting that he had longevity of service in many capacities; however, he noted that they are human and sometimes they forget. Mr. Sudler indicated that he thought that this was about protecting the City and that members

cannot leave loopholes which would allow the City to be sued. He explained that, for the best interest of the City of Dover and the 38,000 that members serve, he thought it would behoove them to have something in writing. Mr. Sudler noted that he did not think that a simple five (5) to 10 minute update would be unbearable or cause excruciating pain to where individuals could not spend that time and look at it as a precautionary measure to make sure that the City is safe and free from any lawsuits.

Mr. Anderson stated that he agreed with Mr. Sudler. He noted that when he had reviewed some of the proposed appointments, there was not even an old application and he had a problem with the idea of only new applicants completing the application. Mr. Anderson explained that he thought that all applicants should have at least one of the new applications on file, so that members can see the information which they are seeking today, not the information from 15 years ago. He stated that no one on Council really has a complete view of the qualifications of the people they are voting to appoint, which was the reason why Council voted to put that system in, in the first place. Mr. Anderson stated that he thought that it was the correct decision then and it is the correct decision now.

Mr. Hare stated that he agreed that everyone should have an application on file. He noted, however, that a reappointee, such as Mr. Shevock, should be asked if the information on his application has changed and, if it nothing has changed, that should be okay. Mr. Hare stated that he did not think that members needed to make it a drawn out process.

The motion to send this matter to Council with no recommendation was unanimously carried.

Noting the absence of Mr. Hare and Mr. Lewis, Mr. Lindell moved to postpone the Proposed Amendment to Committees, Commissions, and Boards Appointment Process. The motion was seconded by Mr. Anderson and unanimously carried.

An Excerpt from the Minutes of the Regular City Council Meeting of January 9, 2017:

CLARIFICATION OF APPOINTMENT APPLICATION REQUIREMENTS/PROPOSED AMENDMENTS TO APPLICATION

During their Regular Meeting of October 10, 2016, City Council approved revisions to the application for appointment to a City Committee, Commission, or Board. After having received the new applications, Staff requested clarification on whether the application was sufficient or if a resume should also be requested, both for new applicants and members wishing to be reappointed.

Mr. Lewis advised that, after discussion with Mrs. McDowell, City Clerk, he agreed that the application should be revised to include more detailed information related to job duties and responsibilities and the requirement for resumes be eliminated.

Mr. Lewis moved for approval of the revised application (Exhibit #1) and elimination of the resume requirement for new appointments and re-appointments. The motion was seconded by Mr. Hare and unanimously carried.

An Excerpt from the Minutes of the Regular City Council Meeting of October 10, 2016:

COUNCIL COMMITTEE OF THE WHOLE REPORT - SEPTEMBER 27, 2016

LEGISLATIVE, FINANCE AND ADMINISTRATION COMMITTEE

Designing and Expanding Recruitment for City Committees, Commissions, and Boards

During the Council Committee of the Whole/Legislative, Finance, and Administration Committee meeting of August 23, 2016, members considered Designing and Expanding Recruitment for City Committees, Commissions, and Boards. Members deferred this matter until September 27, 2016 to allow the ideas to be solidified, Mr. Lewis and Mr. Anderson to review and refine it further, and for Mrs. Sass and the City Clerk's Office to work together.

Mrs. Kay Sass, Public Affairs and Emergency Management Coordinator, stated that she had reviewed the information pertaining to committees, commissions, and boards with the City Clerk's Office. She noted that at the previous meeting, she had suggested that social media postings of vacancies could be distributed through five (5) or six (6) postings starting at 10 to 12 weeks prior to applications being due, with repostings at six (6) to eight (8) weeks, two (2) to four (4) weeks, three (3) to five (5) days, and on the final date of the acceptance of applications. Mrs. Sass explained that she and the City Clerk are the individuals who are authorized to post on social media for the City and could cover this responsibility. She stated that they also believed that a link could be placed on the main page of the City website showing the listing of available committees, the openings, and the application. Mrs. Sass expressed her hope that each member had an opportunity to review the application that was proposed at the previous meeting, which she felt was a big improvement from the current application. She noted that it was much more thorough and requested information from applicants that should result in a diverse selection of individuals from across the City. Mrs. Sass explained that, when creating the application, Mrs. Traci McDowell, City Clerk, compared different applications, including those from Newark and the State of Delaware, and the best portions were

incorporated in the proposed City application. It was Mrs. Sass's opinion that there were benefits to having laymen on committees, noting that some people approach matters by considering their financial impact, some by the time management impact, and others by the impact on the community as a whole. She expressed her hope that members would be open to not limiting an applicant because they did not believe that they were a subject matter expert. Mrs. Sass felt that everyone could offer something and felt it important to keep an open mind, noting that there are subject matter experts on staff that could help to clarify matters. She encouraged all individuals to apply and personally felt that committees should not be limited but should reflect the community as a whole.

Mr. Hutchison expressed his compliments regarding the proposed application and questioned how long applications remain on file after submission. Responding, Mrs. McDowell stated that applications are kept forever.

Dr. Stewart noted that she had not been present when this was previously discussed and asked whether the goal was to obtain more applicants, more qualified applicants, or more diverse applicants. Responding, Mr. Anderson stated his belief that the City was not hearing from enough people and indicated that he had been approached by people who wanted to be involved in the City but were unsure how to do so, what positions were available, or were hearing about openings too late. He explained that he wanted to make the process simple so that individuals could go to one (1) place to see openings and how to apply. Mr. Anderson stated that the goal for the application was to provide useful information for members to review. He indicated that applications are currently not distributed unless requested. Mr. Anderson noted that if someone applies and is not chosen for a committee, their application would provide useful information that would allow them to be considered for different opportunities. He expressed the desire to get more people involved and to provide a pool of individuals that can be contacted to fill other vacancies. Mr. Anderson noted that it would also be helpful to be able to provide an explanation when asked about why someone was chosen and to be able to state, for example, that they had some background or interest, or that they were the only applicant. He stated that there are vacancies that have existed for years as a result of the current process, and he felt this illustrated that information was not getting distributed since there are frequently people who state they want to serve.

Mr. Neil stated his belief that people do not realize that they have an opportunity to serve and volunteer their time, and that opening up the pool for committees would give them an opportunity to become involved in government. He noted that Councilman Lewis was not present this evening but had previously suggested requiring training through the Delaware League of Local Governments (DLLG). Mr. Neil stated that it was difficult to find people who are interested enough in the

City to volunteer their time and effort. He felt that they should not be discouraged by imposing requirements, which would close more doors than it would open. Mr. Neil suggested bringing individuals in, letting them experience what is here, and allowing them to go to staff and Council to understand aspects of government. He felt that staff had done a marvelous job in heading up this effort and providing a form to allow for a greater pool of people.

Mrs. Sass clarified that information had always been available on the website for all of the openings that had existed and that it was not a matter of this not being there for the public. She stated that sometimes it is a matter of people not being interested, and suggested that perhaps another way must be found.

Mr. Anderson disagreed, stating that he was aware of existing vacancies that were not reflected on the website. Responding, Mrs. Sass stated that the City had just converted to a new website and the priority was to make sure that meeting minutes and agendas required by law were posted. She noted that there would be several weeks of correcting errors found throughout the entire site. Mr. Anderson stated that he had looked at the website earlier in the day and all the vacancies were not listed. For example, he noted that the listing for the Dover Human Relations Commission (DHRC) was not current and that Mr. Kenneth Roach was still listed as the Fourth District Representative, although this position was vacant. Mr. Anderson noted that another committee listing was not current, although he could not recall what it was.

Mr. Hare stated that there were vacancies on the DHRC in the First and Fourth Districts and noted that it was incumbent on Council members to encourage people to get involved and make recommendations for committees. He asked if Mr. Anderson had made recommendations for the Fourth District. Responding, Mr. Anderson stated that he had not made a recommendation yet; however, he had reached out to people who were considering applying.

Mr. Hare stated that a vacancy on the Compensation Commission was about to be filled. He expressed his belief that requiring committee members to be trained through the DLLG might be counterproductive, noting that these were not high-paid positions but volunteer opportunities, and putting restrictions on them might discourage applicants. Mr. Hare agreed with the application process and having vacancies listed.

Mrs. Sass advised that staff would be happy to start promoting openings if Council was ready and wanted staff to do so.

Mr. Slavin stated that the reason for the discussion was to develop a wide expanse of diverse candidates with deep, varied backgrounds. He indicated that better

information was also needed to vet candidates. Mr. Slavin stated that Councilman Lewis had raised this issue. As someone with responsibility of making many of these appointments, Mr. Slavin stated that he had not been calling members to tell them that there were vacancies and request names, noting that the process was not as simple as just thinking about who would do well in a position. He explained that he had run into roadblocks, noting that in some cases individuals were already serving on other boards or commissions at the State or County level. In addition, Mr. Slavin noted that an individual's appointment must be vetted by their employer to make sure there are no conflicts of interest, and they must go through the City's Clean Hands Ordinance. He stated that some boards require residence by district, and some do not. Mr. Slavin advised that it is not a simple process of penciling in names on rosters and obtaining appointees. He indicated that some are volunteer positions and others offer a meager amount of pay, and that people work a lot these days, often working varied hours, leaving those who work Monday through Friday from 9:00 a.m. to 5:00 p.m. few and far between. Mr. Slavin stated that Council would continue to work at this.

In regard to training, Mr. Slavin felt there should be an onboarding process for new appointees to any committee, commission, or assignment, similar to the process that a full-time or part-time employee goes through. He asked that the City Clerk's Office or the Human Resources Director look at this process and provide members with an overview of what that process involves. Mr. Slavin stated that he was not convinced that sending these individuals to another organization for training would fit the City's needs, noting that he was unsure what training Mr. Lewis was proposing that they be sent to. Mr. Slavin believed that useful information would include how meetings are run, how to access information on the City's website, who appointees can call within the City, and what resources are available to them. He noted that a huge portion of the training would be related to Freedom of Information Act (FOIA) laws so that people would be grounded when they walk in the door.

Mr. Hare recalled that, in the 1990s, one-hour workshops were held for newly-appointed committee members, and explanations were provided about FOIA rules, etc. He agreed with this approach, rather than sending members elsewhere for training.

Mr. Slavin stated that it may be cheaper to bring a resource in to train all appointees in one (1) place, rather than sending them elsewhere.

Referring to page 4 of the proposed application, Mr. Shevock questioned why it would be desired to have applicants indicate if they or a relative have a disability, and to describe their disability, gender, and ethnicity. He noted that providing this information was optional; however, he questioned what it had to do with working on

a committee. Responding, Mrs. Sass indicated that it would be up to members' discretion whether this should be included; however, she advised that this was included to make sure that the committees, commissions, and boards represent a true snapshot of the Dover community. She explained the desire to ensure that minorities include various groups such as African-Americans, women, and Indians. Mrs. McDowell stated her belief that these questions came from the State and probably dealt with obtaining someone with the experience needed for a particular committee. She noted that, in creating the new application, there was a lot of discussion about diversity and the makeup of committees. Mrs. McDowell noted that staff could not say what the races or nationalities of current members were because they never ask. Mr. Slavin explained that these questions reflect standard information gathering required by Equal Employment Opportunity (EEO) practices. He stated that this information is optional, but the City would try to capture it to show that its recruitment process is fair.

Mr. Neil suggested including a statement that the City does not discriminate under any circumstances in regard to ethnicity, gender or disability. He also expressed the importance of making sure that the disabled can get into the City's facility. Mr. Neil noted that there could be difficulty because it is not very convenient for someone in a wheelchair to come into the Council Chambers to serve on a committee, and allowances may have to be made.

Mr. Anderson felt it was a good suggestion to add that the City provides equal opportunity and does not discriminate on any lawful basis.

Mr. Slavin indicated that the discussion had pivoted and was now addressing EEO policies. He advised that he, Mr. Scott Koenig, City Manager, and Mrs. Kim Hawkins, Human Resources Director, had discussed this approximately two (2) weeks ago. Mr. Slavin stated that had noticed that when he clicked on the EEO policy statement on the old City website, it indicated that it was "under construction," and he was unsure what had caused this. He informed members that he had asked Mrs. Hawkins to prepare a full briefing on what the City's policy is, what its goals are, where the City is vis-a-vis those goals, and what strategies are in place with recruitment and hiring. Mr. Slavin indicated that he believed that some of his questions had been shared with members of Council. He stated that this matter was scheduled for consideration during the Council Committee of the Whole/Legislative Finance, and Administration Committee's second meeting in October. Mr. Slavin expressed his opinion that the EEO statement should go on everything that the City has, not just hiring-related information.

Mr. Anderson agreed with Mr. Slavin and stated his hope that members would review the report prepared by Dr. Bobby Jones related to recruitment that Council

passed and enacted, which he felt had fallen a little by the wayside. *(City Clerk's Office Note: During their Regular meeting of February 13, 2012, Council accepted the Legislative, Finance, and Administration Committee's recommendation that the Minority Recruitment Committee (MRC) Report be referred to staff for a report back to the Committee within 60 days. During their Annual meeting of May 14, 2012, Council accepted the Implementation Plan for the Minority Recruitment Committee Recommendations, as recommended by the Legislative, Finance, and Administration Committee.)*

The Committee recommended acceptance of staff's recommendation.

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

Members were provided "Proposed Recommendations for Advancing a more effective Recruitment Process for City Commissions, Committees and Boards", as submitted by Councilman Lewis. Referring to this document, Mr. Anderson noted that most of the five (5) recommendations it included had been implemented.

The Committee recommended that the five (5) points submitted by Councilman Lewis be adopted, with division of the question between point #4 and point #5, and that point #5 be voted upon separately.

At the request of Mr. Anderson, Mrs. McDowell read "Proposed Recommendations for Advancing a more effective Recruitment Process for City Commissions, Committees and Boards" into the record.

Referring to the recommendation regarding advertising and publishing vacancies, Mrs. Sass advised members that she had absolutely no problem doing the social media and website postings; however, she explained that she did not have an advertising budget and suggested that this recommendation be rephrased. Responding, Mr. Anderson stated that it would be up to members to come up with the money to advertise and it was not for Mrs. Sass to be concerned with. He noted that the recommendation was to "advertise/publish" and did not mandate advertising; therefore, a press release could be issued and would have no cost.

Responding to Mr. Neil, Mr. Anderson stated that advertising would not necessarily mean paid advertising.

By consent agenda, Mr. Sudler moved for approval of the Committee's recommendation for adoption of "Proposed Recommendations for Advancing a more effective Recruitment Process

for City Commissions, Committees and Boards" points #1 - #4. The motion was seconded by Mr. Neil and carried by a unanimous roll call vote.

The Committee deferred consideration of "Proposed Recommendations for Advancing a more effective Recruitment Process for City Commissions, Committees and Boards" point #5, related to the requirement of training for board, committee, and commission appointees, until the next meeting of the Council Committee of the Whole/Legislative, Finance, and Administration Committee, and to recommend that the City Clerk's Office and the Human Resources Director come back with an explanation of the onboarding process for new appointees.

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

Mr. Hare questioned if this would relate to members of committees, commissions, and boards attending DLLG training. Responding, Mr. Slavin stated that this question would be deferred until members determine what can be taught in-house.

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

An Excerpt from the Minutes of the Regular City Council Meeting of September 12, 2016

COUNCIL COMMITTEE OF THE WHOLE REPORT - AUGUST 23, 2016

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

Designing and Expanding Recruitment for City Committees, Commissions, and Boards

During the Regular City Council Meeting of July 11, 2016, members considered reappointments recommended by Mayor Christiansen and members referred the issue of designing and expanding the recruitment for City committees, commissions and boards to the Council Committee of the Whole. Mr. Hare suggested requesting Councilmen Anderson and Lewis to get together and make recommendations to the Committee in this regard.

Mr. Lewis advised members that he had not spoken with Mr. Anderson and was unsure of his ideas; however, Mr. Lewis had several suggestions, as follows:

1) Advertise or place news briefs through the local media regarding vacancies on boards or committees.

2) Place postings of such vacancies on the City's website or Facebook with information on how to apply for the particular board or vacancy.

3) When applications come in, have the City Clerk or person receiving applications provide Council members with copies of resumes and applications to review before the City Council meeting.

4) Require all individuals interested in serving on a board or commission, including members wishing to be reappointed, to fill out an application with a resume since reappointed members may have new information they need to provide.

5) With respect to training, Mr. Lewis advised that he would inquire through the Delaware League of Local Governments (DLLG) if basic training was offered for individuals who want to serve, for example, on the Planning Commission or Dover Human Relations Commission. He explained that, while he was serving as a school board member, the Delaware School Board Association had offered training on how to be a good school board member, including training on finances and various things that Mr. Lewis thought were essential.

Mr. Sudler agreed with Mr. Lewis, believing that this type of training would enhance individuals' understanding of the duties and expectations of committee members, as well as the City of Dover in general.

Mr. Neil indicated that this was not a new idea, noting that the State of Delaware has an entire board for this process. He explained that the State also has forms to be filled out and applicants must have resumes stating their expertise, noting that the City may not need a process that was this extensive. Mr. Neil was unsure if this should be a matter for the City Clerk's Office or Human Resources Department, but thought that in essence it was part of Human Resources. He did not feel there was a need to reinvent the wheel but to style a process for the City and determine who would receive and hold the information. Mr. Neil stated that news releases to the media would get the word out without additional expense.

Mr. Lewis concurred that a process already existed; however, he expressed the need to advance and improve it, particularly in regard to recruiting.

Mrs. Kay Sass, Public Affairs and Emergency Management Officer, stated that everything Mr. Lewis had mentioned could easily be covered and that there were many options with no cost, including use of social media through Facebook. She recommended that a link be placed on the main page of the City's website to the listing of available committee openings, and the application. Mrs. Sass advised that press releases could be done; however, funds would have to be budgeted if other advertising was desired.

With respect to social media, Mrs. Sass recommended a total of five (5) posts in order to issue information with the greatest impact on the community, starting at 10-12 weeks prior to applications being due and with reposting at six (6) to eight (8) weeks, two (2) to four (4) weeks, three (3) to five (5) days, and on the due date. She explained that staff asks for notice of at least two (2) weeks when accepting information from the community to post on Facebook so to allow adequate time to incorporate this in their schedule, since Facebook is not a primary focus of staff's job duties that is done daily.

Referring to the proposed Application for Committee, Commission, or Board Appointment, Mrs. Sass advised that the City Clerk had developed this application, which covered many of the concerns expressed by Councilmen Lewis, Sudler, and Anderson. She noted that the application asked applicants to describe the skills they have that would enhance the productivity of the committee, commission, or board. Mrs. Sass felt that the proposed application was a big improvement from the current application as it was much more thorough and requested applicants to identify their districts, allowing the ability to obtain a cross section from the community. Mrs. Sass commented that many changes would be made to the City's website, hopefully within the next few days.

Responding to Mr. Lewis, Mrs. Sass indicated that it is very easy to have press releases put in the newspaper. Although they are not always guaranteed to be printed, she felt it likely that the media would be more than happy to pick up on them.

Mr. Slavin suggested that this would be an opportunity to pilot Facebook boosts and Twitter ads, which are very inexpensive. He explained that a Facebook boost will boost a message beyond the people who "like" a page or who are from the area. Mr. Slavin indicated that the frequency can be specified, analytics can be received regarding effectiveness, and this would also allow for periodic release, as suggested previously by Mrs. Sass. He indicated that the cost to boost an ad is only $5.

Mr. Shevock questioned who would develop the qualifications and review the applications to determine who is qualified. Responding, Mrs. Sass stated her

understanding that Council wanted to start this conversation among the Committee members to establish some guidelines. Mr. Shevock noted that each committee would need different qualifications and felt the qualifications should be advertised before someone completes an application.

Mr. Hare advised that he did not totally agree with the City putting out the qualifications and felt this was a question of what an applicant feels they can bring to a committee, such as a former parks and recreation director or someone with experience in public utilities. He believed that members would limit the committees by requiring utility experience for members of the Utility Committee. Mr. Hare believed there were individuals who do not have a financial background but would make very good Legislative, Finance, and Administration Committee members because they had run a business, etc. In his opinion, members should let the applicant tell them what they can bring to the committee.

Mr. Neil advised that the State application includes recommendations from at least three (3) individuals endorsing or supporting the application. He felt it would be up to the councilmen who would review the application, recommendations, and skills that an applicant brings and hopefully the district representatives could get together to make an appointment. Mr. Neil did not believe that the City would be deluged with applications.

For clarification, Mr. Slavin noted that the Council President or Mayor makes appointments and Council approves appointments.

Mr. Hare noted that civilian members of standing City committees are paid a stipend.

Mr. Sudler felt that, although a detailed job description was not needed, a statement could be included that experience is preferred. He believed that applicants need to know exactly what will be expected of them and make an educated decision on whether or not a committee suits them. He suggested perhaps providing a summary of what the committee does so applicants could know whether or not they are eligible. Responding, Mrs. Sass pointed out that this information is currently available on the website for each committee.

Mr. Hare felt that it was up to Council members to actively reach out and find individuals in their districts that they believe would do well on committees and recommend them to the Mayor and Council President. Responding, Mr. Lewis stated that he had recommended individuals with experience who were not appointed. Mr. Hare stated that he shared this experience; however, the individuals who were appointed were also good people.

Mr. Lewis stated that he would like to see a better recruitment tool, which he felt could be accomplished through Mrs. Sass. He reiterated that he planned to check with the DLLG to see if they offer training for individuals that do not have the experience. In Mr. Lewis's opinion, it would behoove applicants to have some experience to serve on committees.

Mrs. Ann Marie Townshend, Director of Planning and Community Development, stated that her department staffs three (3) boards and commissions, and she believed that a bigger pool of interest was needed. She expressed concern about waiting until there is a vacancy to solicit for it. Mrs. Townshend felt that an application could be made available, people should be encouraged to apply, and they should be allowed to self-select what they feel they are qualified for and interested in. She expressed concern with waiting to advertise until there is a vacancy since there may not be an applicant from the district with a vacancy. Mrs. Townshend noted that the Planning Commission, like Council, has two (2) representatives from each district and one (1) at-large member. She suggested a rolling application process so there would not be a large expanse of time while trying to find someone to serve.

Mr. Slavin felt that a rolling application process would create a large expanse of time if people submit an application and there is no spot for them. He stated that they would then have a legitimate complaint that they tried to serve and the City never took them up on their offer. Responding, Mrs. Townshend noted that many appointments are made at the same time of year. Mr. Slavin stated the need to be sensitive to this issue and felt that a solution could not be created without looking at all angles.

Mrs. Townshend explained that the Planning Commission, Board of Adjustment, Historic District Commission, and standing Council committees are all appointed between May and July, and suggested having a window that the application process is open with lead time. She noted that there was currently a vacancy on the Planning Commission, and that members are sometimes unable to attend meetings. Mrs. Townshend advised that approximately a year ago a Planning Commission meeting had been canceled because there was no quorum. She stated that this was the first time that this had happened since she had been with the City and expressed concern that perpetuating vacancies could create an operational issue.

Referring to Mr. Lewis's comment that current members should submit an application when their term is expiring, Mr. Hare suggested that they submit a shorter application and a letter of interest.

Mr. Neil moved to defer this matter to allow the ideas to be solidified and brought back. He stated that a very good start had been made with the application prepared

by the City Clerk and felt that Mr. Anderson and Mr. Lewis should review this matter, refine it further, and bring it back. The motion was seconded by Mr. Lewis.

Mr. Lewis reiterated that he would like to hear Mr. Anderson's ideas, noting that they were supposed to collaborate together. He stated that he liked Mrs. Sass's suggestions and would like to see them initiated.

Mr. Hare thought that Mrs. Sass had summarized the entire issue.

Mr. Sudler asked if Mrs. Sass and the City Clerk's Office would work together on this and if this would be part of the motion or if members would leave this open, and questioned if this item would be brought back in 30 or 60 days. Responding, Mr. Hare indicated that they would work together and the matter would be brought back at the second meeting in September.

The Committee deferred this matter until September 27, 2016 to allow the ideas to be solidified, Mr. Lewis and Mr. Anderson to review and refine it further, and for Mrs. Sass and the City Clerk's Office to work together.

Mr. Hare moved for acceptance of the Council Committee of the Whole Report. The motion was seconded by Mr. Lewis and unanimously carried.

An Excerpt from the Minutes of the Regular City Council Meeting of July 11, 2016:

REAPPOINTMENTS RECOMMENDED BY MAYOR CHRISTIANSEN (DEFERRED DURING THE COUNCIL MEETING OF JUNE 27, 2016)

Mayor Christiansen recommended the following reappointments:

Board of Adjustment - Three (3) Year Terms to Expire July 2019
K.C. Sheth, Chairman
William A. Hufnal

Planning Commission - Three (3) Year Term to Expire June 1, 2019
Kathleen Welsh - First District

Council President Slavin advised that the reappointments were deferred during the Council meeting of June 27, 2016 because Mr. Lewis had questions regarding the appointments and Mayor Christiansen was not in attendance at the meeting to answer them.

Mr. Lewis advised that he subsequently spoke with Mayor Christiansen regarding the appointments, noting that the issue he had was with the process and how they were recruiting appointees. He stated that he would like to see the process changed in the future, possibly by setting up a committee to do

a better job in recruiting. Councilman Lewis stated that Mayor Christiansen advised him that openings on boards and commissions are not advertised or placed on the website. Mr. Lewis noted that when the Mayor was running for office, he had indicated that he wanted to see new people on these commissions with new and innovative ideas.

Mr. Sudler stated that he concurred with Councilman Lewis that it would serve the best interests of the City of Dover if appointees have some kind of credentials for their appointment to a commission or board. He did not feel that people should just be appointed because they want to be on a committee. Mr. Sudler believed that an appointee's resume should reflect the position that they are being appointed to, so that the decisions being made on that committee will reflect the knowledge that they have, rather than having someone just fill a position.

Mr. Anderson stated that the application for appointment to a committee, commission, or board is available on the City's website and encouraged anyone who may be interested to apply. He stated his feeling that there needed to be more promotion, such as linking it to the City's Facebook page and advertising in the newspapers, especially prior to the annual appointments. Mr. Anderson felt that the appointments currently under consideration were all solid and he intended to vote for their confirmation.

Mr. Anderson moved to request the City Clerk's Office to coordinate a public relations plan for expanding appointments to City committees, commissions, and boards and report to the Legislative, Finance, and Administration Committee in the next 60 days. The motion was seconded by Mr. Lewis.

Mr. Slavin suggested providing a demographic analysis showing the committee, commission, and board representation.

Mr. Sudler stated that he felt the current system was working; however, his main concern was ensuring that individuals applying have a skillset or a resume that reflects that they have the qualifications for the committee they are being appointed to. Mr. Lewis disagreed that the current system was working, noting that he knows of many people in the community who would like to serve government, and there is no way for them to know that there is a vacancy on boards and commissions. He added that he would like to see people appointed to these committees with expertise in the field of the committee that they are serving on.

Mr. Cole agreed with the concept; however, he reminded members that these are Mayor and Council President appointments and it is their responsibility to find someone who is qualified without asking staff to recruit for them. Mr. Hutchison concurred.

Mr. Hare stated that he felt they were qualified to recommend people with credentials to appoint to the committees. He stated that he makes those he knows who are interested in serving aware of any

openings. Mr. Hare felt this was their responsibility as Councilmen and that they had obtained good people to serve on committees.

Mr. Sudler asked if any vacancies were currently being advertised, recalling that at one time this had been done. Responding, Mrs. Traci McDowell, City Clerk, stated that the Dover Human Relations Commission advertised its vacancies many years ago; however, vacancies were not currently being advertised. She advised that all of the committees are listed on the City's website, and there is a link to the application within the list.

Mr. Lewis asked if Mr. Anderson would consider withdrawing his motion to request the City Clerk's Office to coordinate a public relations plan for expanding the appointments to City committees, commissions, and boards and report to the Legislative, Finance, and Administration Committee in the next 60 days, noting that he would be more inclined to have a volunteer committee of a few Council members set up to try and resolve this matter. Mr. Anderson withdrew his motion and Mr. Lewis, as the seconder, agreed.

As someone who has to make recommendations for appointments, Mr. Slavin advised that, in addition to qualifications, he wants to make sure that there is male/female balance on the committees. He has also tried to ensure that there is minority representation on every committee and to bring new faces to the committees as much as possible. Mr. Slavin advised that fair district representation must be considered, noting that there are also some veteran retired employees and people who have been involved with the City who could bring great value to the discussions.

Mr. Anderson noted that the City has a Public Relations Officer who already does the job of putting out press releases, updating the website and Facebook, so it would not be overwhelming to anyone to make sure links are put on the site and that major appointments are released to the media a couple months beforehand, and that they are promoted on the site. Mr. Anderson felt that this should be planned.

Mr. Anderson moved to refer the issue of designing and expanding the recruitment for City committees, commissions, and boards to the Council Committee of the Whole. The motion was seconded by Mr. Lewis.

Mr. Neil reminded members that when a person is recommended for appointment, the City Clerk requests them to send a biography for Council's consideration so they are not blindly appointing members. He agreed that there was nothing wrong with letting the public know how to contact them if they are interested in serving and what their qualifications should be. Mr. Lewis stated that all he was looking for was a better recruitment tool so the public as a whole is aware that there is an opening on a particular board or committee.

Mr. Hare suggested, instead of referring the matter to the Council Committee of the Whole, requesting Councilmen Anderson and Lewis to get together and make recommendations to the Council Committee of the Whole.

Mr. Hutchison stated that he liked the idea of creating some type of method whereby more people could at least get their resumes in for consideration, noting that the ultimate recommendation is for either the Mayor or the Council President to offer for Council's consideration.

The motion to refer the issue of designing and expanding the recruitment for City committees, commissions, and boards to the Council Committee of the Whole was carried with Mr. Hare voting no.

Mr. Slavin requested that Mrs. Kay Sass, Public Affairs Coordinator, and Mrs. Traci McDowell, City Clerk, be present at the Council Committee of the Whole meeting on Tuesday, July 26, 2016 to talk through some of the issues of how to promote and publicize committee appointment vacancies.

Mr. Sudler moved for approval of the reappointments of K.C. Sheth and William Hufnal to the Board of Adjustment and Kathleen Welsh to the Planning Commission, as recommended by Mayor Christiansen. The motion was seconded by Mr. Anderson and carried with Mr. Lewis not voting.

/dak

COUNCIL COMMITTEE OF THE WHOLE

The Council Committee of the Whole met on August 29, 2017 at 6:03 p.m., with Council President Slavin presiding. Members of Council present were Mr. Anderson, Mr. Sudler, Mr. Neil, Mr. Polce (departed at 6:50 p.m. and returned at 6:51 p.m.), and Mr. Lindell. Mr. Lewis, Mr. Cole, and Mr. Hare were absent. Mayor Christiansen was also present (departed at 6:37 p.m., returned at 6:39 p.m., and departed at 7:00 p.m.). Civilian members present for their Committee meetings were Mr. Garfinkel (*Safety Advisory and Transportation*), and Ms. Arndt (*Utility*). Mr. Shelton (*Safety Advisory and Transportation*) was absent.

SAFETY ADVISORY AND TRANSPORTATION COMMITTEE

The Safety Advisory and Transportation Committee met with Council President Slavin presiding in the absence of Chairman Lewis.

AGENDA ADDITIONS/DELETIONS

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

Viability of the Shotspotter Gunshot Detection and Location Service (Anderson)

During the Council Committee of the Whole/Safety Advisory and Transportation Committee Meeting of July 26, 2016, members discussed the Viability of the ShotSpotter Gunshot Detection and Location Service and deferred the item for further investigation. During the Council Committee of the Whole/Safety Advisory and Transportation Committee Meeting of August 23, 2016, Marvin Mailey, then serving as Deputy Police Chief, addressed the questions that members had posed during the July 26, 2016 meeting discussion of this item.

Mr. Anderson indicated that this matter was a very important issue in the City. He stated that, in spite of the fact that the City has one of the finest police forces in the region, there is a human element when it comes to shootings. Mr. Anderson explained that, from his experience, it can be very hard to tell exactly where shots are coming from because of echoes and ricochets. He advised that the City's police officers usually respond to calls regarding shootings within a couple of minutes but are often spread out because they are not sure where the problem is. Mr. Anderson noted that officers had been very effective in dealing with the problems and apprehending suspects very quickly or finding weapons that escaping suspects had gotten rid of; however, the question was what more could be done to help officers be more efficient. Mr. Anderson stated that a new Shotpotter-type technology was developing and had been tested, and he noted that he did not think the City should be limited to any particular vendor. He explained that this technology helps to pinpoint exactly where gunfire comes from and had been used in some places with great success. Mr. Anderson noted that the technology was less successful in other places, particularly where the police are advised exactly when and where an incident occurs and it takes them 15 or 20 minutes to appear, which is not a problem with the police force in Dover. He advised that it is important to put so much heat on the criminals that they know the risk of getting caught is too high and find somewhere else to go.

Mr. Anderson advised that members had considered this type of technology a year ago and found it an intriguing and promising prospect; however, the price tag was understandably an issue and there was a need to research where to get money. He noted that new technology by GE made this matter worthy of discussion, explaining that GE now had ShotSpotter sensors with LED lights, with the benefit of brighter lights and associated cameras. Mr. Anderson indicated that there were now also ShotSpotter sensors on existing infrastructure, instead of having to go through the expense of trying to put sensors in buildings, etc., and having to build an entirely new meshed infrastructure. He stated that the LED lights would allow for obtaining energy-saving grants, and public safety grants could also be obtained. Mr. Anderson advised that, in checking with Representative Sean Lynn and Senator Colin Bonini and having them research this, it looked like ShotSpotter would also qualify for transportation spending, which would open up an entirely new realm of possibilities and definitely had the support of at least these two (2) members of the legislature. Mr. Anderson advised that Police Chief Mailey had been doing technical research.

Police Chief Marvin Mailey stated that ShotSpotter had partnered with GE and AT&T in an endeavor to expand upon the standing ShotSpotter platform. He advised that this expansion would not entirely replace the existing platform and ShotSpotter would still have to locate microphones on structures; however, the new technology would expand the reach by putting them in light fixtures as well. Chief Mailey noted that you cannot have a ShotSpotter system that is independent of microphones being affixed to buildings. He stated that this harbor system would be slightly cheaper and provide the same coverage as far as ShotSpotter detection, noting that the City had previously looked at a footprint of roughly five (5) to six (6) miles. Chief Mailey indicated that the City would lease the system by contract, and the down side was that when the contract is up, if the City did not pay for the product in the outgoing years, it would not own it.

Chief Mailey noted that he had previously spoken about a product called Verbi that costs more at the initial time of purchase, and the City would have to pay for the service as well; however, the City would not pay for hardware in the outgoing years. He explained that the ShotSpotter setup with AT & T and LED is very new, was currently being test piloted in a few areas, and there were no test results yet regarding its success. Chief Mailey advised that, earlier in the day, he had requested documentation from a salesperson. He stated that this individual was unable to produce documentation because the setup was so new, but he offered to send a complete layout of the cost to outfit the City when it becomes available. Chief Mailey stated that he believed the previous cost sheet from last year indicated a cost of $195,000 per year.

Mayor Christiansen stated that he and Chief Mailey met with ShotSpotter representatives approximately two (2) months ago, and he and former Chief Bernat met a number of times with ShotSpotter, as well as the City of Wilmington, to track their success.

Chief Mailey stated that ShotSpotter representatives advised that the first-year cost would be $235,000 and the initial year costs approximately $40,000 more than the outgoing yearly cost of $195,000. He indicated that representatives also provided guidance on grants and advised the City to reach out to stakeholders. Chief Mailey informed members that he had obtained contact information and emailed one (1) a representative from the Department of Housing and Urban Development (HUD) asking if they had time to talk about the feasibility of helping the City to fund

the ShotSpotter technology. He noted that the ShotSpotter salesman had advised that reaching out to HUD and perhaps the local hospital would probably be the best options. Chief Mailey indicated that he had not spoken with the CEO of Bayhealth Medical Center, stating that it would be difficult to ask someone that he does not know for approximately $200,000; however, he stated he would reach out to him. He noted that the cost of the product was tremendous; however, it would greatly help the Police Department's capacity to respond to shots fired complaints and put officers at the spot where they need to be without guesswork. Chief Mailey explained that, within seconds of shots being fired, this is relayed through a network to a response or receiving center where they analyze the shot, verify that it was a shot, and transmit it to the local police department so that officers can be deployed to the exact location. He stated that this approach had been somewhat successful in a lot of cities, and others had not liked it at all. Chief Mailey noted that he had spoken with Police Chief Robert Tracy in Wilmington, where the technology had been used for several years, and Chief Tracy was not against it but was not overjoyed with some of the results he had seen.

Mayor Christiansen stated that he would facilitate a meeting with Mr. Terry Murphy, President and Chief Executive, Bayhealth Medical Center.

Mayor Christiansen informed members that one (1) of the first contacts they had with ShotSpotter was when Attorney General Matt Denn released some of the funds from the Bank of America settlement; however, it proved to be cost-prohibitive. He noted that there had been an ongoing research process since that time, during the regime of former Chief Paul Bernat and the succession of Chief Mailey. Mayor Christiansen stated that he had discussed this topic at the Conference of Mayors in Washington in January and was provided with maps with some of the statistics. He indicated that, because of the City's tight budget situation, the City would have to rely on grant monies and also hunt for funds through its own resources to facilitate this program to any extent. Mayor Christiansen advised that, if the City is committed to this program and becomes reliant on it, it will be an ongoing expense for which Council will have to assume the costs. He explained that the City had received grants for the police cadet program, which was self-sustaining for 18 months, and the City then had to pick up the costs. Mayor Christiansen stated that the system is proprietary and the equipment would eventually be turned over to the City after the initial contract.

Mayor Christiansen stated that he was not 100% convinced of the success of the program. He noted that he had talked to Mayor Bill de Blasio from New York City, who indicated that they were very happy with their system. Mayor Christiansen advised that New York's response time was probably not as rapid as the Dover Police Department's. He indicated that when they spoke to the City of Wilmington initially, Wilmington was reporting moderate success. Mayor Christiansen stated the need to think about whether to move forward with this program and to consider not only the success of the program but also the actual budget cost.

Mr. Anderson indicated that the ShotSpotter people had been more responsive than those from Verbi and asked what the annual cost of service would be for Verbi. Responding, Chief Mailey stated that the startup cost would be approximately $350,000. He indicated that after that there would be a cost for the monitoring service, which he imagined would be much cheaper; however, he could not put a dollar figure on it without verifying it with Verbi. Mr. Anderson noted that this cost would make a difference and stated the need to look at various options.

Mr. Anderson stated that the spike in problems with shootings had largely been driven by drug turf, due to changes in leadership and other items, and may not be a permanent situation. He asked, if the City went with a leased system and could get the number of shootings down, whether the City could reassess whether or not to keep the system after a five-year contract. Responding, Chief Mailey stated that this would be an option with ShotSpotter. He advised that the hardware is purchased with Verbi and would belong to the City, and the City would pay for the service cost. Chief Mailey noted that the problems regarding drug turf and increases in shootings had been identified and addressed quite successfully. He explained that the Police Department was making a lot of progress, they had great people who were working hard, and they had a good plan that was working. Mr. Anderson stated that the Department does have good people and asked Chief Mailey to let them know that Council supports them in their efforts.

Mr. Neil stated that, when members considered this matter previously, the area being discussed was very narrow. He indicated that the question was, when looking at a pot of money to help protect citizens, whether it should be spent to cover three (3) to five (5) miles versus the City's entire area. Mr. Neil noted that members were weighing whether this money could be used for additional cadets, services, or other things, stating that he would look to Chief Mailey to give members an idea of how this would be spent. He stated that it was wonderful to look at the technology, noting that the price usually comes down as progress is made; therefore, this could be something to look forward to. Mr. Neil noted that if City was to spend this enormous amount of money to cover three (3) to five (5) miles, when the City is much larger, he was concerned about problems in the Third District in the White Oak and Towne Point area. He stated that he was delighted that Chief Mailey was looking at what was available and he looked forward to Chief Mailey providing members with information regarding how he feels the money could be spent and how they can help him to do a better job.

Mr. Polce stated that he echoed some of Mr. Neil's concerns. He advised that, as the second-newest member of Council after Mr. Lindell, he tries to do research for every Council meeting. Mr. Polce advised that he had the opportunity to ride with a Dover police officer a little over a month ago, and it was amazing what they do with their limited resources. He explained that, on this rainy Thursday evening, there were 12 patrol units on the street by the computer system; however, due to vacation, sick time, etc., there were approximately nine (9) officers to patrol a city of 40,000 plus. Mr. Polce indicated that their response time, going from the Wawa on Route 8 across town, had been very fast.

Mr. Polce stated that, from his research regarding ShotSpotter and this type of technology, he had immense concerns regarding the financial allocation, practicality, functionality, and potential legal implications that the City could be exposed to. He noted that some cities had used this technology very well and implemented it with success; some stated that there had been a 10% reduction in shooting incidents, which was amazing; and some had reported a nominal decrease. Mr. Polce stated that most concerning was research he pulled from around the City of Oakland, California, where there were a number of pending legal cases that were now finding their way through the circuit court based on this technology. He explained that the American Civil Liberties Union (ACLU) had picked up on this, and this had made him pause and really deliberate on the necessity of this technology. Mr. Polce advised that in Oakland there had been claims that this technology had been able to identify specific voices, and those voices had been used to prosecute individuals, arguably without true discretion. He stated that this would open a massive door to technology surveillance policing

and the question of where Big Brother stops. Mr. Polce advised that he unequivocally supported the Dover Police Department; however, he indicated that they needed more officers and to re-engage community policing to really make an impact. He stated that, with these concerns within the court system and the limited information that they had, especially when looking to spend a quarter of a million taxpayer dollars, members could not make a sound decision. Mr. Polce also stated concerns regarding the scientific validity of the statistics gathered about the success and the success rate. He noted, as an academician, he looks at data and sees that it may not be that valid. Mr. Polce indicated, as a social scientist, that members could find greater value in Centers for Disease Control (CDC) data, gun violence data nationally, and in identifying where the City's issues are in the census block.

Mr. Polce advised that he agreed absolutely with Chief Mailey and commended him on targeting specific areas and then making sure that the patrolmen are right there. He explained that on the rainy Thursday night that he mentioned, there were two (2) reports of gunshots, and when participating in the ride-along, they were at both scenes within 90 seconds after coming across town. Mr. Polce stated that the Police Department's work is amazing and the City's resources need to be spent in the form of bodies, community policing, letting Chief Mailey and his Department come up with the proposal that makes the most sense.

Mr. Polce moved to table the matter until members have additional information, seconded by Mr. Lindell.

Mr. Sudler asked Chief Mailey for his thoughts regarding whether this technology could be utilized right now versus more police officers. Responding, Chief Mailey stated that there is nothing that trumps an officer in a squad car being able to respond to the area. He noted that the technology would put officers at the exact spot and there would be no guesswork for looking around; however, as Mr. Polce stated, on a night when there are 12 officers on paper but two (2) out on Family Medical Leave Act (FMLA) leave and one (1) injured, ShotSpotter cannot fill that void. Chief Mailey stated that ShotSpotter would get officers to the spot quicker. He explained that, although he would like to ask for additional police officers, he had not done so and did not plan to, noting that he takes the resources that he has. Chief Mailey informed members that changes were being made within the Police Department to fully staff the patrol unit by robbing Peter to pay Paul, and had done so for the last several years while he was a member of staff and in a position to be a part of those meetings and conversations. He stated that technology is great and is used to help the Department perform more efficiently; however, he would always rather have the manpower.

Mr. Slavin indicated that he was hearing a healthy amount of skepticism, which was not necessarily a bad thing. He stated that tabling was the proper action to take because members did not have enough information to make a recommendation. Mr. Slavin indicated that he had a procedural concern and stated his assumption that this item would be part of a request for next fiscal year's budget, rather than a mid-year expense. He noted that there was not $195,000 laying around that members wished to spend. Mr. Slavin advised that he encouraged continuation of this discussion, which would inform the draft budget and the budget that would eventually come forward. He stated that, philosophically, he would rather see the City's money spent on reducing the number of shootings than responding to them faster. Mr. Slavin noted that the technology was interesting; however, he thought the gain would be better before the shootings occur than after.

Mr. Anderson stated that members would not have to make an either/or choice because the money for the technology would not be money that could be spent on the officers if the City had these particular grants. He indicated that energy grants and transportation funds, which could be used for lighting upgrades and other issues, as well as crime grants, would not go toward hiring police officers. Mr. Anderson advised that hiring officers could be discussed, noting that he had always been supportive of this and had supported the addition of police officers three (3) times while on Council. He stated that unless enough officers would be hired to put substations in every neighborhood, which he did not see the City heading toward, technology would be needed to help officers. Mr. Anderson noted that hiring 30 more officers was not part of the discussion or budget.

Mr. Anderson stated that one (1) of the reasons this matter had been brought up was because it was time to do research on grants and to include this as part of discussion when a public service fee is brought up and when looking at new transportation funds coming in. He indicated that it was currently time to have this discussion because the City would be looking at public money that could be coming in for public safety. Mr. Anderson stated there was a need to know what mix of technology and people would best serve, noting that he fully supports both.

Mr. Lindell stated that he agreed with Mr. Anderson that discussion is good on issues that can help the Police Department with crime in the City; however, he likes to rely on the experts in the field. Having also done a ride-along, he stated that he could vouch for the speeds of those rides, and the Police Department's response time and professionalism were excellent. Mr. Lindell indicated that he had to take Chief Mailey's word that they were making progress and suggested letting the experts continue to quarterback the situation and come to members to further the discussion if they need something. He stated that he did not necessarily want to invest in something that the City would be on the hook for leasing year after year, after buying the hardware, or to put future Councils in the same position.

Responding to Mr. Lindell, Mayor Christiansen estimated that the cost of putting an officer on the street at roughly $82,000 - $84,000, including salary, training, and benefits and not including a car.

Mr. Lindell asked if this equipment or two (2) more police officers on the street would make a bigger difference in helping to reduce the shootings. Responding, Chief Mailey stated that he would rather have the two (2) officers. He noted that he had heard the concern from Council and the community, and the Dover Police Department had established why there had been so many shootings in the City and was addressing the problem. Chief Mailey advised that the problem was not a broad sweep where they had no idea who was committing the shootings. He explained that they knew who was committing them, they had the Department's attention, and the Department had been making policing and tactical decisions to remove them from the streets of Dover. Chief Mailey stated that he thought members would be very happy with the results at the end of this project.

Mr. Lindell stated that he relies on the advice of present and past experts. Referring to the Council Committee of the Whole Report of July 26, 2016, he noted that former Councilman James Hutchison had stated that this equipment could be considered; however, when the price tag is considered, he felt that putting boots on the ground and possibly paying extra duty officers to become more involved in community policing would provide a better value than this device. Mr. Lindell stated that former

Councilman James Hosfelt had some of the same skepticism about the program as well. Mr. Lindell suggested letting the Police Department do what they need to do and come to members if they need assistance and a discussion of what they need to get the job done.

The motion to table the matter until members have additional information was unanimously carried.

Quarterly Briefing on Dover/Kent County Metropolitan Planning Organization (MPO) Projects

Mr. James Galvin, AICP, Principal Planner, Dover/Kent County Metropolitan Planning Organization (MPO), advised members that the executive director of the MPO had left as of June 30, 2017 and the MPO was currently searching for a new executive director. He stated that they had received applications and anticipated a review process and potential hiring by October.

Mr. Galvin informed members that one of the most important projects the MPO was working on was the Dover Parking Study. He advised members that the MPO had provided several public comment opportunities during the last couple of months, with the most recent meeting held on Thursday, August 24, 2017. Mr. Galvin reviewed an updated presentation entitled "Downtown Dover Parking Study," dated August 24, 2017 **(Attachment #1)**, noting that it was the version of the presentation that was presented to the Dover community on August 24, 2017.

Referring to the graph on page 4 of the presentation, Mr. Galvin noted that he believed that the red area labeled "Off-Street Parking Takes this much space" was actually representative of on-street parking. In reference to page 7 of the presentation, he informed members that the MPO is going to suggest that the consultants not use the graphic of the disembodied parking lot because it is confusing and they received many comments regarding it during the public workshop.

Referring to the Cost of Parking, page 9, Mr. Galvin informed members that there were comments during the public workshop that Dover should not be compared with Wilmington; Newark; Annapolis, Maryland; or Media, Pennsylvania, because Dover is more like Smyrna and Milford. Mr. Galvin advised that he disagreed with these comments and thought that Dover was more like Newark.

Mr. Galvin noted that there would not be any spots gained with Potential Improvement Scenario 1; 40 spots would be gained with Scenario 2; 40 spots would be gained with a combination of Scenarios 1 and 2; with Scenario 3, 22 spots would be gained out of the 1,800 that they counted; Scenarios 2 and 3 would provide a total gain of 62 spots; and 318 spots would be gained with Scenario 4, the garage.

Mr. Sudler asked if there was any projected profit forecast for the $4M or $100,000 options. Responding Mr. Galvin explained that the consultant had not done a profit forecast yet and he had not had the opportunity to do one himself. He stated that he expected that the profit forecast would be included in the final report.

Mr. Neil informed members that he had attended the community meeting on August 24, 2017 and he thought that the report and the personnel there anticipated virtually every question he had to ask and they did it well. He noted that the presentation also included directional signage, which he thought was a very important component. Mr. Neil stated that the fact that there are a number of places where you need a permit was also discussed. He noted that he thought that the City charges a permit fee, which is probably less than the amount that should be charged, explaining that it could help pay for the additional parking.

Mr. Neil stated that he was very familiar with Annapolis and, because it is a capital city, parking is difficult to come by. He explained that there are a lot more stores and a lot more activity because of the Naval Academy, and they can afford to drive up the prices of parking, since there isn't any. Mr. Neil noted that Annapolis and many other cities in Maryland have parking garages, and stated that he thought that a public-private partnership may be able to be brought in to provide that additional parking. He indicated that he provided one of the Langan representatives with contact information for Ms. Wendy Vestfall, Executive Director, Kent County Tourism, because he thought a synergy could be worked out between tourism and parking. Mr. Neil stated that the more we can do to make it easier for people to come and to park, the better it will be for the merchants and the City as a whole.

Mr. Galvin, referring to page 22 of the presentation, informed members that there was discussion regarding having shared cars located somewhere in downtown Dover. He stated that he thought that this would really work if there was a parking garage to put the shared cars in, and he expected that to be one of the ideas included in the final report.

Mr. Galvin reviewed the Parking Study deliverables, indicating that the project management portion was simply getting the consultant to talk to the MPO and the second deliverable was stakeholder and public participation. He stated that the MPO had pushed them to make sure that they get good public participation. Mr. Galvin advised that, for the last workshop, public notices went out three (3) or four (4) weeks ahead of time and were shared with the Downtown Dover Partnership (DDP) and posted on their website and the City's website. He stated that he thought that the result showed since more than 40 people attended the workshop.

Mr. Galvin advised that the next step was data collection and baseline analysis, which had been completed, and the consultant had gone into the alternatives analysis, which was included in the presentation. He stated that the fifth step would be a preferred plan which they are developing now, and the last is a final report. Mr. Galvin noted that the study was running behind schedule, explaining that the consultant's contract, which he believed was signed approximately one (1) year ago, stated that they would have it completed within six (6) months. He advised that he had only recently become involved with the study, since Mr. Rich Vetter left the MPO.

Referring to other MPO projects, Mr. Galvin advised members that they were finishing the Regional Bike Plan, which had a good public outreach component, and the public comment period had just ended. He stated that they were tweaking the plan, would be presenting it to the MPO Council in two (2) weeks, and would be happy to present it to City Council as well. Mr. Galvin noted that the request for proposals (RFP) for a Milford parking study was in draft.

Members were informed that the West Dover Connector was scheduled to open in September.

Mr. Anderson asked if parking apps were part of the discussion, noting that they would be simple, relatively inexpensive, and go well with signage. In response, Mr. Galvin advised that parking apps had not been part of the discussion so far. He noted that this was brought up during the last workshop, and he was certain the consultants would be happy to provide an app at an additional cost. Mr. Slavin stated that, based on his personal experience, the apps work very well and are very convenient.

Mr. Anderson advised that he had heard a concern about morning and afternoon rush hour traffic and the difficulty getting onto Governors Avenue and New Burton Road from Crossgates. He asked if there had been any studies on those types of traffic patterns. Responding, Mr. Galvin advised that, to an extent, New Burton Road is going to have more traffic when the West Dover Connector opens, because there is an exit off the West Dover Connector to New Burton Road at the Boys and Girls Club and County facility. He stated that the MPO had not done a study on New Burton Road and he did not think one had been done in a while. Mr. Galvin recalled that the biggest thing that came out of the MPO for New Burton was getting pedestrian facilities, noting that there were not currently any. He indicated that he thought that New Burton Road would be one of the more difficult streets to discuss additional lane area for, if that was an alternative, given the constraints in the area between the railroad tracks and the property owners to the east. Mr. Galvin stated that it is something that the MPO may want to look in future years.

Mr. Anderson stated that there was a suggestion a while ago for the West Dover Connector to be named after William Penn, and he asked if that had been given any consideration or if there was a naming convention. Responding, Mr. Slavin stated his belief that it had been named the POW-MIA Highway. Mr. Galvin noted that it had been named and the MPO was not involved in the naming.

Mr. Kirby Hudson, Assistant City Manager, informed members that he had attended the community meeting of August 24, 2017 and, during that meeting, he stated that he thought that the wayward signs were great; however, signage on Route 1 had not been mentioned. He advised that the consultants said that they would put that in the notes.

Quarterly Update - Bicycle/Pedestrian Subcommittee

Mr. David Hugg, Acting Director of Planning and Community Development, reviewed the Bicycle and Pedestrian Subcommittee Quarterly Update for August 2017.

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

Meeting adjourned at 7:05 p.m.

UTILITY COMMITTEE

The Utility Committee met with Council President Slavin presiding in the absence of Chairman Cole.

AGENDA ADDITIONS/DELETIONS

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

Dedication of Rights-of-Way and Public Infrastructure - Garrison Oak Technical Park

Mrs. Donna Mitchell, Acting City Manager, advised members that the Department of Public Works had requested that all public infrastructure improvements related to the Garrison Oak Technical Park be dedicated to the City of Dover for permanent ownership and maintenance. Referring to the list of public improvements, she noted that since the City of Dover was the developer of this project, the contractor, account number, and project codes associated with the specific infrastructure were notated. Mrs. Mitchell stated that the total construction value of capitalized public improvements was $12,241,583.21, the final budget was $12,983,000, and the total expenses with non-capital was $13,078,497.53. She explained that the total expenses amount was different because it included the engineering costs and items that were not being capitalized.

Members reviewed a map depicting the general location and configuration of the subject rights-of-way. Mrs. Mitchell noted that all construction aspects had been completed to meet the City of Dover Standards and Specifications for Public Works Construction as well as the Water/Wastewater Handbook, and a one (1) year Maintenance Bond and a Release of Liabilities would be submitted as part of the dedication process. She stated that required as-built drawings of the infrastructure as well as videos of the sanitary sewer mains had been provided to staff.

Staff recommended acceptance of the dedication of rights-of-way and public infrastructure of the Garrison Oak Technical Park. Dedication is to include all of the referenced public improvements.

Responding to Mr. Slavin, Mrs. Mitchell confirmed that this was a pro forma action, explaining that at the conclusion of a City project, the City dedicates the streets and accepts them.

Mr. Neil moved to recommend acceptance of the dedication of rights-of-way and public infrastructure of the Garrison Oak Technical Park, as recommended by staff. Dedication is to include all of the referenced public improvements. The motion was seconded by Mr. Lindell and unanimously carried.

Mr. Neil moved for adjournment of the Utility Committee meeting. The motion was seconded by Mr. Anderson and unanimously carried.

Meeting adjourned at 7:08 p.m.

Mr. Polce moved for adjournment of the Council Committee of the Whole meeting. The motion was seconded by Mr. Lindell and unanimously carried.

Meeting adjourned at 7:08 p.m.

Timothy A. Slavin
Council President

TAS/TM/dd
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Attachments

Attachment #1 - Updated presentation entitled "Downtown Dover Parking Study," dated August 24, 2017, provided by Mr. James Galvin, AICP, Principal Planner, Dover/Kent County MPO

Downtown Dover Parking Study

Presented to the Dover Community

August 24, 2017

These are the notes related to the board used at the 3rd Public Meeting for the Downtown Dover Parking Study. They were prepared by Langan Engineering and KSK Architects Planners Historians, on behalf of the Dover / Kent County MPO and the City of Dover. They document the findings of a year-long investigation of parking issues in downtown Dover.

Downtown Dover Parking Study

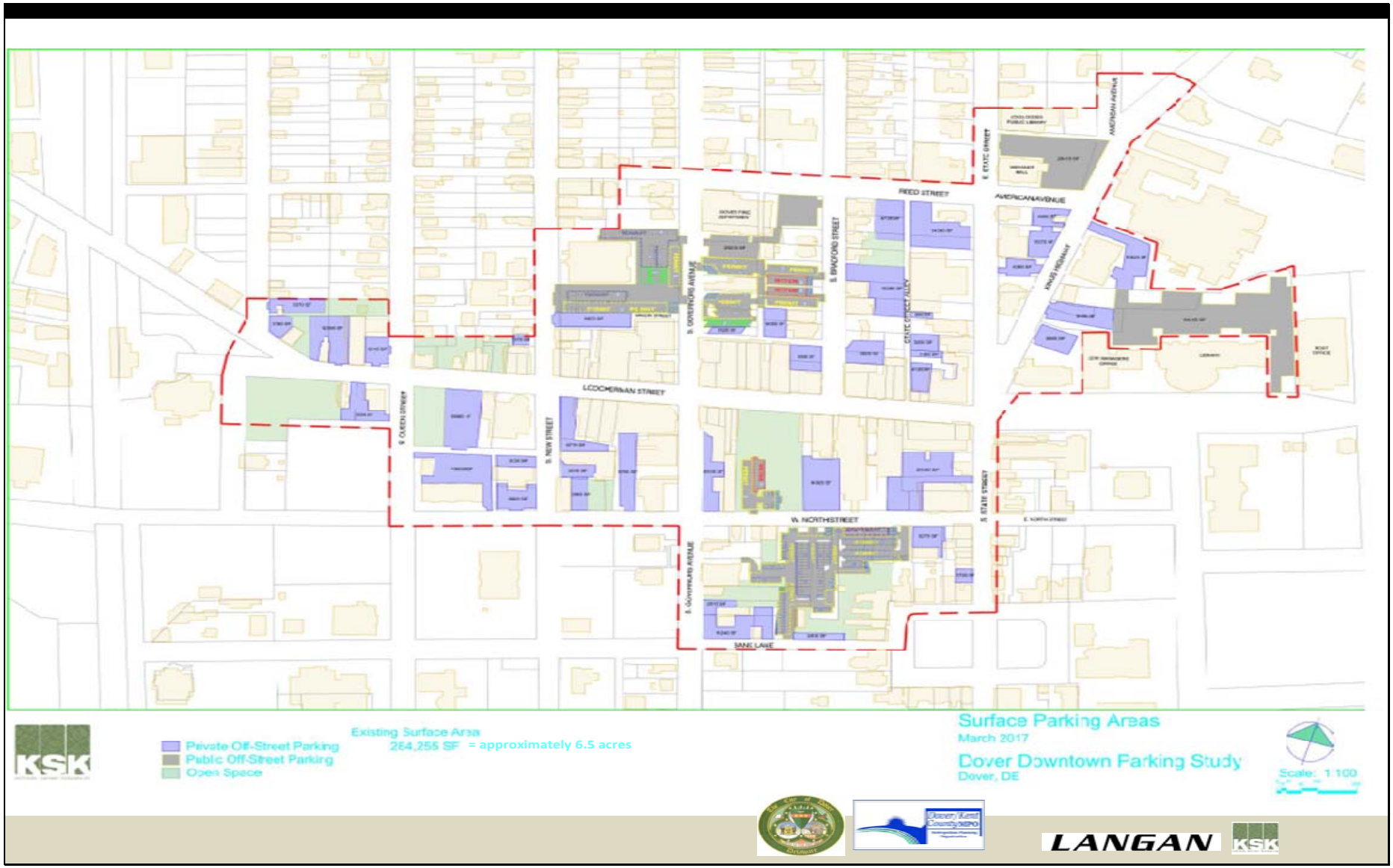


- *"Too much?"*
- *"Too little?"*
- *"Too pricy?"*
- *"Too cheap?"*
- *"Easy to Understand?"*
- *"Convenient to where I want to go?"*



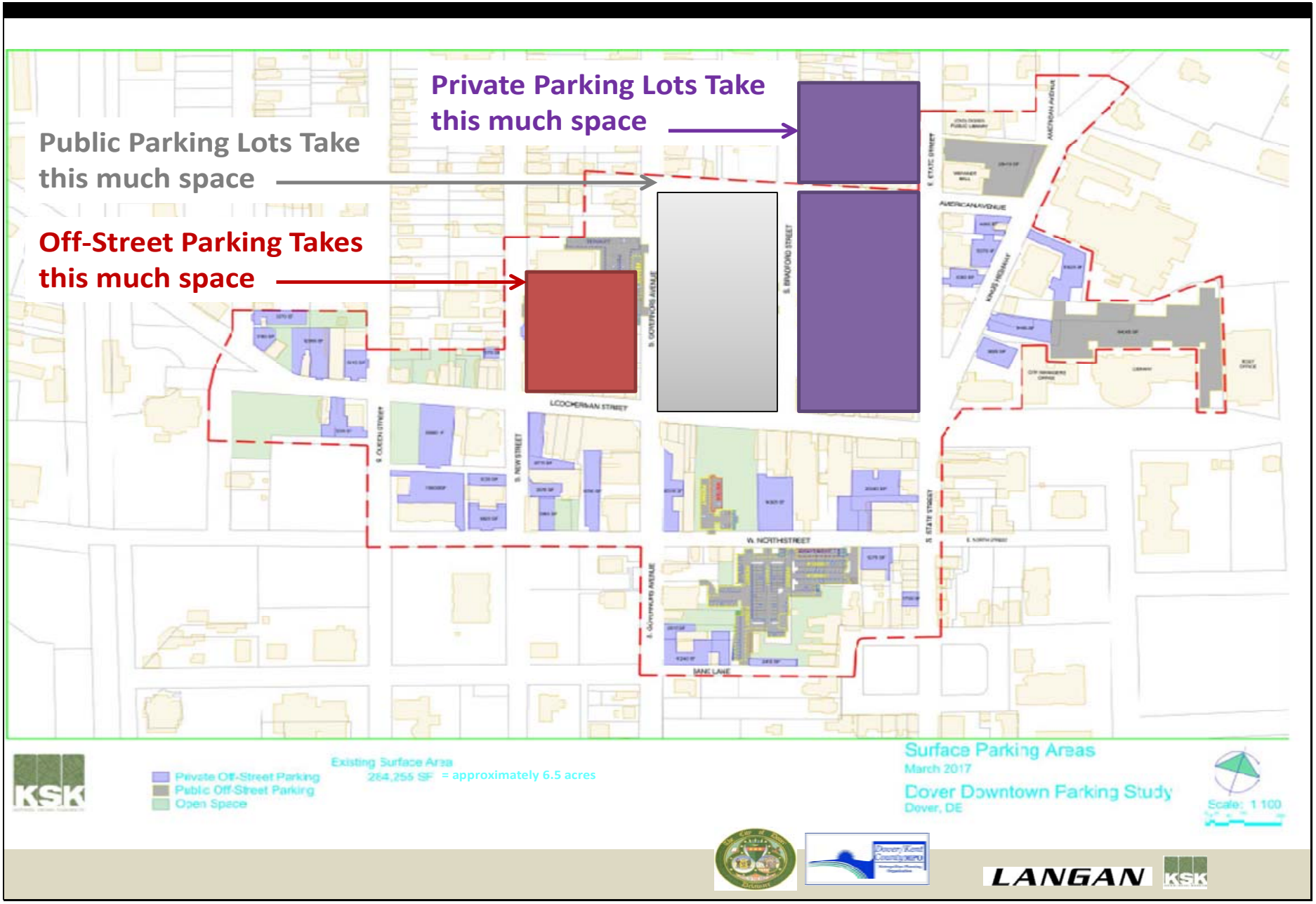
LANGAN KSK

The downtown Dover study focused on the key streets along the commercial areas downtown – mostly blocks along and adjacent to Loockerman Street and The Green. And tried to better understand from where the inefficiencies and complaints about parking came.

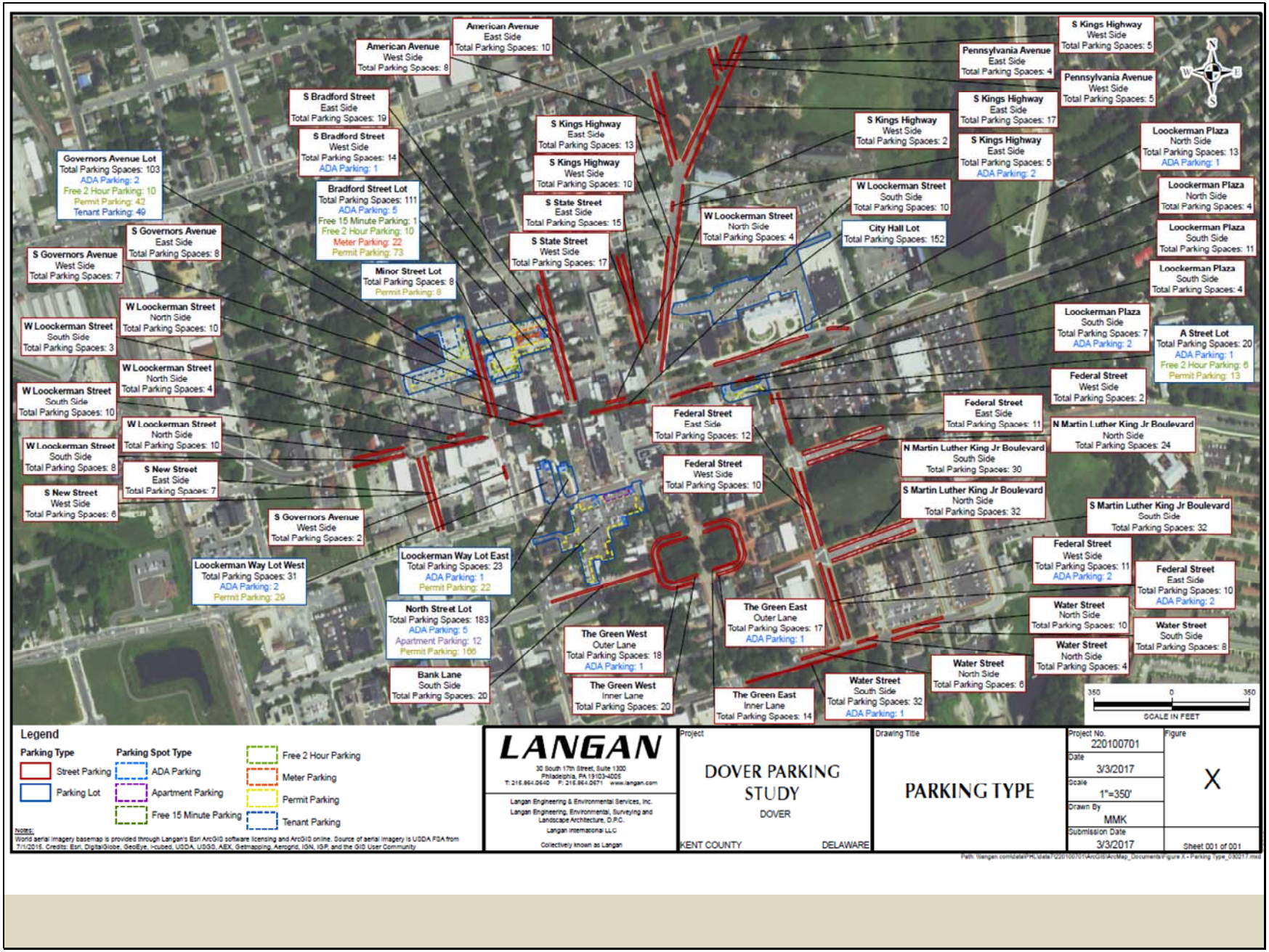


The parking study area is the area shown by the red dotted line in this figure. The Primary study area is the area bounded by Water Street to the south, West Street to the west, Fulton Street to the north and State Street to the east.

Additionally we studied the area around the City Hall Lot which is bounded by State Street to the west, Division Street to the north, Loockerman Street to the south and Park Drive to the east



When all on-street and off-street, public and private parking spots are counted, they total over 1,800 spots – which is a large number of parking spots for a downtown and city of this size and character. This graph show how much area each type of parking would take if they were all consolidated into a single block.



This plan shows the total number and type of parking for all areas studied.

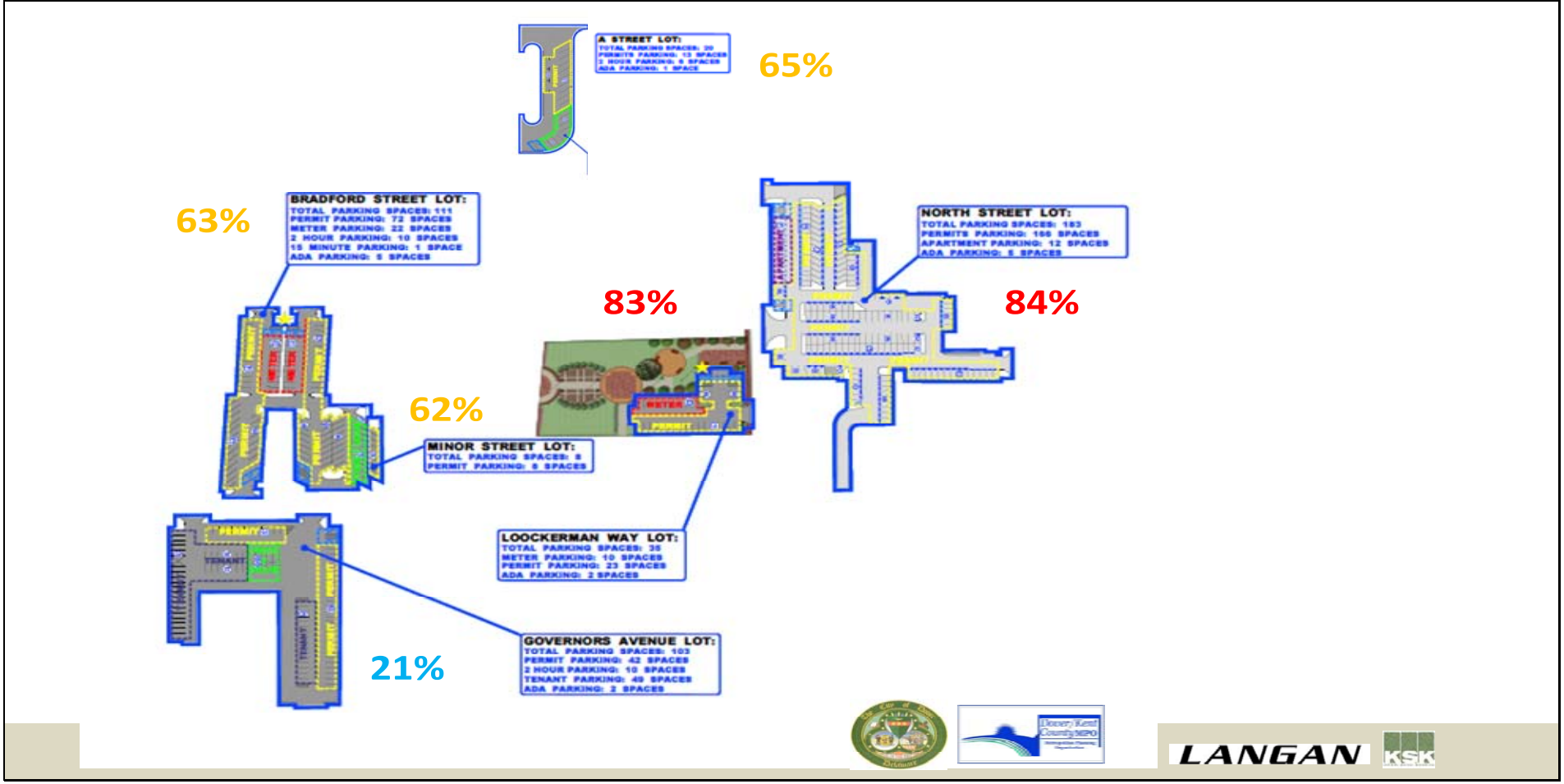
Parking Count Findings

- On-Street Parking
  - Peak Hour – 12:30 to 1:30 pm
  - Peak Occupancy Rate – 75%
  - Peak Violation Rate – 16%
- Off-Street Parking
  - Peak Hour – 11 am – Noon
  - Peak Occupancy Rate – 63%

Some key findings from the study included:

- Peak parking usage is typically around lunchtime, both for on-street and off-street parking.
- Even at these peaks, parking occupancy rates never approach capacity. For example, the peak rate for on-street parking is 75%. Well-managed parking networks can have occupancies of 90% and still satisfy most users.
- The peak violation rate for on-street parking is fairly high. Over 16% of users were not in compliance during the day – and that number does not include the "parking surfers" that might be gaming the current parking system. That means that a sizable portion of users is staying well over the parking limits and not paying their fair share for parking.

Parking Study Findings
Peak Occupancy Per Lot



When we take a closer look at Off-Street Parking, we see that the average 63% rate is actually not representative, since there is wide discrepancy in rates amongst all lots. For example, the North and Loockerman Way lots have occupancies over 80%, while the Governor's Avenue lot has occupancy below 25%. The existing parking capacity could be better managed and much better utilized.

Cost of Parking:

(Per Hour / On Street)

DOVER



Wilmington



Newark





Annapolis, MD





Media, PA





So then, we start looking for some reasons behind these parking patterns. One reason is cultural – people have just gotten used to the current way parking works downtown. But the current way also pushes away all those customers and visitors who cannot find parking. Another reason is the pricing structure. We looked at over 10 peer cities to compare parking costs.

Cost of Parking:

(Per Day / Public Lots)

DOVER



Wilmington

12 x 

Newark

8 x 

Annapolis, MD

13 x 

Media, PA



The peer cities included not only cities in DE, such as Wilmington, Newark, Middletown, Smyrna, Milford, Seaford, and Lewes; but also other cities of same size and/or per capita income in surrounding states (such as Media, West Chester, and Lancaster PA; College Park, MD), and other capital cities of approximately same size and/or per capita income (Annapolis MD, Harrisburg PA, Trenton NJ, and Concord NH). Of all cities that had regulated parking facilities, Dover had the lowest cost – by far – for both on Street and off-street parking. As an example, the 2nd and 3rd cheapest options in each category were:

- On-Street Parking – (1) Dover (Free), (2) Media (50 cents/hr), and (3) Concord (75 cents/hr).
- Off-Street Parking – (1) Dover ($1 a day), (2) West Chester ($8 a day), and (3) Wilmington ($11.85 average a day)

How Would You Spend Your  ?

Quick Errand to Downtown Dover



, but 20 mins only


/ hr, On-Street


/ hr, Off-Street

Day-long Stay


All day, Off-Street


All day, On-Street,
but moving car every 2 hours

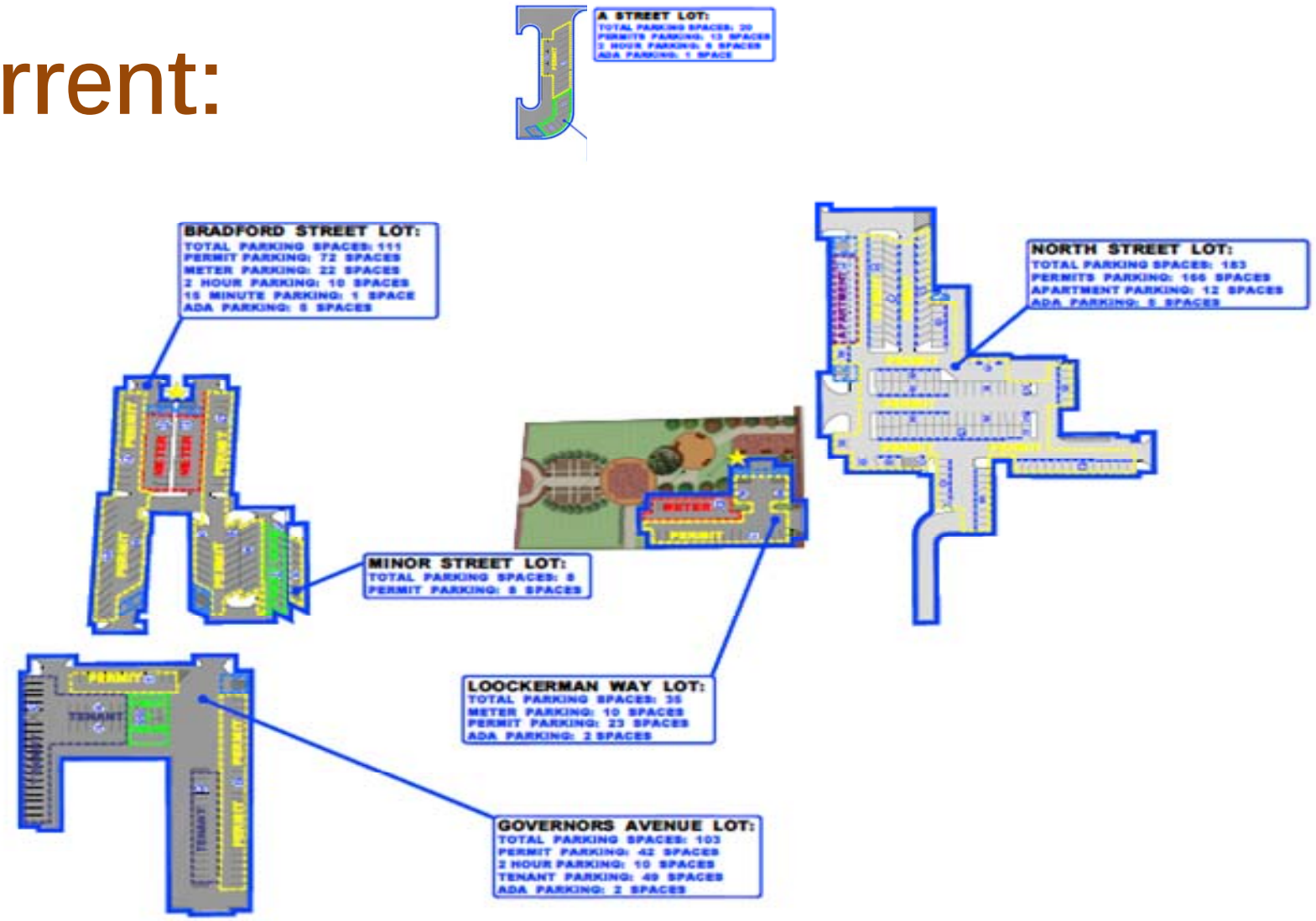

All day, On-Street



LANGAN KSK

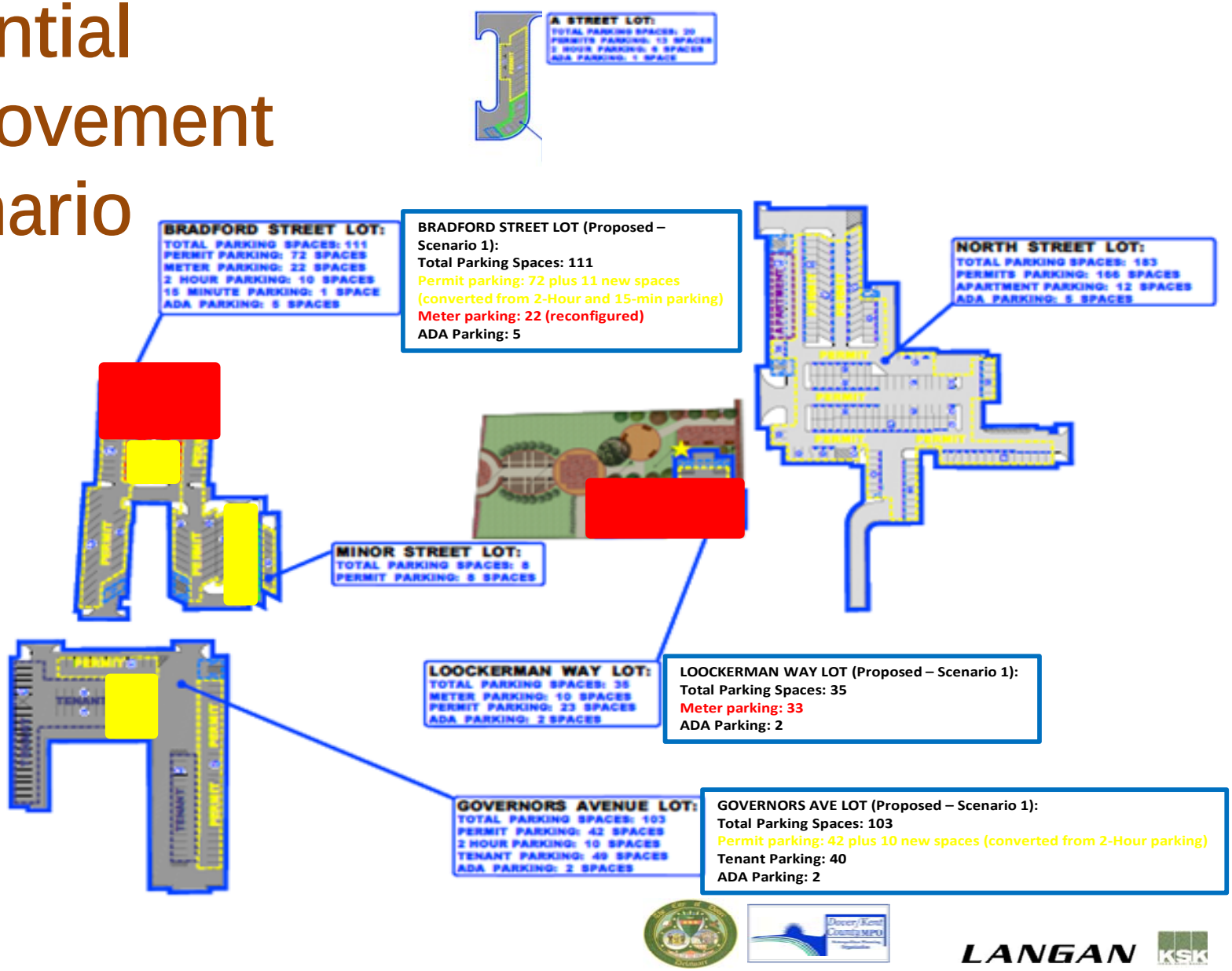
We used this board to gauge the public's preferences.

Current:



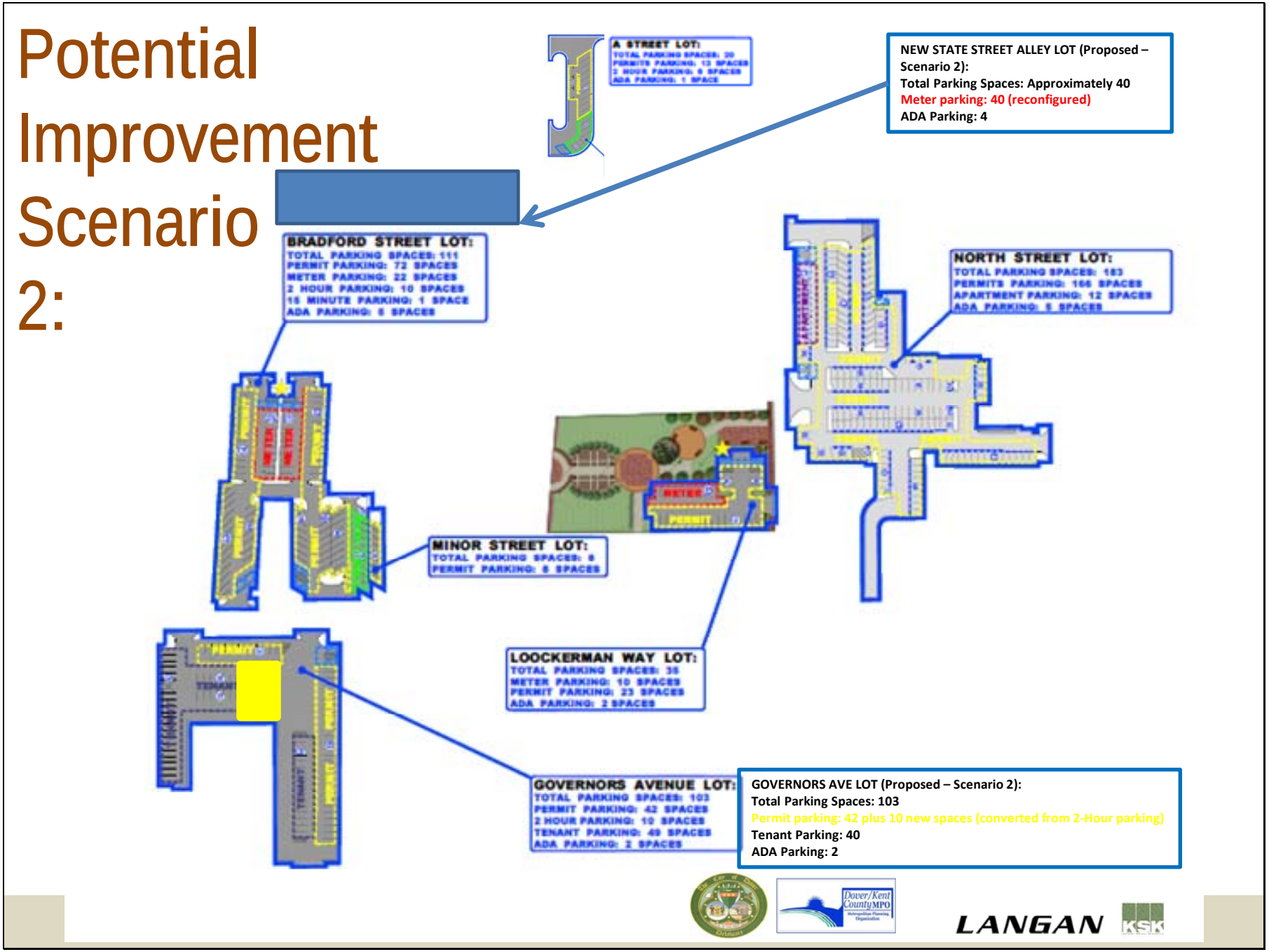
Another reason for the current parking patterns is the confusing layouts and regulations of existing off-street parking lots. Some lots might have 3 or 4 different types of permitted parking, and the routes thru them might be confusing as well. Finally, it is not easy to distinguish from the street where a visitor should go to find the right type of parking. We designed four different scenarios, based on stakeholder input – and used those to get feedback from stakeholders and the public about what might be acceptable solutions / changes.

Potential Improvement Scenario 1:



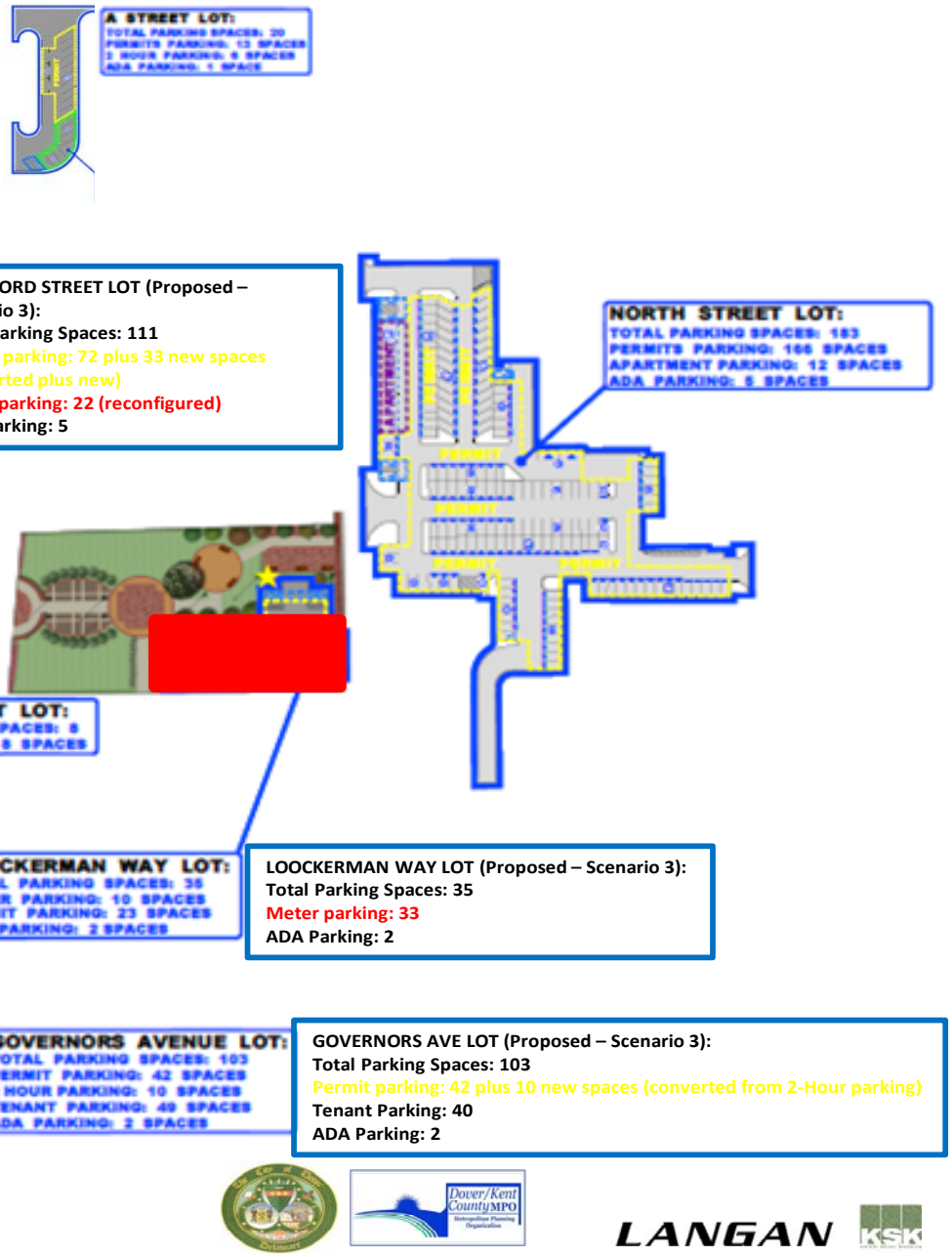
Scenario 1 focuses on creating a simple structure of only 2 types of parking – metered and permit parking; and on consolidating spots so they are easier to see and access from the street. Under this scenario, we proposed converting all of the Loockerman Street lot to metered parking to cater to visitors and customers to the downtown Loockerman St businesses; and also consolidating metered parking spots within the Bradford Street lot.

Potential Improvement Scenario 2:



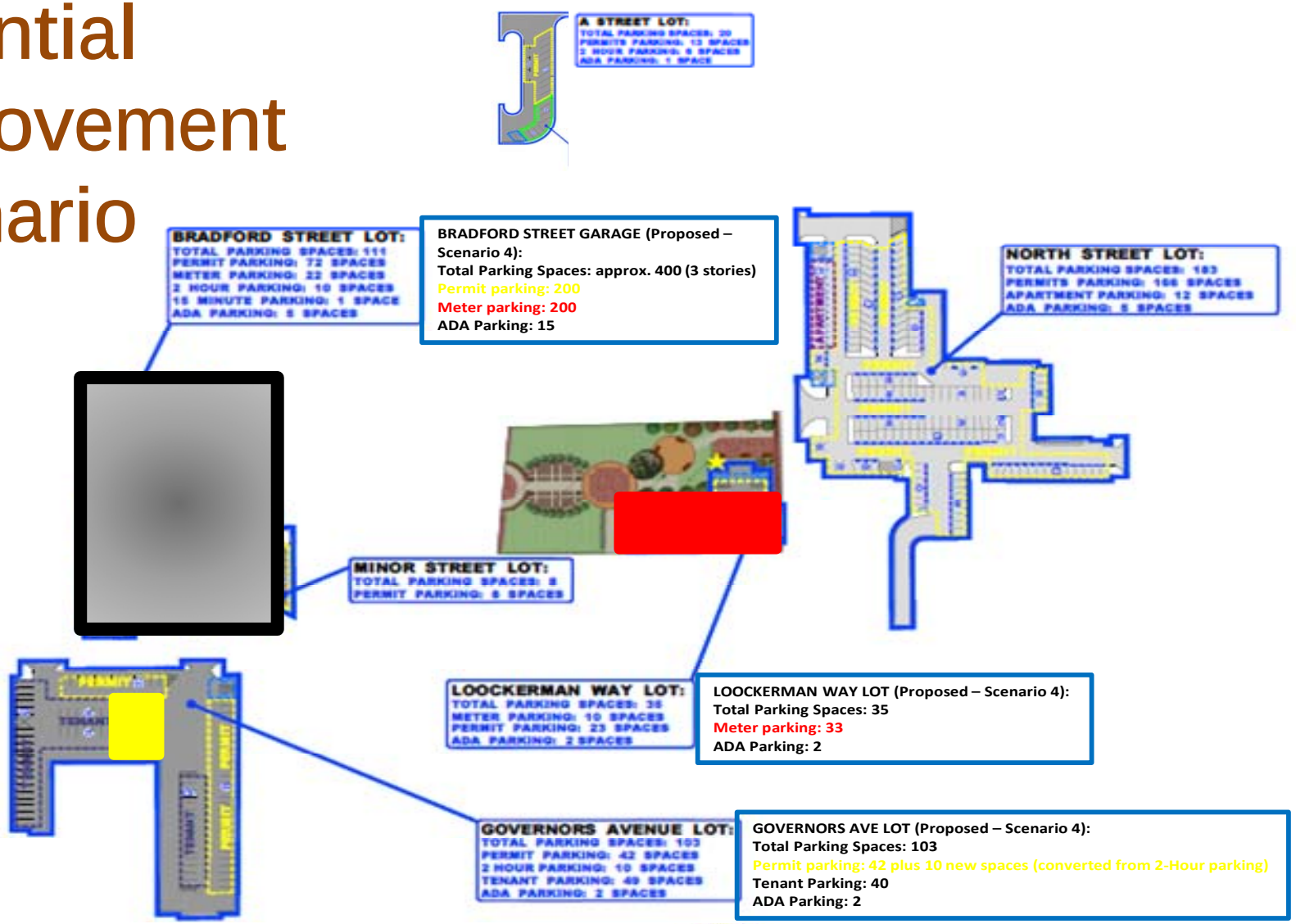
Scenario 2 focused on creating additional capacity by creating a new lot along the State St Alleyway.

Potential Improvement Scenario 3:



Scenario 3 is an enhanced version of Scenario 1, with an expanded Bradford Street lot to address additional demand for permit parking.

Potential Improvement Scenario 4:



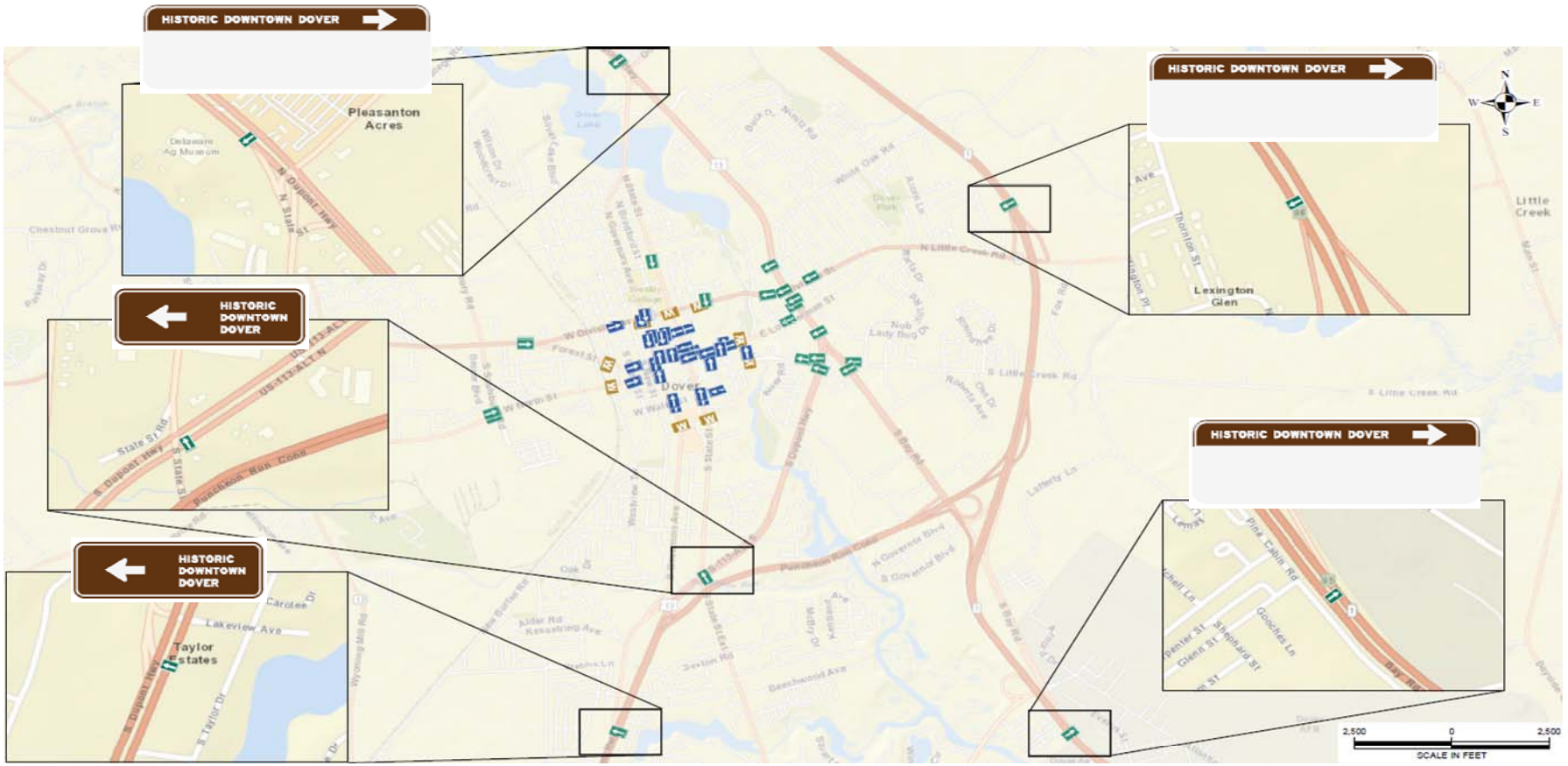
And finally, Scenario 4 would be the “Garage Scenario”, a point where demand is high enough that a parking garage structure is made viable for development. Based on preliminary input from stakeholders, one potential location would be on an expanded Bradford Street lot site.

How Would You Spend Your  ?

Scenario 1	Less than $100k
Scenario 2	$1M to $2M
Scenarios 1 and 2	$1M to $2M
Scenario 3	$1M to $2M
Scenarios 2 and 3	$2M to $4M
Scenario 4	Over $4M

However, each of these scenarios have costs. We suggest that the City would do best to address the “low hanging fruit” and take the more affordable measures first. And then Scenario 4 should only be implemented when downtown redevelopment has advanced enough to warrant the additional supply and cost of a new garage.

Wayfinding and Signage



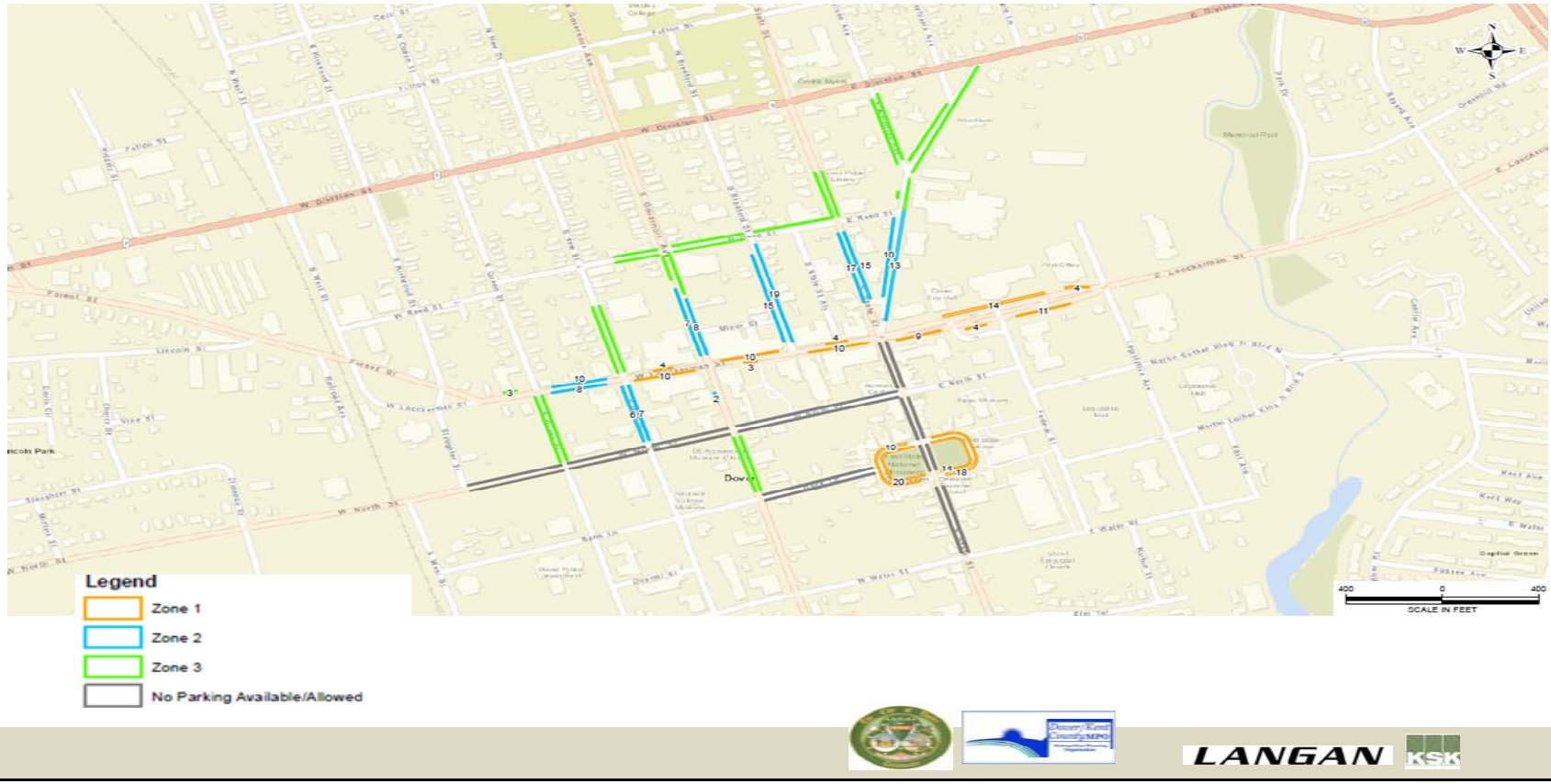
Another requisite solution to the parking issues is to better guide customers and visitors to the existing available parking. And, in addition, help downtown businesses by better branding od Downtown, as well as better signage along Route 1, US 13 and other major corridors – so that everyone that drives near Dover would know that, just off this exist or after a left at this traffic light, there is a very cool destination – Downtown Dover!

Wayfinding and Signage



We propose three layers of signage – on the outside perimeter, highway directional signage pointing to “Historic Downtown Dover”; in the downtown perimeter, “Welcome to Historic Downtown Dover” signs; and then once downtown, better directing drivers to the right parking locations. This wayfinding system would be a very efficient use of scarce dollars.

Potential On-Street Parking Zones



In addition, going back to the question of pricing, we would recommend creating a tiered system of pricing for both on-street and off-streets parking. Our final report will have more details on a recommended pricing structure that can be implemented. But the pricing strategy will be developed in conjunction with input from stakeholders and public and will be implemented as a pilot so that 6 or 12 months later, the pricing strategy can be revisited and adjusted based on customer reaction and actual real-life results.

The tiered system, however, should follow some basic principles:

- Be simple to understand and market
- Have the highest costs at the highest demand locations
- For off-street lots, limits parking categories to permitted locations and metered locations, reducing the number of categories from 4 to 2
- On the other hand, create a greater variety of permits to get better utilization of existing permit spots. For example, some permit holders might opt to renew a (Cheaper) weekday-only or weeknight-only permit, instead of a 24-hour/30-day a month permit.

Streetscape and Safety



In addition, Dover should also think about streetscape enhancements downtown – to increase safety, aesthetics and attract more visitors; as well the creation of gateways along Route 13, so that drivers recognize that there is a cool city behind each intersection, and not just another strip mall or gas station. This slide shows streetscape enhancements along Loockerman, including lighting and safety cameras; and the creation of a parallel pedestrian corridor that connects all parking lots between Governor's Avenue and City Hall. Instead of a dark back alley, now visitors would have an attractive, brick pavement sidewalk, well-lit and landscaped, to connect them to Loockerman St and State St businesses, and local and state government offices.

Gateways



This board showcases visions of what the gateways along Route 13 could look like.

New Technologies



Smart Meters



Kiosk Meters





Online Payments





In-Car Meters







Car Sharing











Pay by Phone





Solar PV







Bike Sharing



and more...













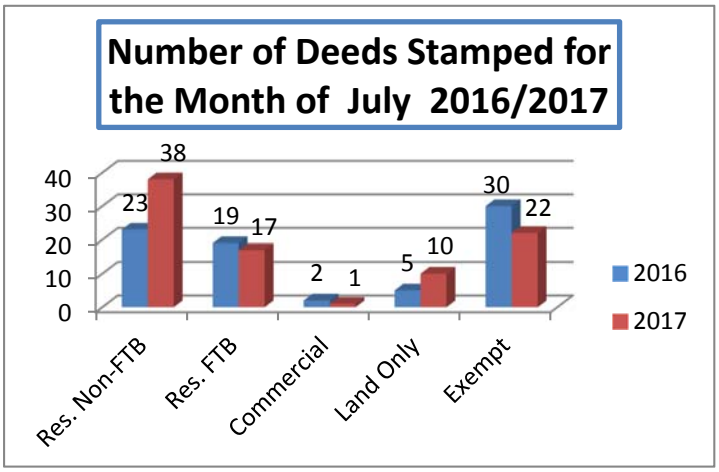
LANGAN KSK

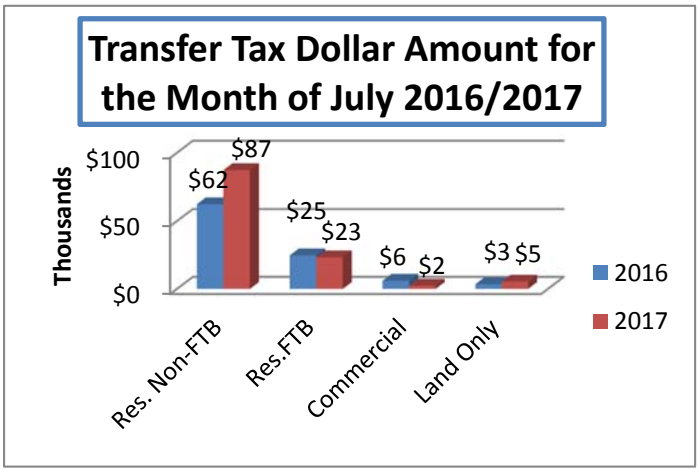
Finally, the final report will also have suggestions in relation to how new technologies can help Dover better manage its parking.

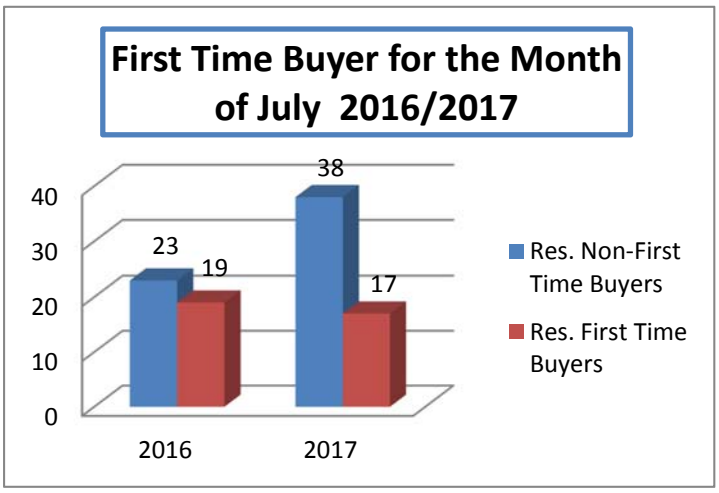
Monthly Report
July 2017

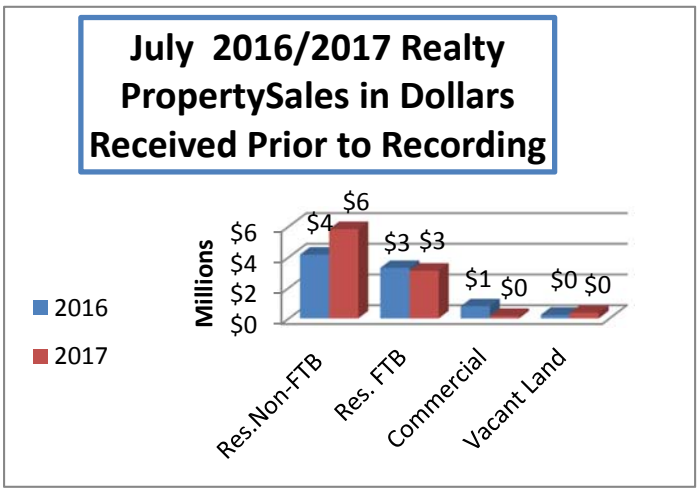
Office of City Assessor

ASSESSOR'S REPORT









Major Updates

	May - 17	June -17	July- 17
Assessment Change	$3,921,800	$2,827,800	- $501,700

Residential Sales Ratio Report

Sales in Study	Total Assessed Value	Total Sale Price	Ratio	PRD
41	$5,747,100	$6,446,310	0.89	1.05

Ratio – Assessed Value divided by Sale Price.

PRD – Mean – A PRD above 1.03 tends to indicate assessment regressivity – high valued properties are under appraised relative to low valued properties. A PRD below .98 tends to indicate assessment progressivity – high valued properties are relatively over appraised.

Points of Interest

Scanning & Filing

- All new deeds are being scanned and attached to the CAMA software for easy retrieval.

- All appeal documents and correspondence are being scanned and attached to the CAMA software for easy retrieval.

- All old property record cards are being scanned and indexed into Fortis.

Assessor's Office

- 2017 Tax Bills were generated, printed, sorted and mailed.

CITY OF DOVER
SALES RATIO REPORT

PARID	NBHD	LUC	ADDRESS	UNITS	STYLE	YRBLT	STORIES	SFLA	GRADE	CDU	TOTAL APPR	SALE DT	PRICE	ASR
ED05-056.20-01-13.00	18	R10	126 MAPLE GLEN DR	1	5	2004	2	2640	B	AV	232,200	28-JUL-17	289,500	
ED05-057.17-02-12.00	18	R10	216 MILLCREEK DR	1	8	1994	2	1440	C+	AV	143,100	10-JUL-17	165,000	
ED05-067.01-01-27.00	18	R10	10 AQUAMARINE CT	1	5	2011	2	1569	B	AV	212,900	31-JUL-17	244,000	
ED05-067.09-01-20.00	3	R10	312 TROON RD	1	5	1975	2	1808	C+	AV	218,800	20-JUL-17	220,000	
ED05-067.15-04-03.06	10	R10	842 WOODCREST TRN	1	8	1987	2	1406	C	AV	153,500	15-JUL-17	100,000	
ED05-067.16-02-02.00	10	R10	609 FAIRVIEW AVE	1	3	1948	1.5	1593	C+	AV	168,800	12-JUL-17	175,000	
ED05-067.16-02-48.00	10	R10	724 N GOVERNORS AVE	1	3	1948	1	1354	C+	AV	135,300	28-JUL-17	228,900	
ED05-067.17-04-58.00	3	R10	129 SWEETGUM DR	1	6	1993	2	1842	B-	AV	174,700	30-JUL-17	235,000	
ED05-067.18-03-60.00	17	R10	4 LIBERTY DR	1	3	1980	1	1702	C	AV	149,700	10-JUL-17	205,000	
ED05-067.20-03-48.00	9	R10	321 N GOVERNORS AVE	1	8	1973	2	1368	C-	AV	72,600	20-JUL-17	107,000	
ED05-068.10-04-20.00	13	R10	24 ANCHOR LN	1	5	2002	2	1876	C+	AV	164,300	28-JUL-17	195,000	
ED05-068.17-01-30.00	8	R10	511 PENNSYLVANIA AVE EXT	1	6	1950	1	1911	C+	AV	197,100	06-JUL-17	142,100	
ED05-068.19-05-83.00	14	R10	214 THORNTON ST	1	13	2006	3	2016	C+	GD	146,500	10-JUL-17	187,000	
ED05-068.20-01-51.00	14	R10	19 NICHOLAS DR		1	2016	2	2472	B-	AV	221,000	20-JUL-17	229,900	
ED05-076.03-01-05.00	14	R10	4 LESTER CT	1	5	2006	2	1903	C+	AV	214,500	06-JUL-17	242,000	
ED05-076.03-01-74.00	14	R10	132 W SHELDRAKE CIR		1	2016	2	1891	C+	AV	188,900	28-JUL-17	245,000	
ED05-076.03-01-76.00	14	R0	140 W SHELDRAKE CIR								31,300	13-JUL-17	37,500	
ED05-076.03-04-29.00	11	R10	204 SAXONDALE LN	1	5	2007	2	2601	B	AV	238,900	14-JUL-17	289,900	
ED05-076.05-01-11.03	17	R10	3 MARSH CREEK LN	1	13	1996	2	1200	C	AV	110,300	28-JUL-17	127,000	
ED05-076.05-03-60.00	14	R10	97 STONEY DR	1	8	1989	2	1394	C+	AV	130,300	19-JUL-17	155,900	
ED05-076.05-04-01.023	102	R50	44 COURTSIDE DR	1	20	1978	1	1008	C-	AV	43,400	07-JUL-17	100,000	
ED05-076.05-04-01.077	102	R50	56 PAR HAVEN DR	1	20	1978	1	1008	C-	AV	43,100	26-JUL-17	42,000	
ED05-076.06-02-01.00-	103	R50	7 ATRAM HALL	1	20	1973	1	939	B	GD	64,400	06-JUL-17	60,000	

PARID	NBHD	LUC	ADDRESS	UNITS	STYLE	YRBLT	STORIES	SFLA	GRADE	CDU	TOTAL APPR	SALE DT	PRICE	ASR
124														
ED05-076.06-02-01.00-	103	R50	5 DOVER HALL	1	20	1973	1	794	B	GD	56,800	18-JUL-17	55,000	

COMMUNITY ENHANCEMENT FUND
110-1200-512.30-37

Current Balance -	**$21,581.94**

BUDGETED AMOUNT	COMMUNITY ENHANCEMENT FUND - $2,500 FOR EACH COUNCIL MEMBER PER DISTRICT AND $5,000 FOR THE AT-LARGE COUNCIL MEMBER. THE PURPOSE OF THE FUND IS TO ALLOW MEMBERS TO CONTRIBUTE FUNDS TO A SMALL PROJECT OR COMMUNITY NEEDS IN EACH DISTRICT.	**$25,000.00**
TOTAL		**$25,000.00**

DATE	COUNCIL SPONSOR	VENDOR	DESCRIPTION	P.O. #/ INVOICE #	TOTAL CHARGES	YEAR TO DATE	BALANCE
07/12/17	Anderson	Inner City Cultural League, Inc.	Councilman Anderson authorized the use of $600.00 of his community enhancement funds to fund 50% of the membership dues for 5 needy students to participate in the Sankofa African Drum and Dance Troupe.	Email dated 07/11/17 from David Anderson to City Clerk's Office	$600.00	$600.00	$24,400.00
07/16/17	Anderson	MLK Jr. Educational Community Center, Inc.	Councilman Anderson authorized the use of $500.00 of his community enhancement funds to help pay for breakfast and lunch for the Saturday Academy participants.	Email dated 07/16/17 from David Anderson to City Clerk's Office	$500.00	$1,100.00	$23,900.00
07/26/17	Slavin	Central Delaware Habitat for Humanity	Councilman Slavin authorized the use of $670.56 to purchase incidental equipment and play apparatus for the Habitat for Humanity's pop up parks/play streets program. It was noted that the games would be usable for future events too.	Email dated 07/26/17 from Tim Slavin to Traci McDowell	$670.56	$1,770.56	$23,229.44
07/31/17	Hare	Air Force Ball Committee	Councilman Hare authorized the use of $500.00 for the deposit to reserve the Dover Downs ballroom for 436 Squadron's Annual Air Force Ball.	Dover Downs Banquet Event Order (BEO) #24,727 dated 06/27/17	$500.00	$2,270.56	$22,729.44

08/02/17	Cole	Dover Library Foundation	Councilman Cole authorized the use of his community enhancement funds to reimburse the Dover Library Foundation for the purchase of bottled water for the Dover Comic Con 2017 event.	Sam's Club receipt dated 08/15/17; Email dated 08/02/17 from Scott Cole to Traci McDowell	$397.50	$2,668.06	$22,331.94
08/07/17	Neil	3d Airlift Squadron Booster Club	Councilman Neil authorized $100.00 of his community enhancement funds to be donated to the 3d Airlift Squadron Booster Club for the Dover Air Force Base Open House.	Email dated 08/07/17 from Fred Neil to Traci McDowell	$100.00	$2,768.06	$22,231.94
08/14/17	Anderson	Boys and Girls Club of Delaware	Councilman Anderson authorized a donation of $100.00 of his community enhancement funds to the Boys and Girls Club of Delaware, for the Greater Dover Boys and Girls Club - 4th District children.	Emails dated 08/08/17 and 08/14/17 from David Anderson to Debbie Krueger	$100.00	$2,868.06	$22,131.94
08/14/17	Anderson	City of Dover Parkland Reserve	Councilman Anderson authorized a donation of $250.00 of his community enhancement funds for the Back to School Giveaway and Rib-Off Fundraiser Initiative (to be credited to the City's Parkland Reserve)	Email dated 08/14/17 from David Anderson to Debbie Krueger	$250.00	$3,118.06	$21,881.94
08/23/17	Cole	Dover High School AFJROTC Booster Club	Councilman Cole authorized $300.00 of his community enhancement funds to help pay for storage units for the air rifles used by the Rifle Team.	Email dated 08/23/17 from Scott Cole to Traci McDowell	$300.00	$3,418.06	$21,581.94
					$3,418.06		**$21,581.94**

Budgeted Amount	District	Council Sponsor	YTD Expenditures	Balance
$5,000.00	At-Large	Slavin	$670.56	$4,329.44
$2,500.00	1st District	Lindell	$0.00	$2,500.00
$2,500.00	1st District	Polce	$0.00	$2,500.00
$2,500.00	2nd District	Hare	$500.00	$2,000.00
$2,500.00	2nd District	Lewis	$0.00	$2,500.00
$2,500.00	3rd District	Cole	$697.50	$1,802.50
$2,500.00	3rd District	Neil	$100.00	$2,400.00
$2,500.00	4th District	Anderson	$1,450.00	$1,050.00
$2,500.00	4th District	Sudler	$0.00	$2,500.00
		TOTAL	**$3,418.06**	**$21,581.94**

CITY MANAGER'S MONTHLY



REPORT

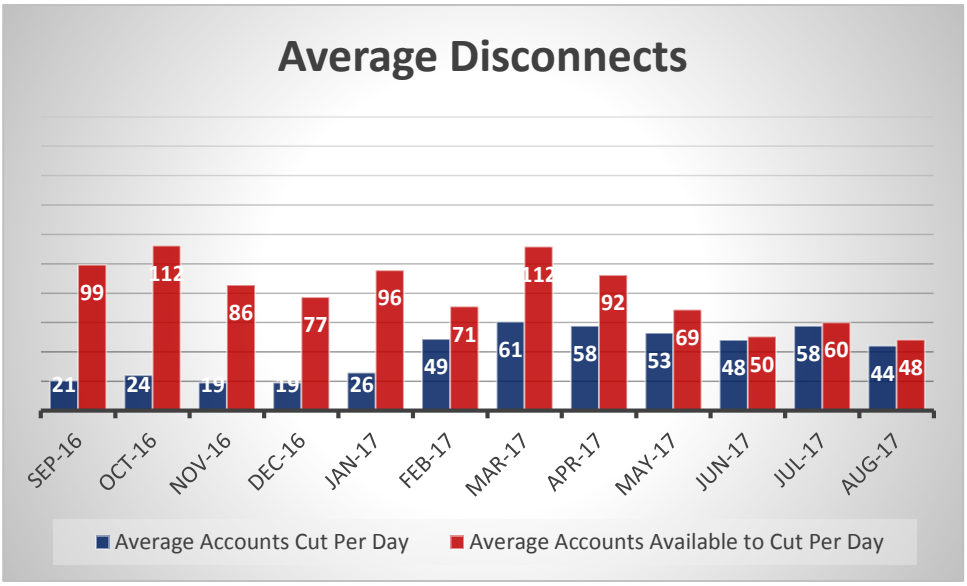
JULY 2017

City of Dover
Customer Services Department

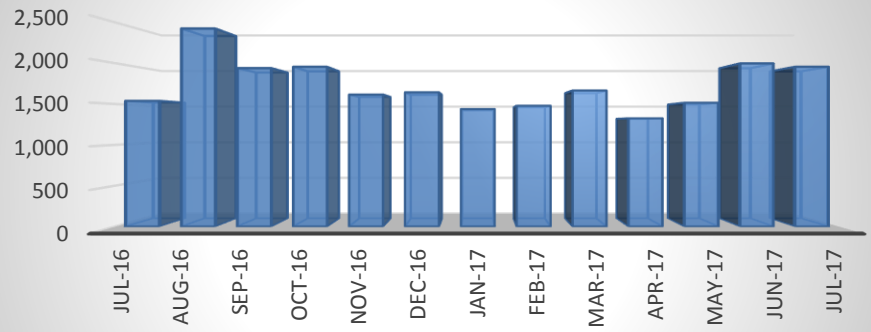
Major Program Updates	Jul 2017	Jul 2016	Difference	FY 2018 Year-to-Date	FY 2017 Year-to-Date
Number of Customers Served	31,888	30,177	1,711	31,888	30,177
Final Bills	630	643	(13)	630	643
Estimated Bills	227	214	13	227	214
Penalties Posted	$ 5,915	$ 4,807	1,108	$ 5,915	$ 4,807
Extensions of Credit - Amount Extended	$ 102,615	$ 81,835	20,779	$ 102,615	$ 81,835
Balance Transfers	$ 8,779	$ 2,878	5,901	$ 8,779	$ 2,878
Utility Collections	$ 23,976	$ 22,969	1,007	$ 23,976	$ 22,969
Special Assessments	$ -	$ -	-	$ -	$ -
Miscellaneous Billings	$ 231,323	$ 53,186	178,137	$ 231,323	$ 53,186
Taxes Levied	$ 12,889,049	$ 12,757,723	131,326	$ 12,889,049	$ 12,757,723
Billing Adjustments	$ (13,006)	$ (3,119)	(9,888)	$ (13,006)	$ (3,119)
Total Taxes Collected	$ 11,137,642	$ 10,571,617	566,025	$ 11,137,642	$ 10,571,617
Taxes Outstanding	$ 1,738,400	$ 2,182,987	(444,587)	$ 1,738,400	$ 2,182,987

Disconnect Summary Report

	Sep-16	Oct-16	Nov-16	Dec-16	Jan-17	Feb-17	Mar-17	Apr-17	May-17	Jun-17	Jul-17	Aug-17
% of Cust Cut	21%	21%	22%	25%	27%	69%	54%	62%	77%	95%	96%	91%
% of Total $ Cut	22%	18%	16%	24%	31%	68%	66%	63%	77%	92%	96%	88%
Total Days Available to Cut	20	20	21	22	22	16	13	16	20	22	12	20
	Sep-16	Oct-16	Nov-16	Dec-16	Jan-17	Feb-17	Mar-17	Apr-17	May-17	Jun-17	Jul-17	Aug-17
Average Accounts Cut Per Day	21	24	19	19	26	49	61	58	53	48	58	44
	Sep-16	Oct-16	Nov-16	Dec-16	Jan-17	Feb-17	Mar-17	Apr-17	May-17	Jun-17	Jul-17	Aug-17
Average Accounts Available to Cut Per Day	99	112	86	77	96	71	112	92	69	50	60	48
Total on original list	1986	2247	1797	1702	2102	1134	1451	1476	1377	1109	653	885
Total $ on original list	$649,386.35	$863,317.64	$782,883.39	$636,019.34	$675,694.36	$373,545.84	$371,175.90	$362,563.80	$405,699.71	$476,569.79	$210,692.12	$339,268.87
Total Actual Cust Cut	411	482	402	419	570	779	788	922	1059	1059	692	884
Total $ of Actual Cut	$140,573.47	$155,769.34	$124,907.89	$154,000.16	$212,407.49	$255,781.83	$243,763.03	$229,928.08	$312,473.14	$437,125.60	$214,022.39	$315,751.83

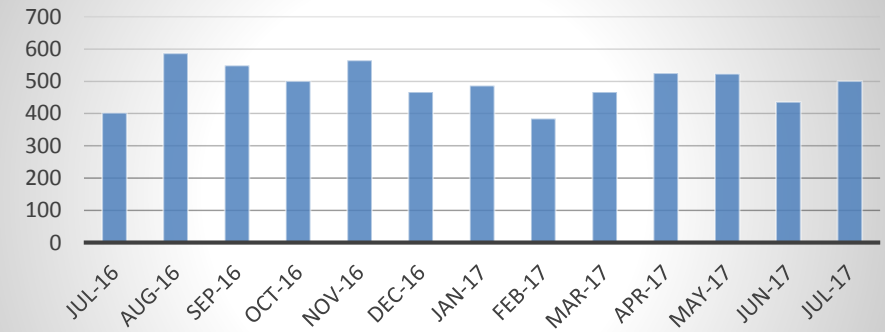


Work Orders Processed



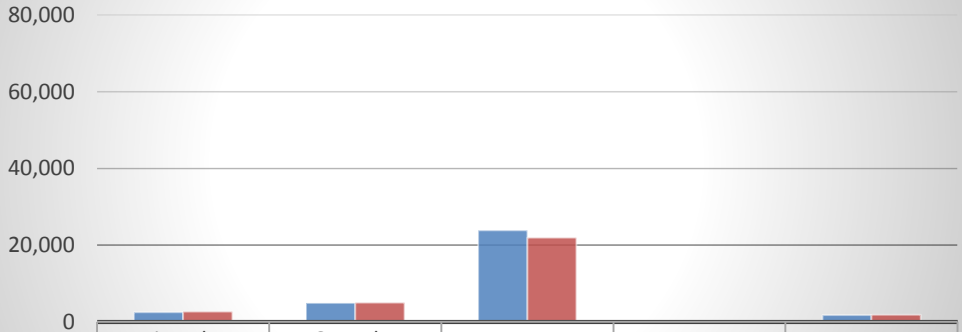
	Jul-16	Aug-16	Sep-16	Oct-16	Nov-16	Dec-16	Jan-17	Feb-17	Mar-17	Apr-17	May-17	Jun-17	Jul-17
Series1	1,539	2,423	1,939	1,955	1,615	1,643	1,437	1,478	1,665	1,325	1,515	1,996	1,955

Payment Agreements / Extensions



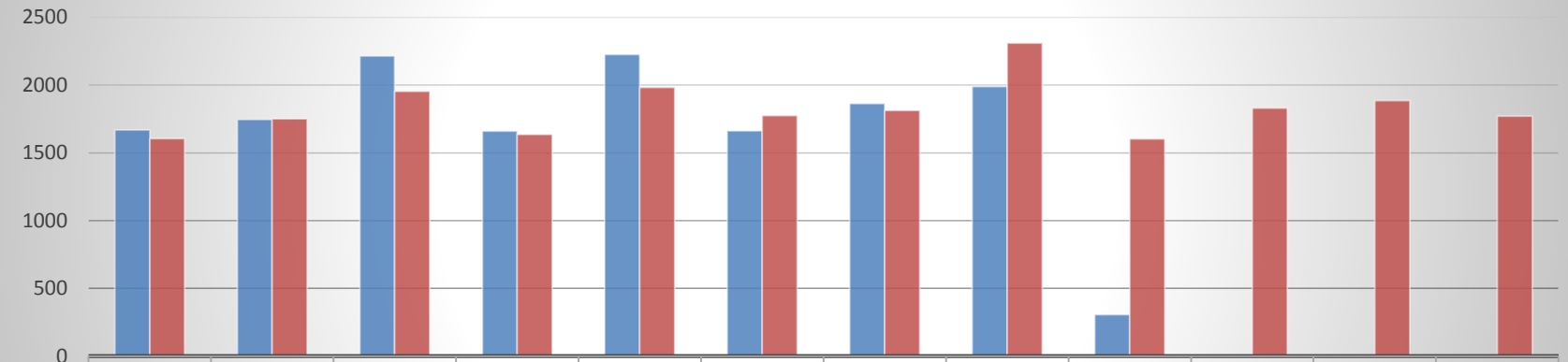
	Jul-16	Aug-16	Sep-16	Oct-16	Nov-16	Dec-16	Jan-17	Feb-17	Mar-17	Apr-17	May-17	Jun-17	Jul-17
Series1	402	587	549	501	565	467	487	385	467	525	523	436	501

CUSTOMER PAYMENT USAGE



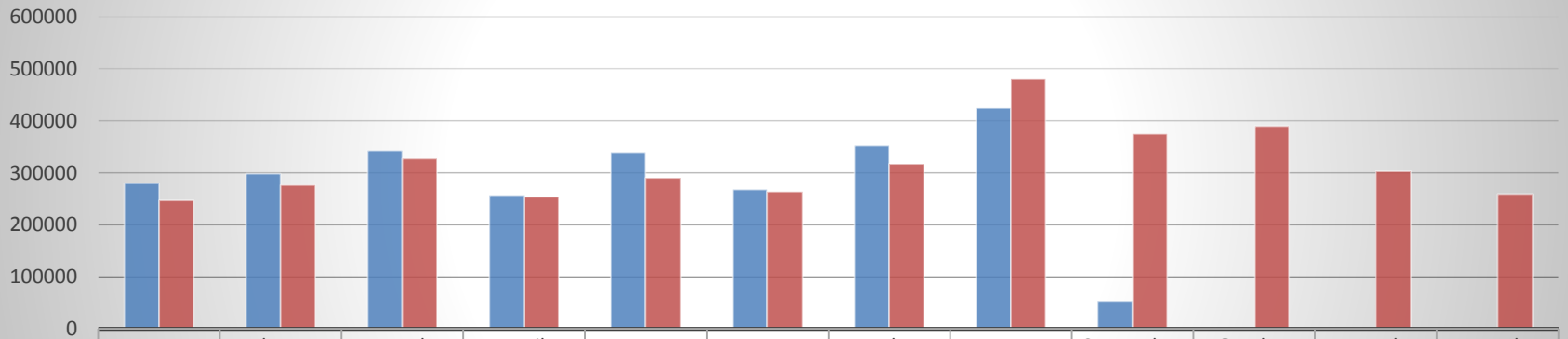
	Drive-Thru Window	Over the Counter	Mail, Drop Box	Credit Cards	Bank Drafts
2018 YTD	2,508	4,964	23,862	261	1,789
2017 YTD	2,662	4,986	21,936	276	1,882

Total Accounts Bank Drafted



	January	February	March	April	May	June	July	August	September	October	November	December
2017	1668	1747	2214	1660	2226	1662	1863	1989	306	0	0	0
2016	1605	1751	1954	1636	1982	1775	1812	2309	1602	1831	1886	1770

Customer Payments Made Through Bank Draft



	January	February	March	April	May	June	July	August	September	October	November	December
2017	279823.56	297914.5	342455.53	256771.02	339351.31	267485.44	351745.72	424715.11	53423.85	0	0	0
2016	247351.87	276553.6	327013.78	253729.28	289793.16	263957.73	317148.01	480391.62	374575.25	389971.29	302860.98	259092.91

ELECTRIC DEPARTMENT

Electric Divisions

System Peak	
Nov 15	95.5
Dec 15	94.64
Jan 16	116.96
Feb 16	110.15
Mar 16	98.93
Apr 16	100.37
May 16	128.16
June 16	133.59
July 16	165.92
Aug 16	162.61
Sept 16	159.99
Oct 16	116.94
Nov 16	98.27
Dec 16	101.04
Jan 17	113.04
Feb 17	106.4
Mar 17	108.2
Apr 17	107.03
May 17	133.93
June 17	155.81
July 17	162.88

Total System Load	
Nov 15	53,746
Dec 15	56,155
Jan 16	62,563
Feb 16	57,888
Mar 16	55,967
Apr 16	53,202
May 16	56,586
June 16	65,414
July 16	80,114
Aug 16	83,086
Sept 16	67,117
Oct 16	57,707
Nov 16	54,812
Dec 16	60,179
Jan 17	63,172
Feb 17	54,811
Mar 17	60,690
Apr 17	54,062
May 17	57,823
June 17	70,081
July 17	79,883

Month	*outages*	*customers*
Nov 15	5	2629
Dec 15	2	17
Jan 16	5	245
Feb 16	2	106
Mar 16	7	353
Apr 16	5	672
May 16	2	206
June 16	14	601
July 16	9	307
Aug 16	9	214
Sept 16	7	915
Oct 16	8	224
Nov 16	6	4293
Dec 16	5	207
Jan 17	3	12
Feb 17	1	2
Mar 17	4	160
Apr 17	4	114
May 17	5	148
June 17	7	3084
July 17	19	2556

Number Customers Gained	
Nov 15	61
Dec 15	20
Jan 16	21
Feb 16	14
Mar 16	16
Apr 16	29
May 16	13
June 16	53
July 16	13
Aug 16	13
Sept 16	35
Oct 16	27
Nov 16	41
Dec 16	37
Jan 17	40
Feb 17	31
Mar 17	15
Apr 17	58
May 17	58
June 17	25
July 17	90

Electric Monthly Outage Report

The annual outage goal will be less than 295 minutes per customer, which is a Delaware Standard. This will be measured by calculating the System Average Interruption Duration Index.

FY 18 YTD	FY 17	FY 16
39.8	29.59	24.98

Controllable Outages *Annual goal is less than 40*		Average Response Time *Goal is less than 30 minutes*	
Month	**Year-to-date**	**Month**	**Year-to-date**
5	5	36.74 Minutes	36.74 Minutes

PROGRAM UPDATES	JULY 17	JULY 16	FY18 YTD
Tree Trimming	459	337	459
Number of Oil Releases	0	1	0
Lost Time Accidents – All Electric Utility Divisions	0	0	0
New Services	90	13	90

HUMAN RESOURCES
July 2017

Category	July 16	August 16	Sept 16	Oct 16	Nov 16	Dec 16	Jan 17	Feb 17	March 17	April 17	May 17	June* 17	July 17	Total
Caucasian*	297	294	296	301	302	300	299	296	293	290	289	291	292	n/a
Minorities*	70	69	71	72	72	71	71	71	72	73	73	74	79	n/a
Hired	3	0	5	9	3	1	5	1	5	1	3	3	9	48
Terminated/Resigned/ Retired/Other	8	4	1	1	2	4	6	4	7	3	4	3	3	50
Transferred/Promoted	2	2	2	0	0	2	2	0	1	1	1	0	3	16
Jobs Posted	5	7	3	3	1	7	2	6	7	5	2	1	7	56
Workers Comp. Injuries	3	3	3	6	3	0	2	2	2	2	4	3	1	34
Workers Comp. Hours	271	340	171	254	319	342	259	252	397	275	648	475	417	4420

***339 Full-time Employees: Part-time Employees:** 32 (3 Pitts Center, 1 Recreation, 18 Library, 1 Customer Service, 1 Central Services, 8 Police Department) -Numbers do not reflect, temporary, seasonal, relief fire dispatchers, committee or council members. * Updated

Position Hired: (5) Cadets; Customer Service Representative I; LAN Analyst (IT); Planner I; Library Clerk (part-time)
Position Transferred/Promoted: Lineman Second Class to Electric Meter Tech I; Substation Technician to Engineering Fieldman, Police Captain to Major
Position Terminated/Resigned/Retired: Office Assistant II; Field Service Supervisor II (Grounds), Substation Technician I
Positions Posted: Electric Director, Public Works Inspector, Water Treatment Plant Operator I, Budget Analyst, Gardener I, Laborer II, Billing Supervisor

Open or Currently Recruiting*

Open or Currently Recruiting By Department	July 16	August 16	Sept 16	Oct 16	Nov 16	Dec 16	Jan 17	Feb 17	March 17	April 17	May 17	June 17	July 17
Electric	4	4	3	3	4	4	4	4	4	4	4	5	7
Public Works	11	13	11	5	6	6	5	5	6	6	6	7	8
Police	2	3	2	1	1.5	3	5.5	6	7.5	9.5	9	8	6.5
All Other Departments	9.5	10	9	9	14	13.5	11.5	11.5	12	10	9.5	9	7.5
Totals	26.5	29	25	18	25.5	26.5	26	26.5	29.5	29.5	28.5	29	29

**Not used for Budgeting Purposes*

✧**<u>The following has been updated to reflected the Fiscal 2017-18 Budget</u>**

Electric: Lineman 2nd class, Engineering Fieldman; Key Accounts, Electric Director, (2) Substation Technician, Groundworker
Public Works: Utility Maintenance Mechanic I; Lead Laborer (Grounds); Laborer II (Grounds); Public Works Inspector, Gardener I, Motor Equipment Operator III (Water/wastewater); Water Treatment Plant Operator I, Field Supervisor II (Grounds)
Police: Cadet; (3) Police Officers, (2) Communication Operator; Evidence Technician
All Other Departments: City Manager, Director Planning & Inspections, Field Service Representative I (Customer Service-Meter Reading); Billing Supervisor (Customer Service); Customer Service Clerk I (part-time); Inspector I (Fire Marshal); Budget Analyst; Office Assistant

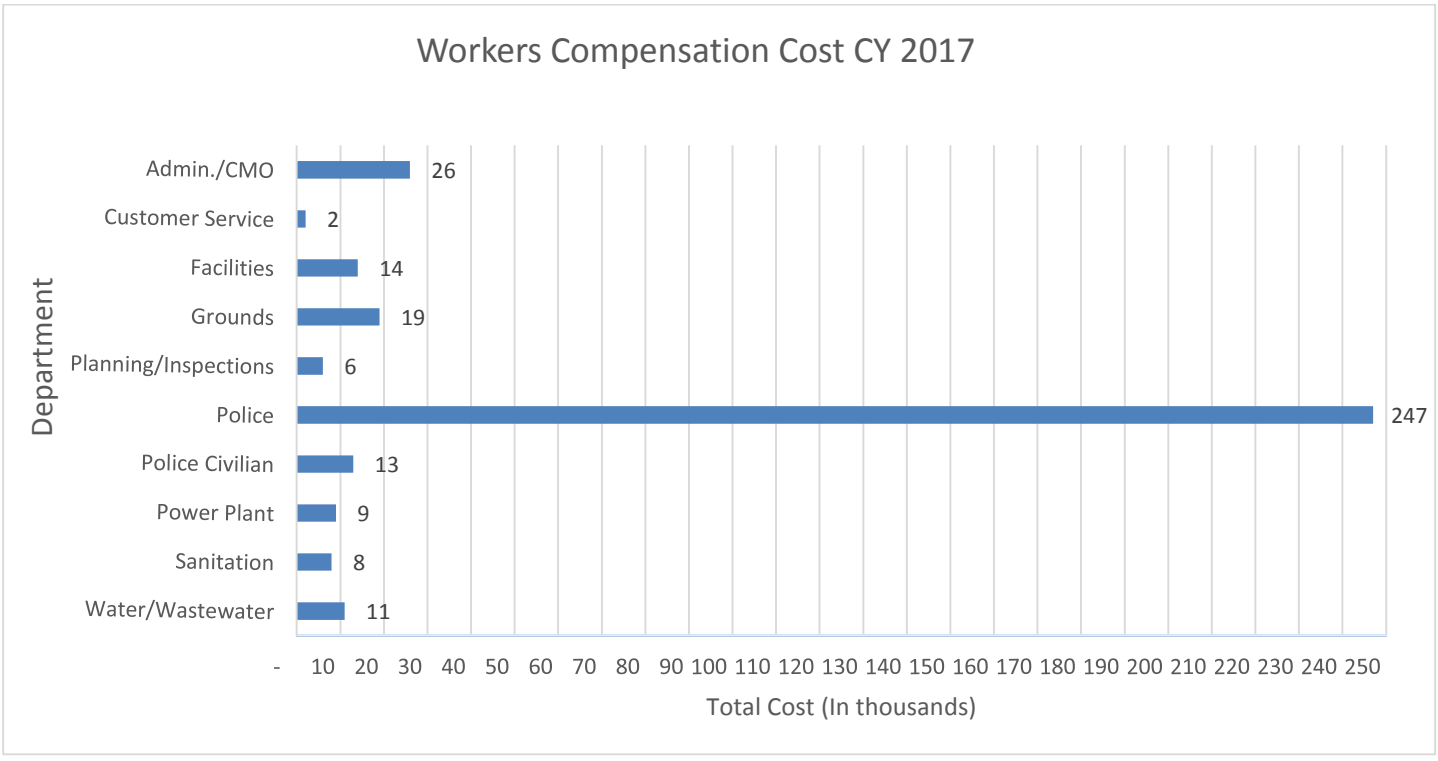
HUMAN RESOURCES
(Continued)

Turnover Statistics

	2010	2011	2012	2013	2014	2015	2016	2017
Total Turnover %	5.57	6.75	11.00	10.91	6.02	12.05	8.68	7.66
Termination Turnover %	0.27	1.08	0.29	1.47	.57	.28	.54	.82
Resignation Turnover %	2.12	4.05	5.21	5.01	2.29	7.56	6.24	4.10
Retirement Turnover %	3.18	1.62	5.50	4.42	3.15	4.20	1.90	2.19
Other	-	-	-	-	-	-	-	.55
2012 Healthcare cost sharing implemented								
2013 Healthcare cost sharing implemented for DOE								
2016 RIF in Economic Development								

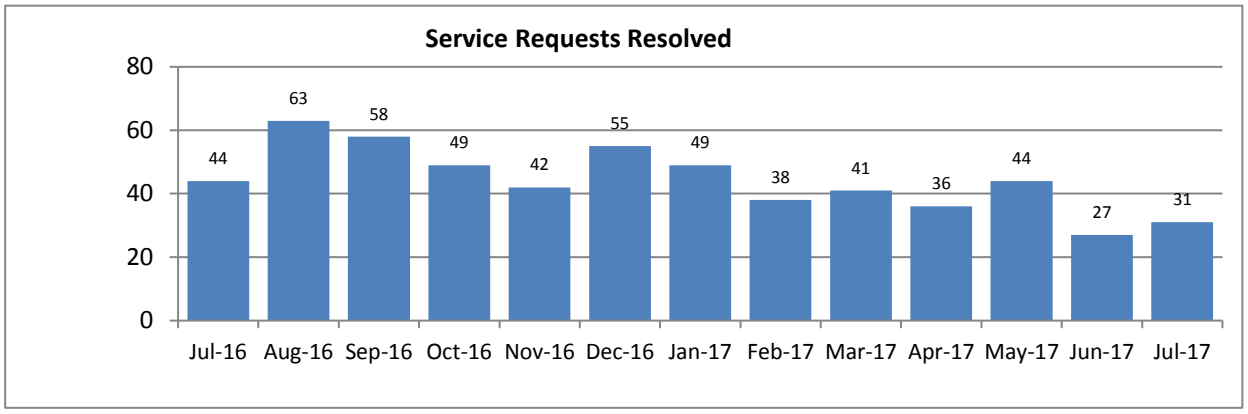
Average Employees

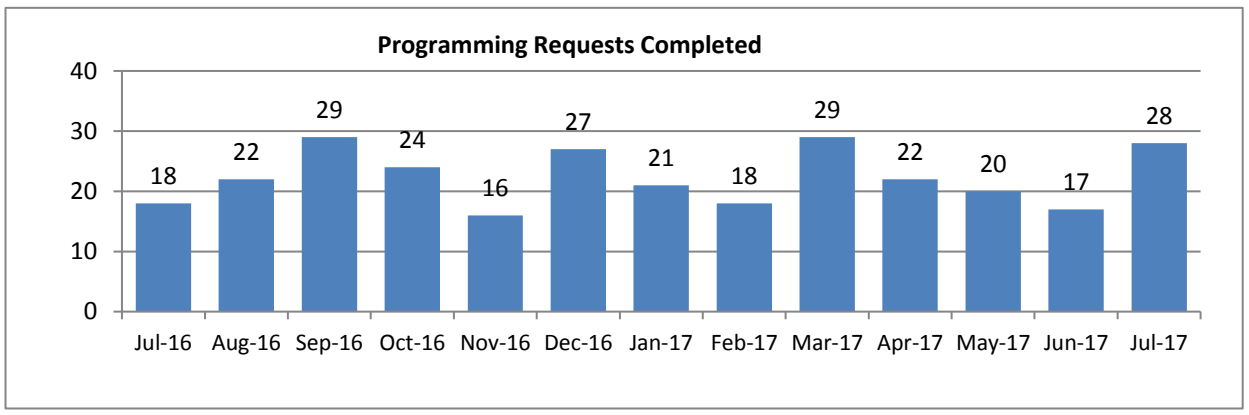
	2010	2011	2012*	2013*	2014	2015	2016	2017
Total Number of Employees Separating from Service	21	25	38	37	21	42	32	28
Average Number of Full-time Employees	362	356	333	325	331	333	340	340
Average Number of Part-time Employees	16	15	12	14	18	24	28	25
*** Healthcare cost sharing implemented**								

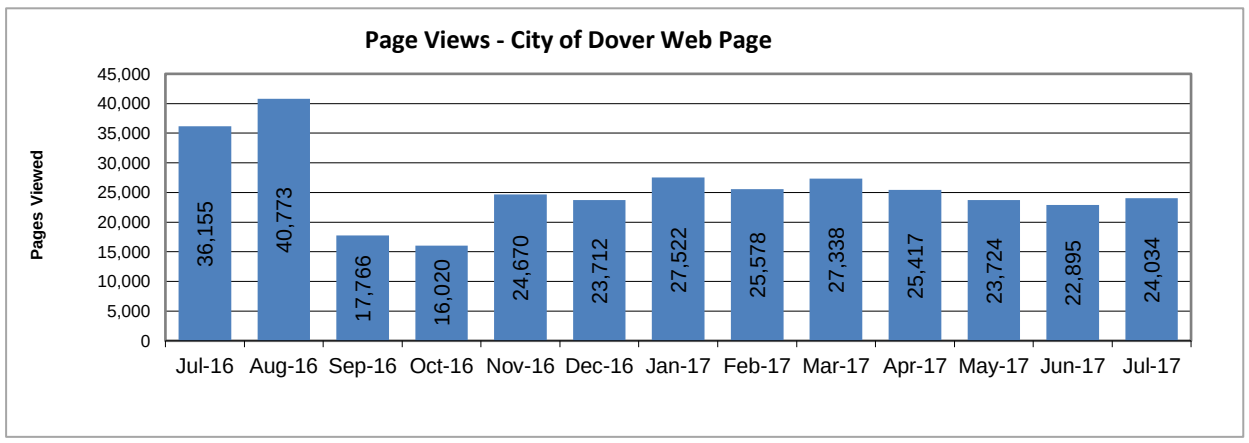


Total $355,000

INFORMATION TECHNOLOGIES







Noteworty:

Started Contract work with Berry Dunn & Tyler Technologies

New LAN Analyst - Joseph Halfpenny - started

Established a plan for Reed Street staff emergency relocations

July 2017
Monthly Report

DOVER PUBLIC LIBRARY

Highlighted Special Events & Attendance:

Chef Lodvociv Benz Art Exhibit Grand Opening	60
Children's Turtle Dance Music Program	67
Poetry in Motion Workshops w/Amillion	47

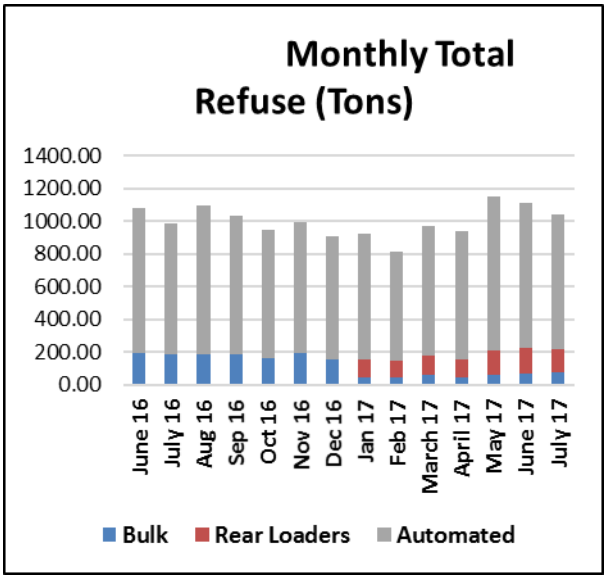
Total Items Checed Out:	35,467				**Programs:**	**Offered**	**Attended**
E-books:	2,720						
					Adult	37	496
New Library Cards:	346				**Teens**	37	274
					Children	41	820
Library Card Holders:	40,753				**Job Center**	41	318
Service Area Population:	*59,354*						
Library Visitors:	26,251						
Meeting Rooms Usage:	1,249						
Computer Users:	4,319						
Wireless Users:	1,988						
Items Loaned to/Received from Other Libraries:	7,035						

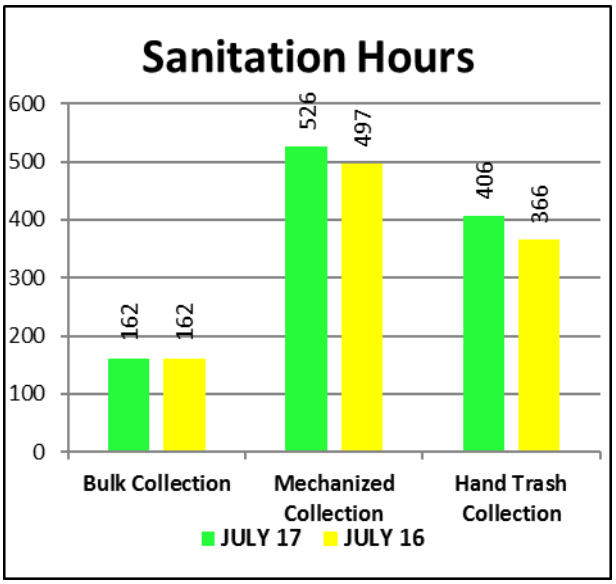
PUBLIC WORKS

Construction Inspection

Subdivisions *The following required inspection services*	***Site Development*** *The following required inspection services*
Seskinore Court	The Grande, Building 4
Chestnut Grove	Chesapeake Utilities- Dover Campus
Clearview Meadows	Eden Hill Medical Center
Eden Hill	Reed Street Apartments
Nottingham Meadows	Leander Lakes
Senators Lakes	Eden Hill Commercial Center
Garrison Oak Technical Park	Islamic Society of Central Delaware
Tall Pines	Whatcoat Apartments

Sanitation





	JULY 17	FYTD 18	JULY 16	FYTD 17
Trips to DSWA Sandtown Landfill	184	184.00	169	169.00
Total Tonnage to DSWA	1,039.05	1,039.05	986.39	986.39
90-Gallon Containers Delivered	78	78.00	45	45.00
300-Gallon Containers Delivered	0	0.00	0	0.00
Total Man Hours-containers Delivered	24	24.00	19	19.00

Streets	JULY 17	FYTD 18	JULY 16	FYTD 17
Signed Installed	17	17.00	16	16.00
Signs Repaired	3	3.00	4	4.00
Curbs Painted Yellow (feet)	256	256.00	2,639	2,639.00
New Post Installed	4	4.00	1	5.00
Storm Catch Basins Repaired	0	0.00	6	6.00
Storm Catch Basin Repairing (Hrs.)	0	0.00	5.5	5.50
Storm Catch Basins Cleaned	20	20.00	3	23.00
Storm Catch Basins Cleaning (Hrs.)	15.00	15.00	4	19.00
Hot Mix Patching (Tons)	8.10	8.10	0	8.10
Hot Mix Patching (Hrs.)	8	8.00	0	8.00
Cold Mix Patching Hrs.)	5.1	5.08	28.5	33.58
Concrete Work (Hrs)	12.0	12.00	4	16.00
Concrete Patching (Cubic Yards)	8.00	8.00	0.30	8.30
Ditch Work (Hrs).	2	2.00	0	2.00
Street and Alley Maintenance (Hrs)	26.0	26.00	0	26.00
Street Sweeping (Miles)	1,422	1,422.00	1,862	3,284.00
Street Sweeping (Cubic Yards)	84.25	84.25	119	202.83

GROUNDS

Work Orders

Total Work Orders = 9	General = 2	Arborist = 7

Arborist Crew	July 2017	July 2016
Trees Trimmed	37	17
Trees Removed	1	7
Stumps Removed	18	4
Trees Planted	0	0
Root Pruning	4	0

Beautification Crew

Gateway flower bed planted and irrigation system repairs completed
Memorial bed replanted in preparation for Labor Day
Green house is being cleaned for the end of the season
Preparing tulip bulb order
Watering of hanging baskets

Mowing Crew

All mowing equipment in good operating order
Mowed city properties and parks

Litter Removal

Litter is being picked up on City properties as per the weekly schedule
Litter person has been asked to be observant of destruction in parks

Miscellaneous

Washed mowing equipment
Assisted water/wastewater with mowing for access to maintain lines
Mowed shallow wells at treatment plant
Installed playground surfacing at Silver Lake and Heatherfield

GEOGRAPHIC INFORMATION SYSTEMS (GIS)

City Clerk's Office	Created a City Council Member Web App.
City Manager's Office	Created a 'Dover Highlights' map for use in a presentation. Printed one 24"x36" copy and sent a PDF copy to the requester.
Public Works	Monthly DSWA Billing database update.
Public Works	Bi-Monthly Recycling Update sent to both Inland and Republic Services.
Public Works	Create storm sewer QC methodology for checking KCI's deliverables.
Public Works	Set up 2 tablets for jet trucks.
Public Works	Went over new tablets for the Jet Truck Protocol with Engineer. Also troubleshot and resolved GPS issue.
Public Works	Troubleshot camera truck issues. Downloaded and installed new ArcMap license.
Public Works	Monthly Recycling Customer Update for both Inland and Republic Services.
Public Works	Created a 'City Council Facility Tour' map. Printed one 18"x18" copy. Sent a PDF to the requester.
Public Works	Provided requester with Excel lists of the Tree Inventory and Grass Maintenance in and out of City Parks.
Public Works	Updated the Parcels, Rentals, and Active AHIs layers.
Public Works	Updated the map of the Kirkwood St Alley Abandonment to the newest iteration. Sent a PDF to requester.
Public Works	Updated and exported the 8.5"x11" 'Recycling Zones' maps into PDF for the new contractor.
Public Works	Created Water, Storm Water, and Sanitary Sewer plan maps for MISS Utility Tickets.

FLEET AND FACILITIES MANAGEMENT

Fleet Maintenance

PM Work Orders Completed:	**15**	Number of Tire Repairs:	**7**	Number of Road Repairs:	**7**
Other Work Orders:	**40**	Repair Hours:	**180**	Road Repair Hours:	**6**
Total Work Orders:	**55**	Fabrication Hours:	**6**	Misc. Hours:	**110**
PM Hours:	**65**				

 # Of Scheduled PM's: 42
 # Of Scheduled PM's: Completed: 10

Major Program Updates

MEASURE	July 2017	July 2016	DIFFERENCE
Fleet Maintenance - Scheduled Preventative Maintenance appointments being kept *(Quantity and Percentage)*	10 out of 42 23.81 % 7 Vehicles/Equipment were serviced prior to May, 5 were disposed of or replaced, and 20 vehicles were not turned in for service.	12 out of 42 28.57 %	**- 4.76%**
Facilities Maintenance			
Facilities - Routine work orders completed within 5 days *(Quantity and Percentage)*	19 out of 19 100 %	35 out of 35 100 %	**0 %**
Facilities - Emergency work orders completed within 2 days *(Quantity and Percentage)*	5 out of 5 100 %	1 out of 1 100 %	**0 %**

Water/Wastewater Divisions

	June 16	July 16	Aug 16	Oct 16	Nov 16	Sept 16	Dec 16
Total Water Prod.	172,331,000	204,088,000	203,656,000	173,574,000	122,328,000	176,510,000	132,009,000
Billed Consumpt.	147,393,000	181,484,000	179,460,000	159,687,000	133,279,000	184,214,000	114,760,000
Total Flow to County	129,309,000	129,725,000	158,799,000	169,995,000	114,255,000	125,583,000	114,682,000
City Readings	158,898,575	146,440,837	178,307,328	147,838,447	150,270,118	135,635,579	136,196,345

	Jan 17	Feb 17	March 17	April 17	May 17	June 17	July 17
Total Water Prod.	139,873,000	126,731,000	153,874,000	142,087,000	171,797,000	183,692,000	195,693,000
Billed Consumpt.	114,760,000	150,473,000	120,373,000	127,958,000	127,958,009	161,418,000	179,460,000
Total Flow to County	141,147,600	115,346,000	120,431,000	123,927,000	170,213,000	136,745,000	125,926,000
City Readings	142,470,400	148,506,989	134,835,733	135,076,400	168,499,897	141,349,551	138,366,768

ENGINEERING SUMMARY

Major Program Updates	JULY 17	JULY 16	DIFF	FY18 YTD	FY17 YTD
State and Federal Violations	0	0	0	0	0
Water Quality Complaints	3	2	+1	3	2
Plan Review Completed Within 30 days of Submission	6	4	+2	6	4

OPERATIONAL SUMMARY

Task	JULY 17	JULY 16	CURRENT FY
Water Production - Daily Average	6,312,677	6,583,484	37,938,500
Average Field Response Time (goal is <30 minutes)	21.00	18.00	21.00
Water Mains Repaired	0	1	0
Water Service Lines Repaired	3	2	3
Wastewater Mains Repaired	0	2	0
Wastewater Service Lines Repaired	0	0	0
Sewer Lines Flushed - linear feet	46,362	62,003	46,362
Sewer Mains Videoed -linear feet	1,093	674	1,093
Sewer Manholes Cleaned	246	224	246
Total Fire Hydrants in Service	1,839	1,820	1,839
Total Water Meters in City Distribution System	14,654	14,447	14,654

City Planner's Monthly Report

Planning, Inspections & Recreation

JULY 2017

Planning, Inspections & Recreation Highlights

Some Items to Call to Your Attention:

Concern about the condition of the City's Parks system remains a priority. In July playground/equipment surfaces were upgraded in Dover, Silver Lake, Williams, and Mayfair Parks.

Planning staff were actively involved in a number of studies and projects including Restoring Central Dover Community Planning Implementation, Dover/Kent MPO Regional Bicycle Plan update and the Downtown Parking Study. Staff was involved in a coordinated effort to address blighted housing in targeted downtown blocks, review of the Capital Gateway Plan (prepared last year through the MPO), and developing priorities for submission to DelDOT and the MPO for capital transportation projects

Development activity continues at a healthy pace. In July, 19 permits were issued for new homes, over $10 million of new commercial projects were permitted, and the City received HUD approval for the FFY 17 CDBG programs addressing home ownership, shelter, rental assistance and housing rehab. Building staff issued 234 permits of various kinds (versus 177 in July 2016) and conducted 676 inspections (versus 371 last year).

But not everyone followed the rules in July. Code Enforcement handled 233 cases of which 84 involved tall grass, weeds or other exterior property maintenance violations.

City Planner's Monthly Report

Planning, Inspections & Recreation

City of Dover Parks & Recreation

More Highlights!



- **Julian Swierczek** joined the City's Planning Office as a Planner I on July 11, 2017.

- **Summer Camps going strong! Super Summer Playground** our weekly day camp took off with **104 kids in July**, **Hoopville Basketball Camp** hosted **33 kids**, **Hoopville Basketball Clinic** hosted **7 kids,** and **Soccer Camp** hosted **26 youth**! We have a few more weeks of camps left before the kids are back in school in late August.

- **Playground Maintenance—**included a total of 200 cubic yards of Engineered Wood Fiber being added to playground/equipment surfaces in the following locations: Dover Park, Silver Lake Park, Williams Park and Mayfair Park.

- **Dover High School Partnership program—**offered four weeks of **Free** "Tuesday Track Meets" at Dover High. We had **46** participants for boys and girls ages 5 to 14.



- **Performing Arts on The Green -** So far our performance attendance records show **Smooth Sound** drew in **88** inside due to rain, **Reptile World** entertained **132** inside due to heat, **The Reunion** showcased to a crowd of **237**, and **Dirty Deal** played to **192**. Be sure to join us on **Thursdays** now until September 7th at 7 pm. The 2017 series was made possible by the **City of Dover, YMCA of Dover, Eden Hill Medical Group and Chesapeake Utilities**. The schedule offers a little of something for the whole family to enjoy!

PROGRESS IN PICTURES



NEMOURS duPont Pediatrics at 201 Towne Centre Drive (Suite 500) within the Eden Hill Farm TND: Neighborhood Commercial District



"Gym Starz" 155 Commerce Way

PROGRESS IN PICTURES



Village of Westover - 2 Margate Circle



Seskinore - 10 and 12 Seskinore Court

Planning & Inspections Revenue			
Revenue Stream	FY '18 Budget	FY'18 Actual (YTD)	% of Budget
Business License	$1,467,000	$ 980,165	67%
Trailer License	$19,000	$ 6,165	32%
Building Permits	$800,000	$ 123,879	15%
Cert. of Occupancy	$13,000	$ 1,995	15%
Public Occupancy	$23,000	$ 150	1%
Lodging House	$14,000	$ 28	0%
Plumbing/Heating/ Air	$115,000	$ 16,534	14%
Rental Inspection Fee	$437,000	$ 665	0%
Miscellaneous	$27,000	$ 2,281	8%
Fire Protection Fees	$65,000	$ 6,466	10%
Code Enforcement Fines	$35,000	$ 475	1%
Vacant Building Reg.	$250,000	$ 33,750	14%
Total P&I Revenue	**$3,265,000**	**$ 1,172,553**	**36%**
July 31 2017			

PERFORMING ARTS ON THE GREEN SERIES—The 41st season is underway! Be sure to join us on Thursdays now until September 7th at 7pm.

PERSONNEL AND TRAINING

- July 21, 2017 was Angela Greenlee's last day with the City of Dover. Angie took on an Assistant Supervisor position with Five Below in Dover, Delaware.

PLANNING OFFICE

The Planning Office is part of the review process for certain types of construction activity permits (Building Permits, Sign Permits, etc.) and Certificate of Occupancy permits. For July 2017, Planning Staff was involved with review of 75 Permits and 17 Certificates of Occupancy permits. This results in a 2017 calendar year to date total of 656 Permits and Certificates of Occupancy (2016 calendar year to date total of 645 Permits and COs compared to 549 for 2015). Planning Staff also reviews new applications for Business Licenses and Rental Dwelling Permits.

COMPREHENSIVE PLAN IMPLEMENTATION

Planning Staff continues to focus on the various implementation items identified in the *2008 Comprehensive Plan* as amended.

- The Planning Office continues to be involved in the following studies and projects: Restoring Central Dover Community Plan implementation, the Dover/Kent County MPO Regional Bicycle Plan Update project, and Downton Parking Study.
- The Planning Office is utilizing the data collection from fieldwork for the study of "Non-conforming Uses" to identify non-compliant uses in specific residential zones. The first set of non-conforming property owners (Round 1) received Notification Letters in August 2016 with December 31, 2016 as the sunsetting date for the nonconforming uses. A number of the identified properties took action to resolve the non-conformity. The second set of non-conforming properties (Round 2) were sent letters on February 24, 2017 to notify them of the non-conformity with June 30, 2017 as the sunsetting date for the nonconforming uses if not resolved. In July, a Board of Adjustment application was approved to resolve a non-conformity at a property (V-17-13). A rezoning application was filed in early July (Z-17-04) to begin the review process regarding another property.

Construction Activity

- Construction activities continue at several multi-family residential projects including the Tall Pines project at 1655 and 1665 Kenton Road (S-14-18), Leander Lakes Apartments (S-12-18), and Phase 2 of the Blue Hen Apartment Complex (S-15-12). the reconstruction of Liberty Court Apartments (S-16-22) and the renovations of Whatcoat Village Apartments (S-16-05).
- Permits were issued to begin construction of the following projects: Enterprise Office Building at 285 Beiser Boulevard (S-16-01); and The Arbors – Senior Garden Apartments at 1051 College Road (S-16-07).
- There is residential construction activity in Clearview Meadows PND, Nottingham Meadows, Senators Lake, Seskinore, Village of Cannon Mill, Village of Westover and Chestnut Grove Farms. Certificates of Occupancy were issued to four (4) one family detached dwellings and two (2) duplex units in July.
- The first building in the Eden Hill Farm TND Neighborhood Commercial District located at 201 Towne Centre Drive received a Certificate of Occupancy for its first tenants Nemours Pediatrics.

	JULY (2017) FY18	TOTAL FOR FY18
New Home Permits Issued	19	19
Value of Commercial Projects	$10,167,529.00	$10,167,529.00
Downtown Incentives (Fees Waived)	$1,801.00	$1,801.00

BOARD AND COMMISSION ACTIVITY

Planning Commission

The Planning Commission met on July 17, 2017 in the Dover Police Department Public Assembly Room. The next Planning Commission meeting is scheduled for August 21, 2017.

S-17-15 Dover Station at 655 West North Street – Planning Commission moved to grant conditional approval of the Site Development Plan to permit construction of a 20,000 S.F. two-story office building and a 6,000 S.F. emergency shelter facility as well as associated site improvements. This project adds to the existing development at 645 West North Street and will share site access from Clarence Street. Action by the Commission included approval of the waivers for the partial elimination of the opaque barrier and the alternative format of opaque barrier; denial of the waiver for the reduction in loading space; and include the requirement that the City Engineer confirm before Building Permits that the roadways are adequate in width and capacity for traffic as a follow-up to neighbor concerns expressed in the public hearing testimony; and that the City Solicitor ensure that the use is compliant with zoning,

SB-17-02 Minor Subdivision Plan for Panera Bread Restaurant at 545 North DuPont Highway – Planning Commission moved to grant conditional approval of a Minor Subdivision Plan to permit the subdivision of an 0.86 acre (37,341 S.F.) lot from the 8.417-acre parcel. The new lot coincides with the pad site area of Capitol Commons that is under development as the Panera Bread Restaurant. The property is located on the east side of North DuPont Highway north of Townsend Boulevard.

C-17-02 Shell's Early Learning Center at 868 South State Street – Planning Commission moved to grant a Conditional Use approval of a 1,038 SF building addition to an existing Day Care Center along with associated site improvements for parking. Also included were the approval of the waiver request for the elimination of upright curbing and the requirement for a one-year review of the Conditional Use. The applicant proposes a Day Care Center that can accommodate 83 children as authorized by the Board of Adjustment; however, the total occupancy of the facility for the number of children and staff is governed by the Fire Code and Child Care Licensing.

S-17-18 Frito Lay Building at Tudor Business Park – Planning Commission moved to grant conditional approval of a Site Development Plan application for construction of a 4,278 S.F. one-story warehouse/office building and associated site improvements. This is to be an additional building within the Tudor Business Park and will relocate the facilities for Frito Lay.

S-17-19 Bay Road Office Park Master Plan – Planning Commission moved to grant conditional approval of a Site Development Master Plan to permit phased construction of Bay Road Office Park to consist of four buildings in four phases. The buildings proposed include 25,120 S.F. office building, a 17,500 S.F. office building, a 16,250 S.F. office building, and a 15,000 S.F. flex/warehouse building. Also included were approvals of the waiver for the partial elimination of upright curbing and a waiver to reduce the Arterial Street Buffer to a width of 20 feet.

S-17-20 Bay Road Commercial at 560 and 600 Bay Road – Planning Commission moved to grant conditional approval of a Site Development Plan 120,046 S.F. of commercial development on a 12.9366 acre+/- parcel to consist of two restaurant sites, a grocery store, and two multi-tenant buildings. Also included were approvals of the waiver request to reduce the Arterial Street Buffer to a width of 20 feet. The applicant concurred to provide cross access and sanitary sewer access to an adjoining property.

Board of Adjustment

The Board of Adjustment met on July 19, 2017. The next regular scheduled meeting of the Board of Adjustment is scheduled for August 16, 2017. The following Applications were considered:

Applicant #V-17-12 -550 Bay Road. Bay Road One, LLC -The Board moved to approve a requested variance from the requirements of the *Zoning Ordinance,* Article 6 §3.11 pertaining to the maximum number of parking spaces permitted within Phase 1 of the proposed office development. The Board moved to deny a variance from the requirements of the *Zoning Ordinance,* Article 5 §7.22 pertaining to the landscape component of the opaque barrier requirement.

Applicant #V-17-13 / 20 and 28 Spruance Road– Matthew L. Smith - The Board moved to approve a requested variance from the requirements of the *Zoning Ordinance,* Article 3 §2.1 pertaining to permitted uses in the RG-1 Zone, and Article 7 §1.5 pertaining to nonconforming uses in residential zones. This allows the existing use as a bus parking facility to remain at the site. It also resolves a non-conforming use in a residential district.

Historic District Commission

The Historic District Commission did not meet on July 20, 2017. The next Historic District Commission meeting is scheduled for August 17,

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

CDBG FY17 Projects

The Department of Housing & Urban Development (HUD) has approved the FY17 Action Plan for the FY15-FY19 Multi-Year projects listed below. Once the City receives the funding approval agreement from HUD, the CDBG Administrator will schedule contract signings for funds to be drawn down.

Homeownership Assistance Program

CDBG funds will be used to provide homeownership assistance to first-time homebuyers who purchase affordable housing in the City of Dover.

Dover Interfaith Mission for Housing

CDBG funds will be used to provide operation costs for the shelter.

Connections Community Support Program

CDBG funds will be used to provide rapid re-housing/rental assistance services for homeless households within the City.

Milford Housing Homeowner Rehabilitation/Emergency Home Repair Programs

CDBG funds will be used to rehabilitate existing owner occupied housing in the City that is in violation of the City's Housing Code and complete emergency home repairs to eliminate housing conditions that threaten the health and safety of low income homeowners.

Habitat for Humanity

CDBG funds will be used to complete exterior renovations to existing owner-occupied homes in the Restoring Central Dover Revitalization area.

NSP Program

The City provided $50,000 in NSP grant funds to Diamond State Community Land Trust to assist in acquiring a vacant or foreclosed property in the City of Dover. The property will be fully renovated and sold to a low to moderate income family.

Code Enforcement Activity—JULY

Case Type	# cases current month	# cases YTD (July to July)	% staff initiated current month	% staff initiated YTD
No valid Rental Permit	4	4	75%	75%
No valid Building Permit	12	12	83%	83%
Tall grass and weeds	40	40	77%	77%
Unregistered vehicle	11	11	73%	73%
Abandoned vehicle	2	2	100%	100%
Annual Housing Inspection	28	28	93%	93%
Property Maintenance – Exterior	43	43	47%	47%
Electric Termination	10	10	90%	90%
Dover Code of Ordinances	26	26	58%	58%
Zoning	1	1	0%	0%
Total Cases	**177**	**177**		
Total # of Inspections For Month	**233**			



236 Eisenhower Drive - Completed Demolition

Dangerous Buildings, Vacant Buildings & Demolitions

- *131 N. Kirkwood Street* —The property was condemned and taken forward to City Council as a dangerous building on November 7, 2016. Council ordered the owner to demolish the structure by December 7, 2016. The asbestos survey and abatement have been completed with the demolition of the structure scheduled for June. The demolition of the structure started on June 26, 2017. The demolition is complete.
- *954 Lincoln Street*—The property was condemned and taking forward to City Council as a dangerous building on November 7, 2016. Council ordered the owner to demolish the structure by December 7, 2016. The asbestos survey and abatement have been completed . The mortgage company has requested time to make renovations. The demolition has been put on hold.
- *801 North State Street*—The property was condemned on October 21, 2016 due to fire damage. A Demolition Permit has been obtained by the owner with a possible start date in July. The demolition has begun.
- *1175 Horsepond Road*—The property was condemned on November 14, 2016 due to the dilapidated condition of the home. Notice was sent to the owner to repair or demolish the structure by February 23, 2017, or City Staff would take the property forward to City Council as a dangerous building. Property was presented to City Council on March 6, 2017; Council declared the property dangerous and ordered the owner to demolish by April 7, 2017. The owner is working to have the building demolished.
- *236 Eisenhower Drive*—The property was condemned on August 29, 2016, due to the dilapidated condition of the home. Notice was sent to the owner to repair or demolish the structure by February 23, 2017, or City Staff would take the property forward to City Council as a dangerous building. Property was presented to City Council on March 6, 2017; Council declared the property dangerous and ordered the owner to demolish by April 7, 2017. The demolition of the structure has begun.
- *803 Westview Terrace*—The in-ground swimming pool has been condemned. Notice has been sent to all lien holders regarding the code violations to the in-ground swimming pool.
- *2292 White Oak Road*—The dwelling was condemned as unfit for human occupancy and notice was sent to the owner to repair or demolish the structure.

- *Vacant Buildings*—During the month of July sixteen (16) additional buildings were registered as vacant, and $21,600.00 in vacant building registration fees were collected.

Fire Marshal's Office—At a Glance

The Fire Marshal's Office investigated a total of three (3) incidents in the month of July to include a major fire loss at 44 Courtside Dr. apartment B.

We held first and second interviews for the open position of Inspector I within the Fire Marshal's Office.

Staff participated in fire drills at Kent General Hospital.



	Month	Year to Date	Previous Year to Date
Annual Fire & Life Safety Inspections	6	6	7
Deficiencies From the Above Inspections	9	9	32
Fire Code Violations/Deficiencies/Complaints	5	5	18
C/O & Fire Equipment Acceptance Tests	7	7	15
Meetings & Walk Through	14	14	14
Fire Plan Review & DAC	30	30	8

	Month	Year to Date	Previous Year to Date
Accidental	2 totaling $38,000	2 totaling $38,000	$200,000
Undetermined	0	0	$3,000
Incendiary	1 totaling $1.00	1 totaling $1.00	$0.00
Arrest Made with DPD	0	0	-
Investigation Time	6 hours	6 hours	-
Injuries	0	0	-
Deaths	0	0	-

Please feel free to contact our office at any time with any questions or concerns. Thank you!

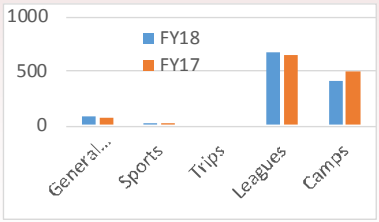
Building Inspections & Licensing Summary

	Current	July 17-June18	July 2016	July 16 -June17
	JULY 18	**FYTD 18**	**JULY 17**	**FYTD 17**
PERMITTING AND LICENSING				
Permits Issued	**JULY (2017) FY 18**	**FYTD 18**	**JULY (2016) FY17**	**FYTD 17**
Administrative Permit	2	2	1	1
Building Addition/Renovation Permits	37	37	39	39
Building Permits	34	34	25	25
Demolition Permits	4	4	2	2
Fence Permits	11	11	7	7
Fire Prevention Permits	13	13	10	10
Mechanical Permits	50	50	35	35
Plumbing Permits	65	65	38	38
Sign Permits	17	17	18	18
Swimming Pool Permits	1	1	2	2
Business Licenses	1230	1230	1535	1535
Merchant Licenses	171	171	245	245
Contractor Licenses	578	578	785	785
Lodging House Licenses	0	0	14	14
Manufactured Homes	134	134	172	172
Public Occupancy	5	5	18	18
Rental Dwelling	16	16	21	21
BUILDING INSPECTIONS				
Inspections	**JULY (2017) FY 18**	**FYTD 18**	**JULY (2016) FY17**	**FYTD 17**
Building (Inspections/Site Meetings)	676	676	371	371
Plumbing/Mechanical	463	463	397	397
Certificate of Occupancy	17	17	16	16

Recreation Division

Enrollment Summary

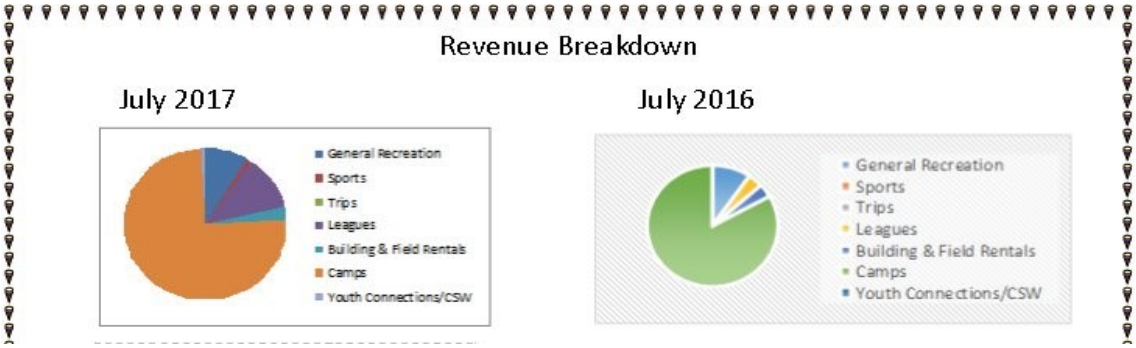
JULY FY18 verses JULY FY17





Category	FY/18	FY/17
General Recreation	85	72
Sports	5	5
Trips	0	0
Leagues	681	650
Camps	408	497

Revenue Breakdown: July FY 2018 verses July FY 2017



General Recreation	1520.00
Sports	125.00
Trips	0.00
Leagues	2090.00
Building & Field Rentals	550.00
Camps	13,240.50
Youth Connections/CSW	161.50

General Recreation	1628.50
Sports	0.00
Trips	0.00
Leagues	625.00
Building & Field Rentals	600.00
Camps	14,072.50
Youth Connections/CSW	0.00



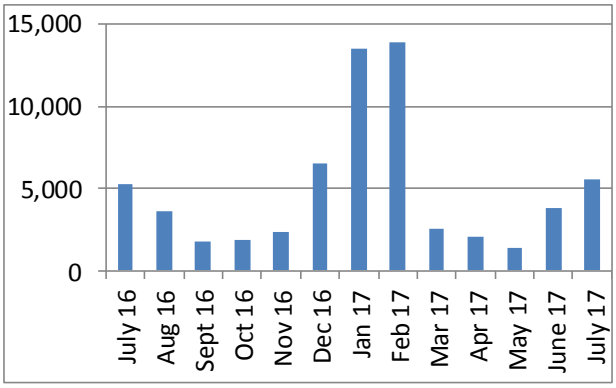




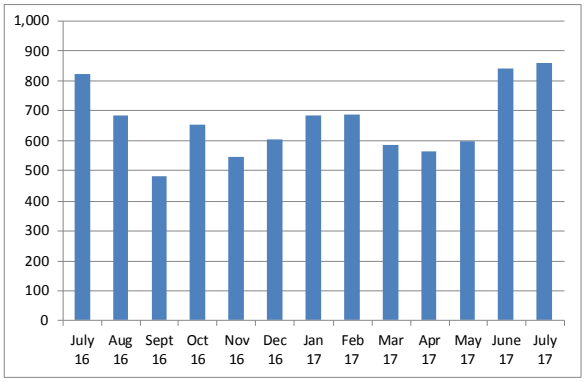


John W. Pitts Recreation Center – JULY FY2018

Total Program Attendance



Facility Usage By The Hour



** Program Attendance figures includes daily participants, parents and spectators in the facility.

Facility Usage By The Hour	JULY 18		FYTD 18		JULY 17		FYTD 17
Open Gym	79.5		79.5		72		72
Fitness Classes	37		37		23		23
Leagues	134		134		140		140
Camps	590		590		576		576
Sports Classes	0		0		0		0
Meetings & Rentals	18		18		12		12
Enrichment Classes	0		0		0		0
Total Facility Usage Hours	858.5		858.5		823		823

Daily Program Attendance**	JULY 18		FYTD 18		JULY 17		FYTD 17
Total	5,575		5,575		5,315		5,315
Open Gym	112		112		112		112
Fitness Classes	91		91		131		131
Leagues	4,231		4,231		4,111		4,111
Camps	806		806		836		836
Sports Classes	0		0		0		0
Meetings & Rentals	335		335		125		125
Enrichment Classes	0		0		0		0

Since our opening in late April 2008, we have had 511,157 guests at the John W. Pitts Recreation Center.

Open Gym Registrations and Packages Sold

PACKAGES SOLD:	JULY	MTD	YTD	FYTD
Daily:	0	$0	0	$0
Individual Quarterly:	0	$0	0	$0
Individual Annual:	0	$0	0	0
Family Quarterly:	0	$0	0	0
Family Annual:	0	$0	0	0
Revenue	**0**	**$0**	**0**	**$0**



City of Dover

Finance and Procurement & Inventory Departments — Monthly Budget Reports

JULY 2017







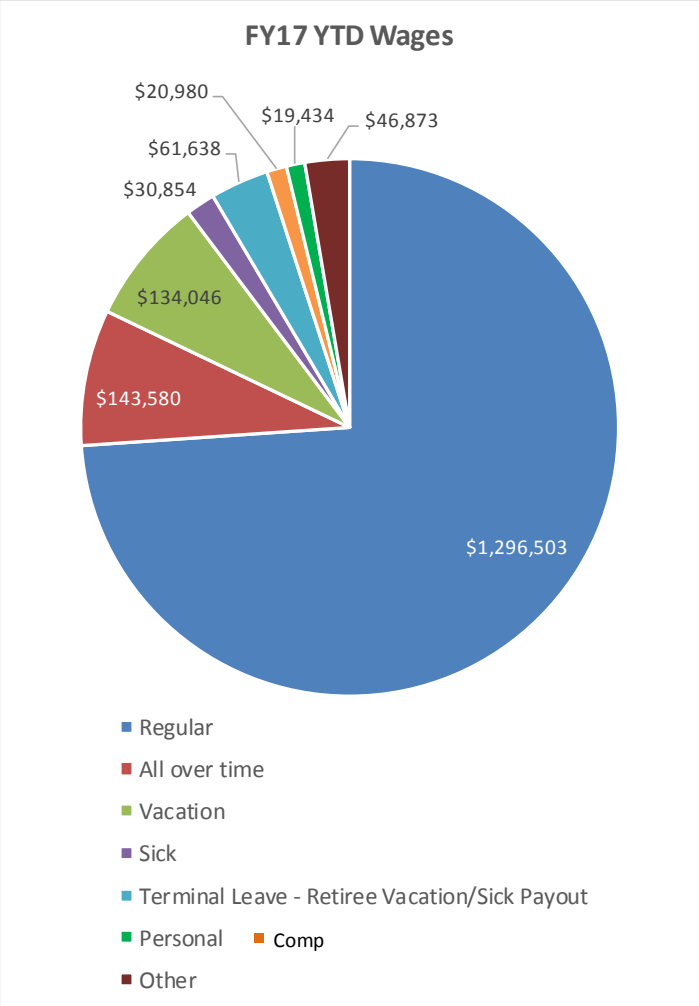


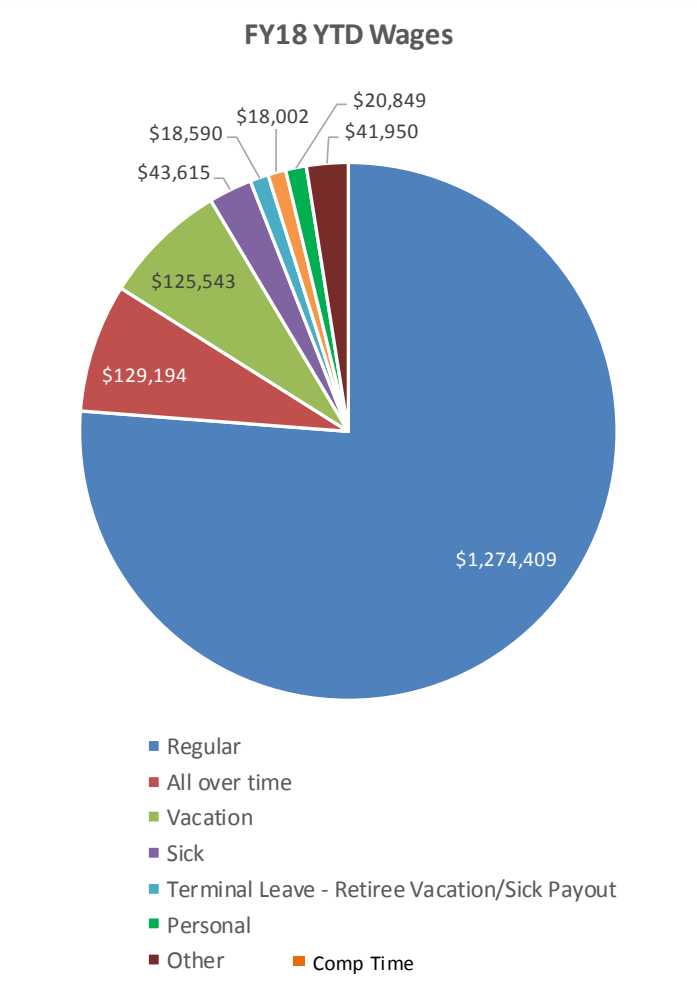
PLEASE NOTE – THIS REPORT PROVIDES TOP LINE INFORMATION ON THE OPERATING FUNDS. IF YOU WOULD LIKE ADDITIONAL INFORMATION, PLEASE FEEL FREE TO CONTACT THE FINANCE DEPARTMENT.

CITY OF DOVER
ACTIVITY REPORTS
JULY 2017

FINANCE DEPARTMENT ACTIVITY LEVELS

	FY17 YTD	FY18 YTD
BANK TRENDS		
Number of Deposits Made (Hand, ACH & Wire, Lockbox)	599	414
Total Amount of All Deposits	$ 20,084,847	$ 21,989,047
Other Activity		
Number of Pay Periods	2	2
Number of Payroll Checks & Direct Deposits Issued	817	798
Number of Pension Checks Issued	252	253
Total Pension Benefits Paid - Defined Benefit Plan	$ 433,991	$ 442,474
ACCOUNTS PAYABLE		
Number of Check Vouchers	315	305
Number of EFT Vouchers	108	129
Vouchers Dollar Amount Disbursed	$ 2,644,507	$ 5,652,744





City of Dover
General Fund Summary
Fiscal Year to Date (July 2017)

Revenues

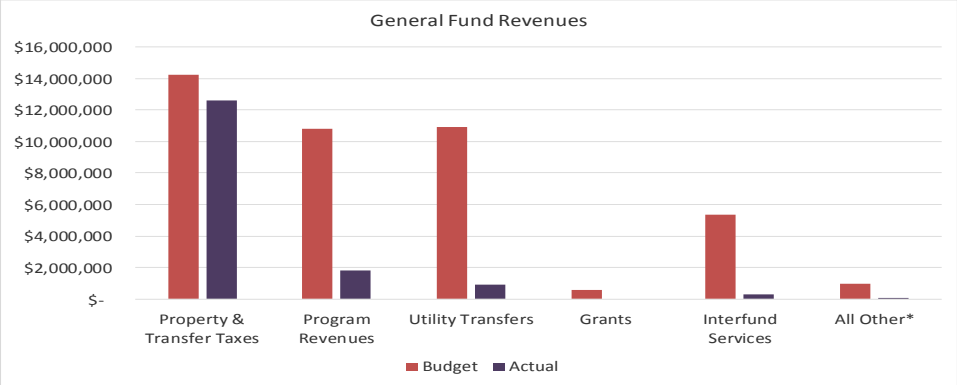
	Budget	Actual	%
Property & Transfer Taxes	$ 14,234,900	$ 12,599,121	89%
Program Revenues	10,834,900	1,811,972	17%
Utility Transfers	10,900,000	910,000	8%
Grants	605,000	-	0%
Interfund Services	5,376,200	293,452	5%
All Other*	980,000	20,867	2%
	$ 42,931,000	$ 15,635,412	36%

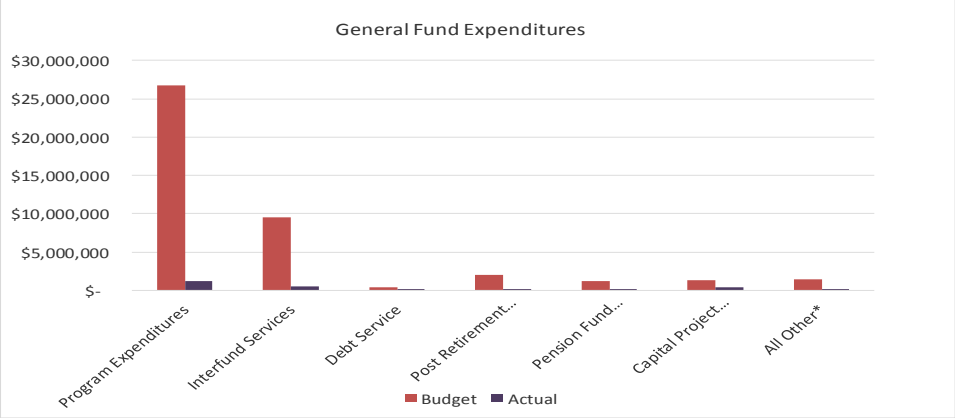
*Includes: Franchise Fees, Miscellaneous Revenues, Garrison Farm Rent, Verizon Grant and Other Reserves

Expenditures

	Budget	Actual	%
Program Expenditures	$ 26,724,500	$ 1,253,171	5%
Interfund Services	9,553,300	464,945	5%
Debt Service	443,100	37,972	9%
Post Retirement Benefits	2,063,000	172,000	8%
Pension Fund Contributions	1,224,900	64,000	5%
Capital Project Transfers	1,368,700	342,000	25%
All Other*	1,483,500	67,483	5%
	$ 42,861,000	$ 2,401,571	6%

*Includes: DDP Contribution, Misc. Grant Exp., Bank and CC Fees, New Street Property Acquisitions, Street Lights Expense, Transfer to Capital Asset Reserve, Inventory write-offs, Transfer to Verizon Reserve, & Uncollectibles: Trash and Other, Other Employment Exp.





City of Dover
Water/Wastewater Fund Summary
Fiscal Year to Date (July 2017)

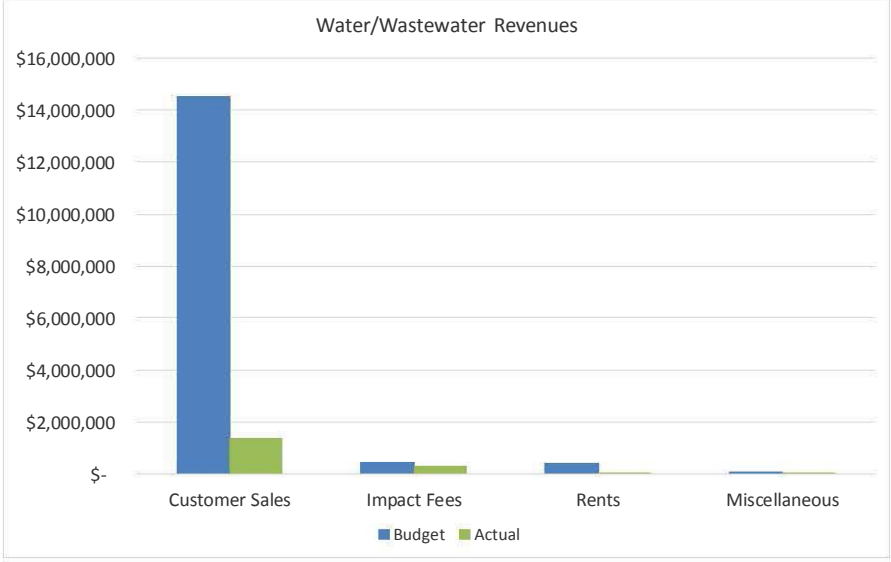
Revenues

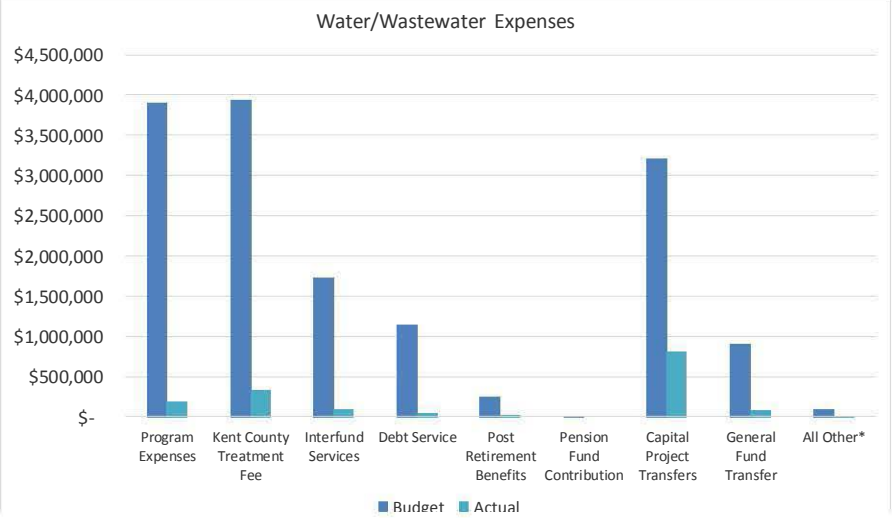
	Budget	Actual	%
Customer Sales	$ 14,535,200	$ 1,364,234	9%
Impact Fees	440,000	302,460	69%
Rents	391,400	3,631	1%
Miscellaneous	72,400	7,251	10%
	$ 15,439,000	$ 1,677,576	11%

Expenditures

	Budget	Actual	%
Program Expenses	$ 3,896,800	$ 188,598	5%
Kent County Treatment Fee	3,926,500	327,208	8%
Interfund Services	1,716,100	91,040	5%
Debt Service	1,137,400	42,300	4%
Post Retirement Benefits	242,200	20,185	8%
Pension Fund Contribution	7,500	-	0%
Capital Project Transfers	3,200,000	800,000	25%
General Fund Transfer	900,000	76,000	8%
All Other*	91,900	1,254	1%
	$ 15,118,400	$ 1,546,585	10%

*Includes: Bank & CC Fees, Bond Issuance Cost, Other Employment Expenses





City of Dover
Electric Fund Summary
Fiscal Year to Date (July 2017)

Revenues

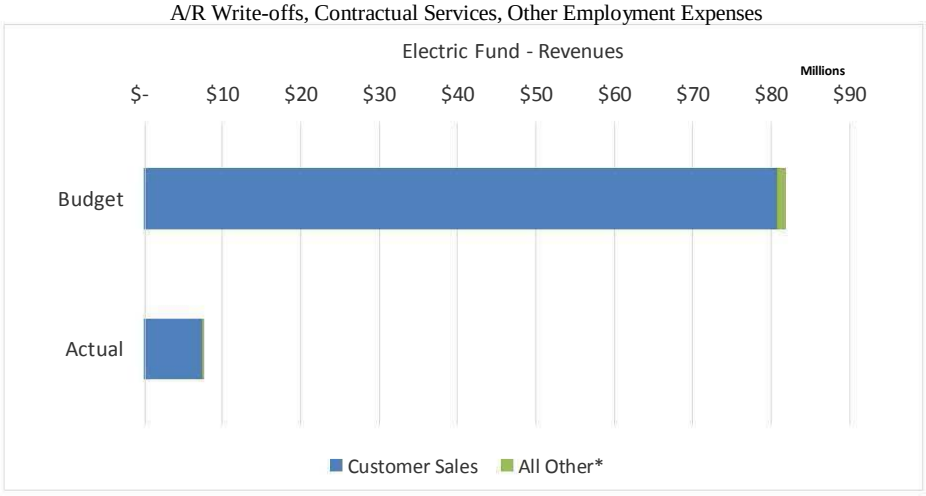
	Budget	Actual	%
Customer Sales	$ 80,892,200	$ 7,412,148	9%
All Other*	982,000	109,745	11%
	$ 81,874,200	$ 7,521,893	9%

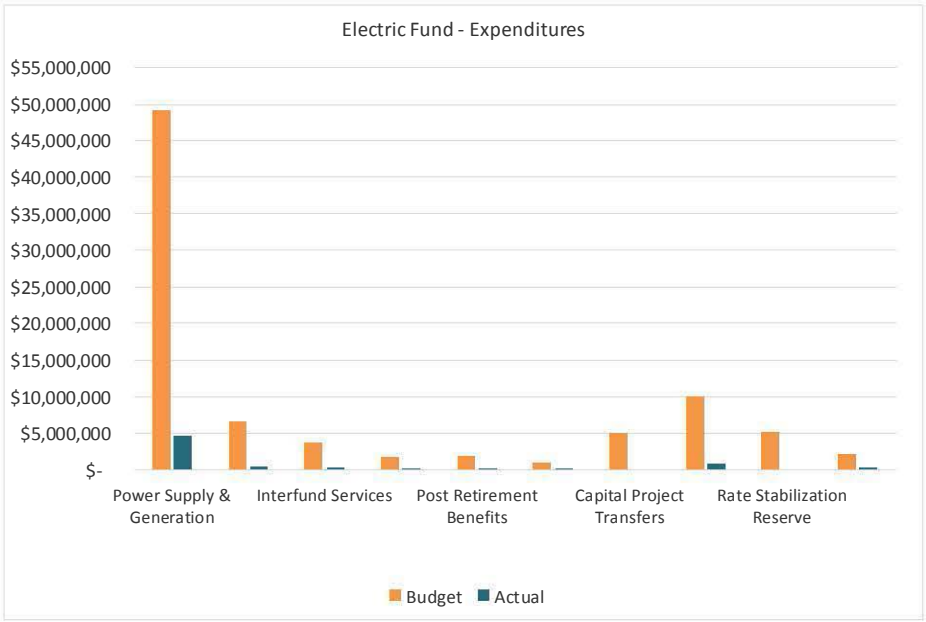
*Includes: Weyandt Hall Rents, Miscellaneous Revenue, Interest Earnings

Expenditures

	Budget	Actual	%
Power Supply & Generation	$ 49,075,100	$ 4,588,061	9%
Electric Operating Division Exp.	6,660,200	303,185	5%
Interfund Services	3,660,100	202,412	6%
Debt Service	1,605,500	135,246	8%
Post Retirement Benefits	1,820,300	151,500	8%
Pension Unfunded Liability	1,000,000	84,000	8%
Capital Project Transfers	5,000,000	-	0%
General Fund Transfer	10,000,000	834,000	8%
Rate Stabilization Reserve	5,200,000	-	0%
All Other*	2,162,400	157,526	7%
	$ 86,183,600	$ 6,455,930	7%

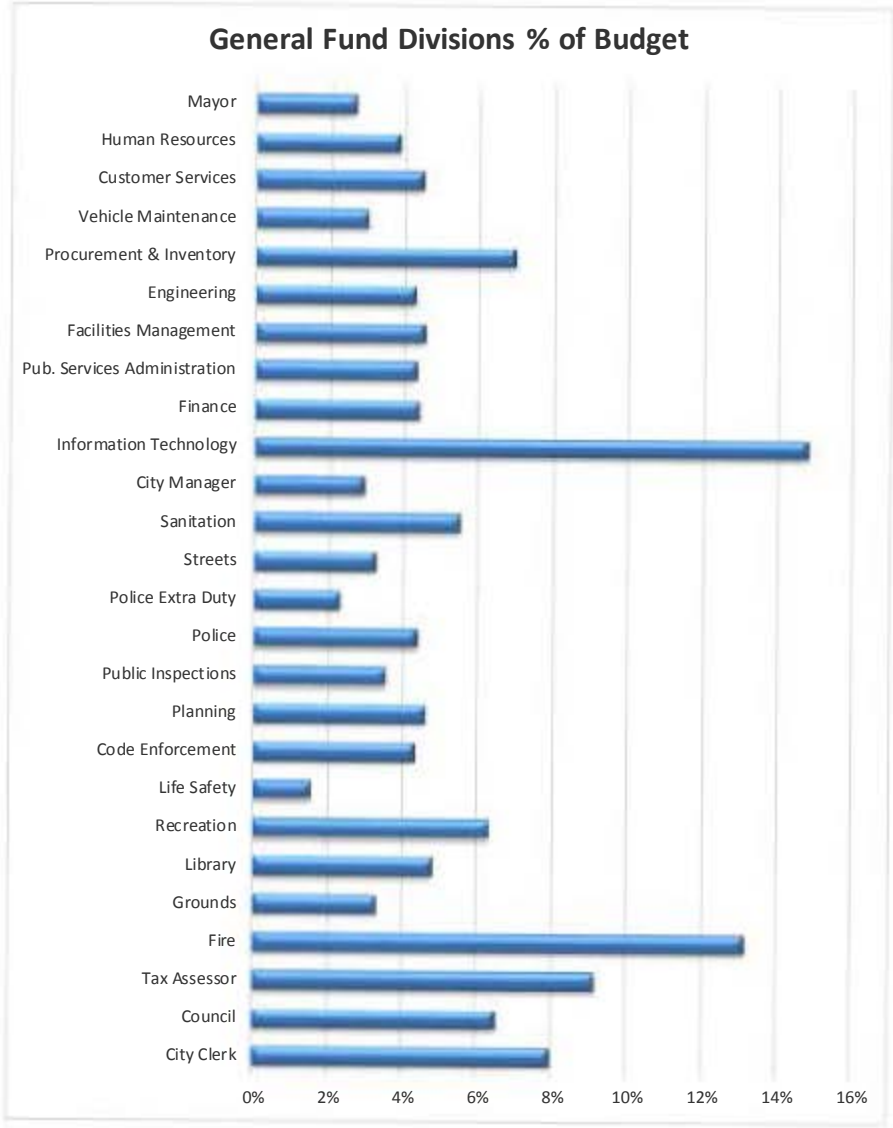
*Includes: Bank & CC Fees, Utility Tax, Interest on Deposit, Legal Exp., Green Energy, A/R Write-offs, Contractual Services, Other Employment Expenses





City of Dover
Division Expense Summary (General Fund)
Fiscal Year to Date (July 2017)

	Budget	% of Budget
City Clerk	$ 436,700	8%
Council	155,100	6%
Tax Assessor	238,500	9%
Fire	774,900	13%
Grounds	1,142,000	3%
Library	1,708,300	5%
Recreation	764,200	6%
Life Safety	499,600	2%
Code Enforcement	449,700	4%
Planning	563,400	5%
Public Inspections	721,000	4%
Police	16,483,900	4%
Police Extra Duty	560,000	2%
Streets	1,119,400	3%
Sanitation	2,563,900	5%
City Manager	751,500	3%
Information Technology	777,400	15%
Finance	1,038,900	4%
Pub. Services Administration	718,300	4%
Facilities Management	629,700	5%
Engineering	277,700	4%
Procurement & Inventory	605,100	7%
Vehicle Maintenance	838,200	3%
Customer Services	1,169,500	4%
Human Resources	436,600	4%
Mayor	119,300	3%
	$ 35,542,800	



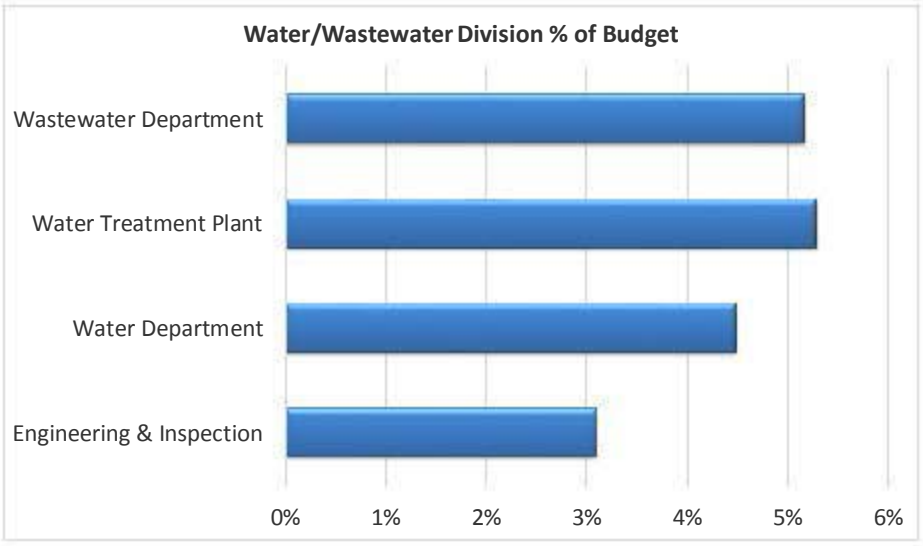
City of Dover
Utilities Summary
Fiscal Year to Date (July 2017)

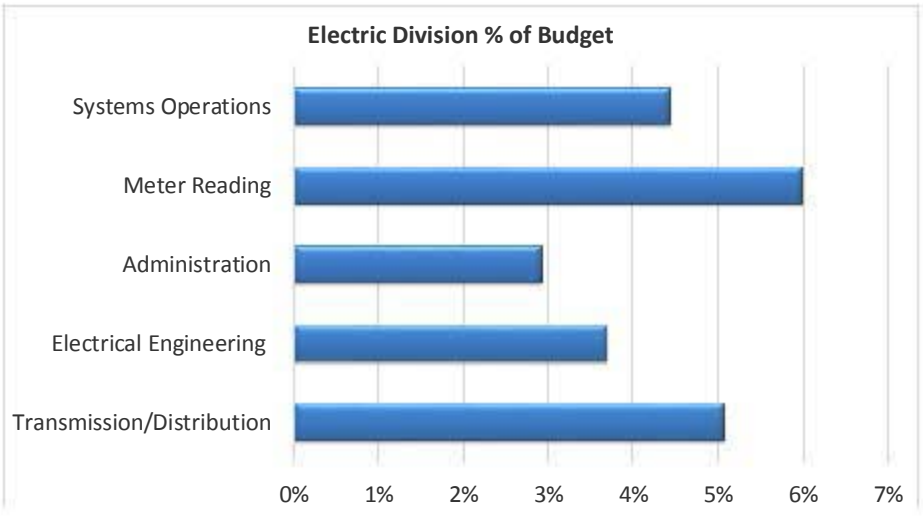
Water/Wastewater Divison Expenses

	Budget	Actual	%
Engineering & Inspection	$ 517,800	$ 16,068	3%
Water Department	635,700	28,558	4%
Water Treatment Plant	1,780,500	94,171	5%
Wastewater Department	962,800	49,801	5%
	$ 3,896,800	$ 188,598	

Electric Division Expenses

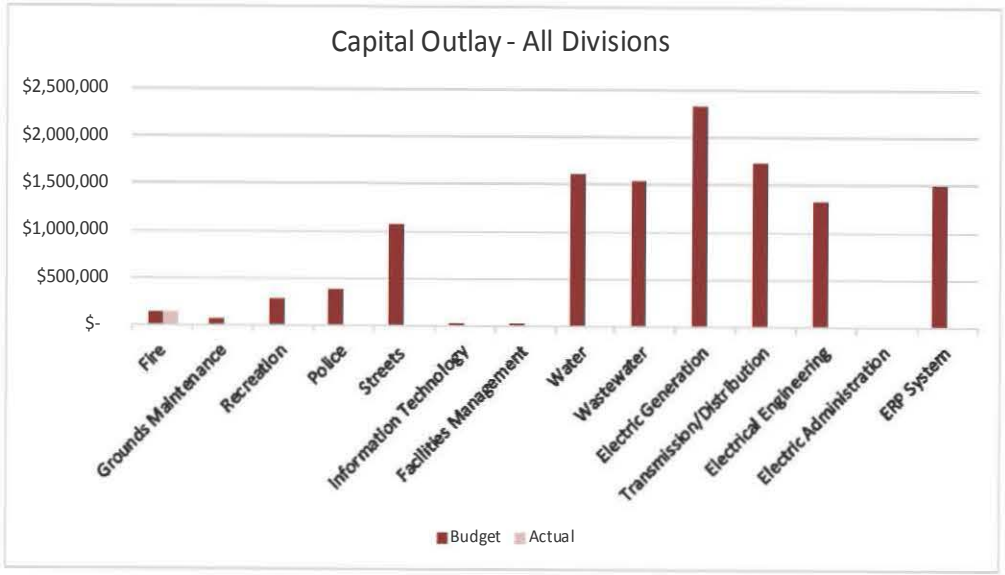
	Budget	Actual	%
Transmission/Distribution	$ 3,599,600	$ 182,581	5%
Electrical Engineering	1,226,400	45,253	4%
Administration	797,000	23,256	3%
Meter Reading	392,500	23,522	6%
Systems Operations	644,700	28,573	4%
	$ 6,660,200	$ 303,185	

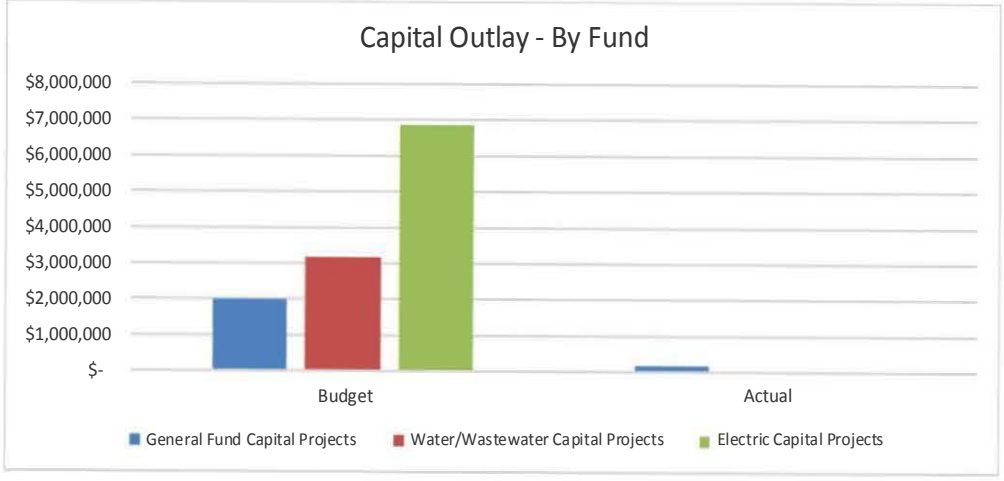




City of Dover
Capital Outlay Summary (All Funds)
Fiscal Year to Date (July 2017)

General Fund	Budget	Actual	%
Fire	$ 145,700	$ 145,614	100%
Grounds Maintenance	62,500	-	0%
Recreation	271,000	-	0%
Police	379,900	-	0%
Streets	1,070,000	-	0%
Information Technology	36,600	-	0%
Facilities Management	25,100	-	0%
Transfer to Parkland Reserve	-	22,914	0%
General Fund Capital Projects	$ 1,990,800	$ 168,528	8%
Water/Wastewater Fund			
Water	1,608,400	-	0%
Wastewater	1,543,000	-	0%
Water/Wastewater Capital Projects	$ 3,151,400	$ -	0%
Electric Fund			
Electric Generation	2,328,000	362	0%
Transmission/Distribution	1,725,500	5,667	0%
Electrical Engineering	1,315,000	1,050	0%
Electric Administration	8,500	-	0%
ERP System	1,500,000	-	0%
Electric Capital Projects	**$ 6,877,000**	**$ 7,079**	**0%**
Total Capital Projects	**$ 12,019,200**	**$ 175,607**	**1%**





MONTHLY REPORT



July 2017

Incident Run Log

Dover Fire Department

Date Range: From 07/01/2017 to 07/31/2017
Company: All Companies
Sorted by: Not selected

Date	FDID	Incident#	Alarm	###	Address	Suite	Type	Lgth
07/01/2017	30046	2017-000599	02:51	19	PERIWINKLE CT		Good intent call, other	0.6
07/01/2017	30046	2017-000600	09:00	765	BACON AVE		Cooking fire, confined to container	0.6
07/01/2017	30046	2017-000601	18:20	151	ROOSEVELT AVE		Electrical wiring/equipment problem, other	0.5
07/02/2017	30046	2017-000602	14:17	101	BABB DR		Detector activation, no fire - unintentional	0.6
07/02/2017	30046	2017-000603	19:54	3626	N DUPONT HWY		Mobile property (vehicle) fire, other	0.6
07/03/2017	30046	2017-000604	17:02	1165	N DUPONT HWY	2	Dispatched & canceled en route	0.2
07/03/2017	30046	2017-000605	21:12	400	N DUPONT HWY	A	Cooking fire, confined to container	0.4
07/05/2017	30046	2017-000606	05:12	53	N. EDGEHILL		Water or steam leak	0.3
07/05/2017	30046	2017-000607	09:59	100	SCULL TERR		System malfunction, other	0.2
07/05/2017	30046	2017-000608	18:24	801	N DUPONT HWY		False alarm or false call, other	0.3
07/05/2017	30046	2017-000609	21:01		S BRADFORD ST		Hazardous condition, other	0.2
07/06/2017	30046	2017-000610	03:00	235	ROSE VALLEY SCHOOL RD		Special type of incident, other	0.3
07/06/2017	30046	2017-000611	09:15	134	REESE ST		CO detector activation due to malfunction	0.3
07/06/2017	30046	2017-000612	18:24	1202	WHITEOAK RD		Smoke detector activation, no fire - unintentional	0.4
07/07/2017	30046	2017-000613	09:23	591	S DUPONT HWY		System malfunction, other	0.4
07/07/2017	30046	2017-000614	19:41	1568	N DUPONT HWY		Alarm system sounded due to malfunction	0.6
07/07/2017	30046	2017-000615	20:43	14	ROCKFORD CROSSING		Sprinkler activation, no fire - unintentional	0.8
07/08/2017	30046	2017-000616	11:23	117	WILLIS RD		Good intent call, other	0.5
07/08/2017	30046	2017-000617	12:21		S STATE ST		Gasoline or other flammable liquid spill	0.3
07/08/2017	30046	2017-000618	14:10	2030	GENERALS WAY	B	Smoke detector activation due to malfunction	0.6
07/08/2017	30046	2017-000619	15:35	230	E SHELDRAKE CIRCLE		Alarm system activation, no fire - unintentional	0.4
07/09/2017	30046	2017-000620	16:24	11	N DUPONT HWY		Dumpster or other outside trash receptacle fire	0.5
07/10/2017	30046	2017-000621	09:54	710	BUCKSON DR		Smoke detector activation, no fire - unintentional	0.4
07/10/2017	30046	2017-000622	11:09	515	N DUPONT HWY		Animal rescue	0.8
07/11/2017	30046	2017-000623	13:47	31	WESTOVER DR		Cultivated vegetation, crop fire, other	0.4
07/12/2017	30046	2017-000624	09:26	80	RIVER CHASE DR		Sprinkler activation, no fire - unintentional	0.3
07/12/2017	30046	2017-000625	10:34	5674	FORREST AVE.		Assist invalid	1.1
07/12/2017	30046	2017-000626	15:06	126	W LOOCKERMAN ST		Public service	0.2
07/12/2017	30046	2017-000627	21:19	1426	N DUPONT HWY		Local alarm system, malicious false alarm	0.3
07/13/2017	30046	2017-000628	18:00	44	COURTSIDE DR	B	Building fire	2.1
07/13/2017	30046	2017-000629	18:28	1339	S GOVERNORS AVE		Lock-out	0.2
07/13/2017	30046	2017-000630	20:08	20	TEAL CT		Gas leak (natural gas or LPG)	0.5
07/13/2017	30046	2017-000631	22:19	879	N DUPONT HWY		Motor vehicle accident with injuries	0.8
07/13/2017	30046	2017-000632	23:12	70	GREENWAY SQ.		Alarm system activation, no fire - unintentional	0.3
07/14/2017	30046	2017-000633	01:16	63	ROCKFORD CROSSING		Good intent call, other	0.6
07/14/2017	30046	2017-000634	01:45	413	COURT ST.		Smoke detector activation due to malfunction	0.4
07/14/2017	30046	2017-000635	09:36	430	KINGS HWY NE	523	Smoke detector activation due to malfunction	0.5
07/14/2017	30046	2017-000636	12:35	1200	N DUPONT HWY		Cooking fire, confined to container	0.3
07/14/2017	30046	2017-000637	13:16	5	E REED ST		Good intent call, other	0.2
07/14/2017	30046	2017-000638	16:41	604	FOREST ST		Lightning strike (no fire)	0.5
07/15/2017	30046	2017-000639	08:35	517	SUNSET DR		Cooking fire, confined to container	0.3
07/15/2017	30046	2017-000640	11:13	27	LOST TREE CT		Carbon monoxide incident	0.7
07/16/2017	30046	2017-000641	17:42	401	HARMONY LN	2	Cooking fire, confined to container	0.3
07/16/2017	30046	2017-000642	20:08	225	CECIL ST	APT.	Cooking fire, confined to container	0.5
07/17/2017	30046	2017-000643	11:58	1131	N DUPONT HWY		Animal rescue	0.0
07/17/2017	30046	2017-000644	20:16	348	MOCKINGBIRD AVE		Good intent call, other	0.7
07/18/2017	30046	2017-000645	07:41	417	FEDERAL ST		False alarm or false call, other	0.6
07/18/2017	30046	2017-000646	10:50	2	ROCKFORD CROSSING		Alarm system sounded due to malfunction	0.2
07/18/2017	30046	2017-000647	14:47	319	MIMOSA AVE		Smoke detector activation, no fire - unintentional	0.3
07/18/2017	30046	2017-000648	23:27	1200	N DUPONT HWY		Malicious, mischievous false call, other	0.1
07/19/2017	30046	2017-000649	08:21	400	CAMPUS DRIVE		System malfunction, other	0.2
07/19/2017	30046	2017-000650	10:50	200	GARRISON OAK DR		Alarm system sounded due to malfunction	0.5
07/20/2017	30046	2017-000651	06:02	1450	N DUPONT HWY	0587	System malfunction, other	0.5
07/20/2017	30046	2017-000652	13:44	200	PLAZA DR		Road freight or transport vehicle fire	0.6
07/20/2017	30046	2017-000653	14:13	100	HIAWATHA LANE		Cooking fire, confined to container	0.7
07/21/2017	30046	2017-000654	06:40		LEPORE RD & N STATE ST		Motor vehicle accident with injuries	0.6
07/21/2017	30046	2017-000655	14:17	1200	N DUPONT HWY		Unintentional transmission of alarm, other	0.2
07/21/2017	30046	2017-000656	19:09	1406	Forrest ave. bld. d		Smoke detector activation, no fire - unintentional	0.4
07/21/2017	30046	2017-000657	23:28		PENNY LA		Steam, other gas mistaken for smoke, other	0.4

Date	FDID	Incident#	Alarm	###	Address	Suite	Type	Lgth
07/22/2017	30046	2017-000658	21:49	1202	WHITEOAK RD		Smoke detector activation due to malfunction	0.4
07/23/2017	30046	2017-000659	02:57		MCKEE RD		Motor vehicle accident with injuries	0.7
07/23/2017	30046	2017-000660	08:40	283	WHITETAIL RUN		Dispatched & canceled en route	0.0
07/23/2017	30046	2017-000661	13:23	230	PEBBLE VALLEY DR		Malicious, mischievous false call, other	0.4
07/24/2017	30046	2017-000662	11:44	720	PEAR ST		Gas leak (natural gas or LPG)	1.1
07/24/2017	30046	2017-000663	16:37		PERSIMMON TREE LN		Passenger vehicle fire	0.6
07/24/2017	30046	2017-000664	18:00	454	N DUPONT HWY		Electrical wiring/equipment problem, other	0.5
07/25/2017	30046	2017-000665	07:50	650	BAY RD		Electrical wiring/equipment problem, other	1.1
07/25/2017	30046	2017-000666	08:03	155	WILLIS RD		Arcing, shorted electrical equipment	0.2
07/25/2017	30046	2017-000667	10:18	454	N DUPONT HWY		Breakdown of light ballast	0.6
07/25/2017	30046	2017-000668	17:46		W WATER ST		Extrication of victim(s) from vehicle	0.4
07/26/2017	30046	2017-000669	13:27	154	MITSCHER RD		Attempted burning, illegal action, other	0.4
07/26/2017	30046	2017-000670	15:08	900	WESTVIEW TERRACE			0.3
07/27/2017	30046	2017-000671	16:00	1200	N DUPONT HWY		Smoke detector activation, no fire - unintentional	0.1
07/28/2017	30046	2017-000672	00:12	1078	S STATE ST		Cooking fire, confined to container	0.4
07/28/2017	30046	2017-000673	07:16	418	COWGILL ST		Gas leak (natural gas or LPG)	1.0
07/28/2017	30046	2017-000674	20:34	800	BAY RD		Person in distress, other	0.3
07/29/2017	30046	2017-000675	02:19	29	S WEST ST		System malfunction, other	0.4
07/29/2017	30046	2017-000676	06:16	317	S STATE ST		System malfunction, other	0.3
07/29/2017	30046	2017-000677	08:47	400	COURT ST		System malfunction, other	0.7
07/29/2017	30046	2017-000678	12:41	438	COUNTRY DR		Public service	0.3
07/29/2017	30046	2017-000679	14:43	300	BLUECOAT ST		Cooking fire, confined to container	0.3
07/29/2017	30046	2017-000680	21:38	460	COUNTRY DR		Good intent call, other	0.6
07/30/2017	30046	2017-000681	10:41	1018	MONROE TERR		CO detector activation due to malfunction	0.3
07/30/2017	30046	2017-000682	15:18	322	NORTHDOWN DR		Dispatched & canceled en route	0.1
07/30/2017	30046	2017-000683	17:49	1570	N DUPONT HWY		Passenger vehicle fire	0.4
07/30/2017	30046	2017-000684	21:06	28	EVERGREEN CIR		Public service	0.3
07/31/2017	30046	2017-000685	07:36	100	LAKEVIEW DR		Smoke detector activation due to malfunction	0.3
07/31/2017	30046	2017-000686	13:20	12	N GOVERNORS AVE		Cooking fire, confined to container	0.3

Total Number of Incidents: 88

Total Length of Incidents: 39.6 Hours

FY 17-18 City Funded Account Balance Sheet

ACCOUNT	BUDGET	SPENT	BALANCE
Apparatus Repairs & Maintenance	$ 101,300.00	$ 458.51	$ 100,841.49
Building Maintenance Supplies	$ 1,500.00	$ 7.59	$ 1,492.41
Contract Services-Admin Assist	$ 38,500.00	$ 4,122.04	$ 34,377.96
Contractual Services	$ 9,000.00		$ 9,000.00
Electricity	$ 45,000.00	$ 4,197.66	$ 40,802.34
Gasoline	$ 15,000.00	$ 874.50	$ 14,125.50
Heating Expenses- Gas	$ 12,000.00	$ 144.27	$ 11,855.73
Medical Supplies	$ 1,000.00		$ 1,000.00
Office Supplies	$ 1,500.00	$ 42.16	$ 1,457.84
Other Equipment Repairs	$ 1,500.00	$ 13.98	$ 1,486.02
Program Expenses	$ 45,000.00	$ 5,500.00	$ 39,500.00
Radio Repairs	$ 2,000.00		$ 2,000.00
Safety & Security	$ 1,500.00		$ 1,500.00
Small Tools	$ 3,500.00		$ 3,500.00
Telephone	$ 9,000.00	$ 841.78	$ 8,158.22
Training & Travel	$ 10,000.00	$ 625.00	$ 9,375.00
Uniforms & Firefighting Gear	$ 30,000.00		$ 30,000.00
Water/ Sewer	$ 2,500.00	$ 143.95	$ 2,356.05

Robbins Hose Company # 1, Inc.
Profit & Loss
July 2017

	Jul 17
Ordinary Income/Expense	
Income	
City Quarterly Deposit	82,875.00
Total Income	82,875.00
Expense	
Apparatus Repairs & Maintenance	410.20
Contract Employee	2,573.00
Electricity	707.04
Heating Expenses- Gas	108.82
Program Expenses	5,500.00
Telephone	522.20
Water/Sewer	42.96
Total Expense	9,864.22
Net Ordinary Income	73,010.78
Net Income	**73,010.78**







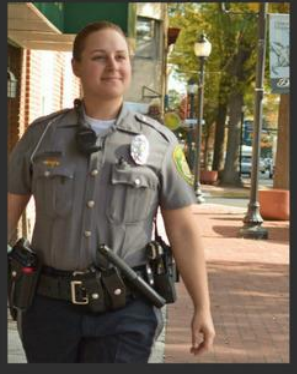

Dover Police Department

Monthly Report

July 2017

Chief Marvin C. Mailey









DEPARTMENT OF POLICE

Marvin C. Mailey
Chief of Police

400 South Queen Street
Dover, Delaware 19904
302-736-7111
Fax: 302-672-1842

September 11, 2017

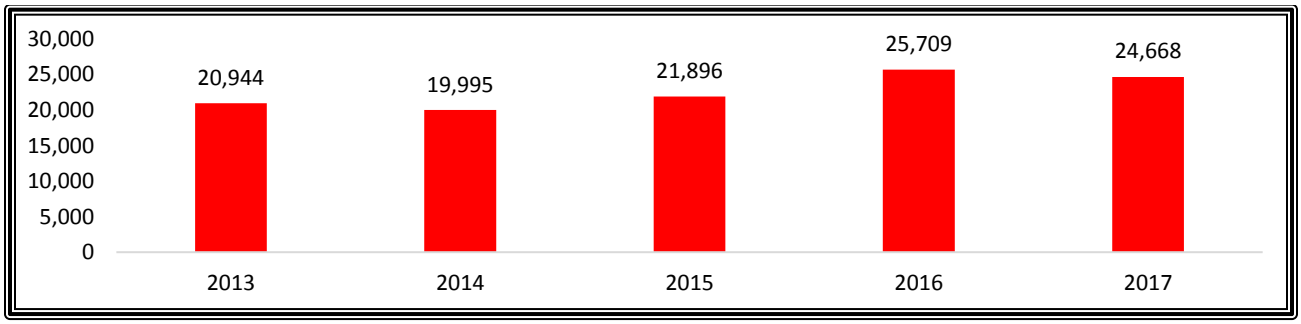
Honorable Robin Christiansen, Mayor
Member of Dover City Council
City Hall
Dover, DE 19901

Mayor Christiansen and Council Members:

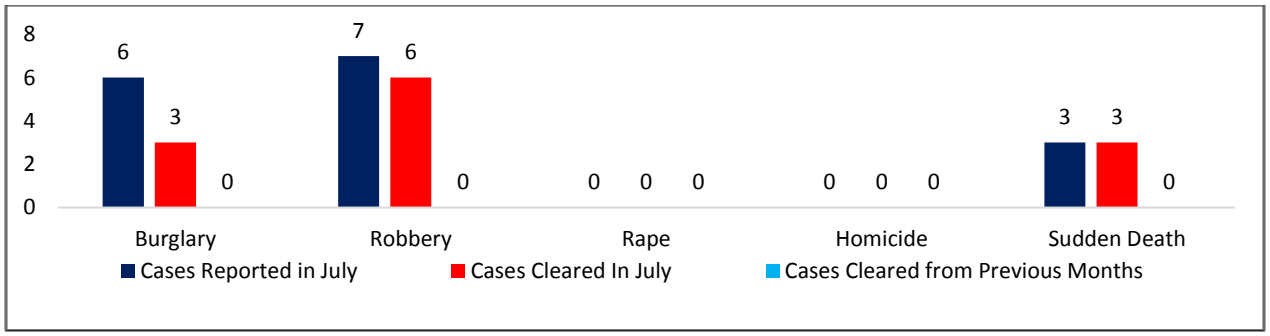
The following is the monthly report for Dover Police Department activities for the month of July 2017:

COMPLAINTS

Total complaints received through July 31st, 2017, numbered 24,668 this is a decrease of 1,041 complaints over the same period last year.

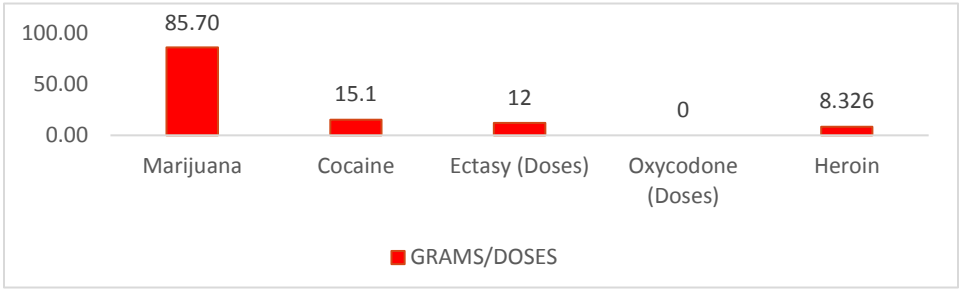


CRIMINAL INVESTIGATIONS

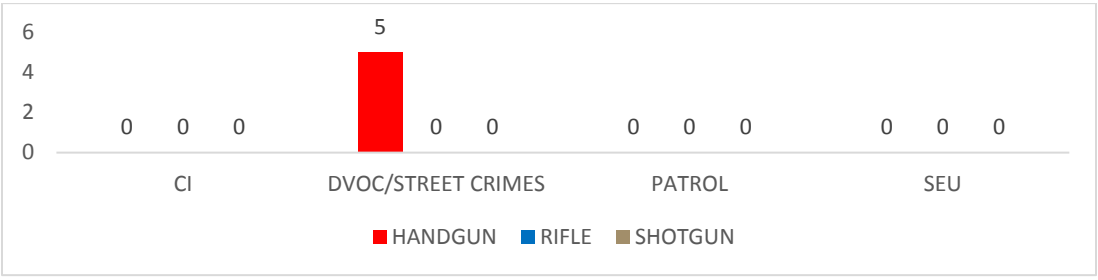


DRUGS, VICE, & ORGANIZED CRIME (DVOC) AND STREET CRIMES SECTION SEIZURES

Along with the drug seizures below, the units also recovered 119.92 grams of miscellaneous other drugs and $1,400.00USD during the month of July.



FIREARM SEIZURES



COMMUNITY POLICING

COMMUNITY POLICING	***CONTACTS***
ABANDONED VEHICLES	*6*
ALCOHOL VIOLATIONS/DUI'S	*0*
ASSIST OTHER	*18*
WARRANTS ON FILE	*0*
CITY PARK VIOLATIONS	*0*
CRIMINAL ARRESTS	*0*
DRUG RELATED ARRESTS	*0*
LOUD MUSIC	*0*
MISCELLANEOUS VIOLATIONS	*0*
PARKING VIOLATIONS	*6*
PEDDLER	*0*
MEETINGS	*61*
CRIME PREVENTION CHECK	*0*
TRAFFIC ARRESTS	*0*
WARNINGS	*0*
FUGITIVE	*0*
DCO	*0*
PROSTITUTION	*0*
TOTAL CONTACTS	***91***

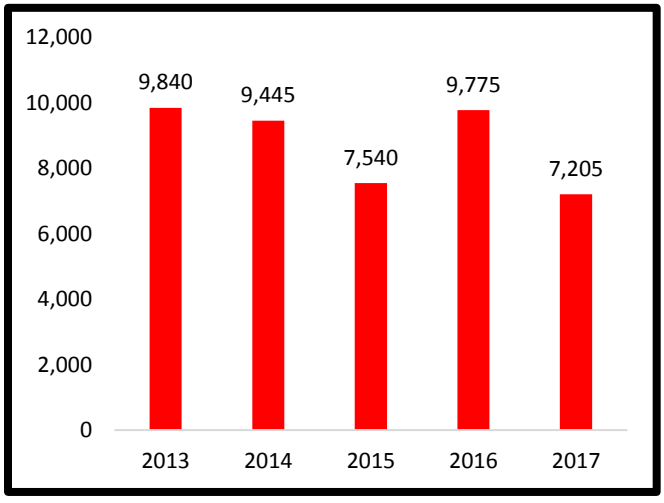
CADETS	***CONTACTS***
PARKING	*7*
DCO'S	*11*
OPEN CONTAINER	*2*
LOUD NOISE	*0*
LEWDNESS	*0*
OTHER	*2*
BUSINESS CONTACTS	*31*
LIBRARY CHECKS	*0*
COMPLAINTS ASSIGNED	*30*
SPECIAL EVENT	*0*
TOTAL CONTACTS	***83***

STREET CRIMES

STREET CRIMES ENFORCEMENT	CONTACTS
ABANDONED VEHICLES	0
ALCOHOL VIOLATIONS/DUI'S	0
ASSIST OTHER	8
WARRANTS ON FILE	0
CITY PARK VIOLATIONS	0
CRIMINAL ARRESTS	66
DRUG RELATED ARRESTS	41
LOUD MUSIC	0
MISCELLANEOUS VIOLATIONS	0
PARKING VIOLATIONS	0
PEDDLER	0
MEETINGS	0
CURFEW CHECKS	120
CRIME PREVENTION CHECKS	0
TRAFFIC ARRESTS	32
WARNINGS	39
FUGITIVES	16
DCO'S	1
PROSTITUTION	0
TOTAL CONTACTS	323

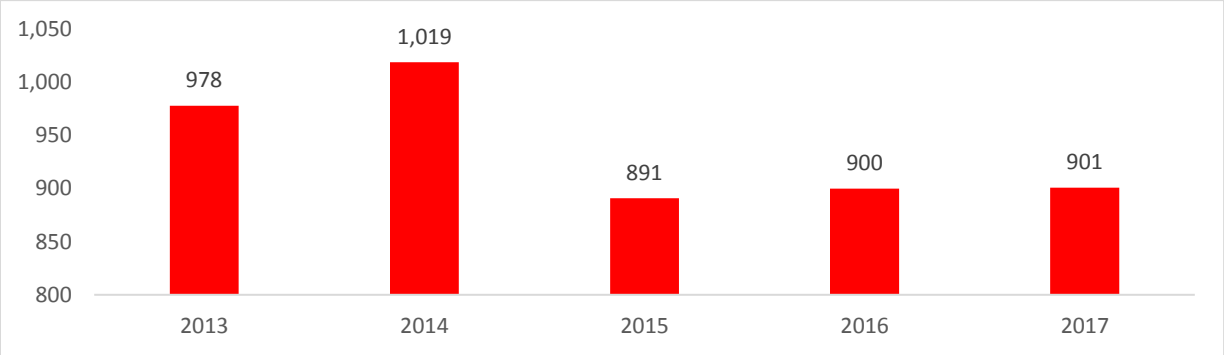
TRAFFIC ARRESTS

The department issued 7,205 traffic citations through this reporting period; this is a decrease of 2,570 citations over the number issued during the same period last year.



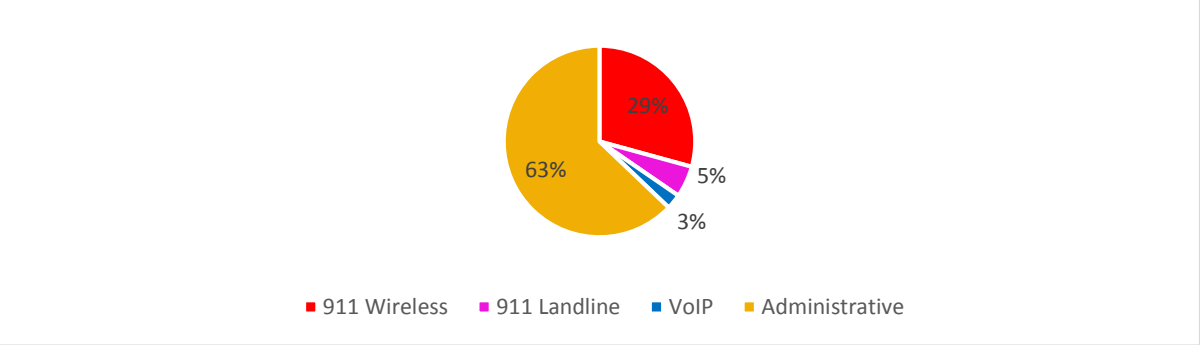
TRAFFIC CRASHES

Through July 31, 2017, the Dover Police investigated 1,039 traffic crashes, a decrease of 28 crash investigated during the same period last year.



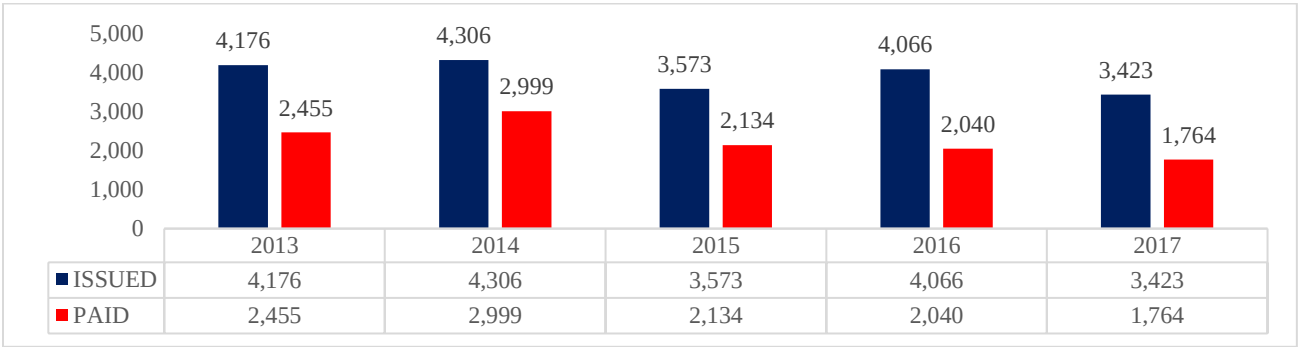
911 Center

During the month of July, the Dover Police Department handled a total of 9,114 calls averaging 294 calls per day. Dispatchers handled 2,667 on the 911 wireless lines, 485 on the 911 landlines, and 232 on the Voice over Internet Protocol lines, the remaining 5,730 were administrative calls.



CITY ORDINANCE SUMMONS

Through July 31, 2017, we issued 3,423 city ordinance summons, a decrease of 643 summonses for the same period last year. Note: Of those summonses issued in July, 2 DCO's were issued for handicapped parking violations and 1 for fire lane parking violations, 170 for false alarms (116 for 1-2 alarms, 34 for 3-5 alarms, 15 for 6-9 alarms, 5 for 10-15 alarms, and 0 for 16 or more alarms) and 7 for noise violations 6 for vehicle violations and 1 for residence violations).

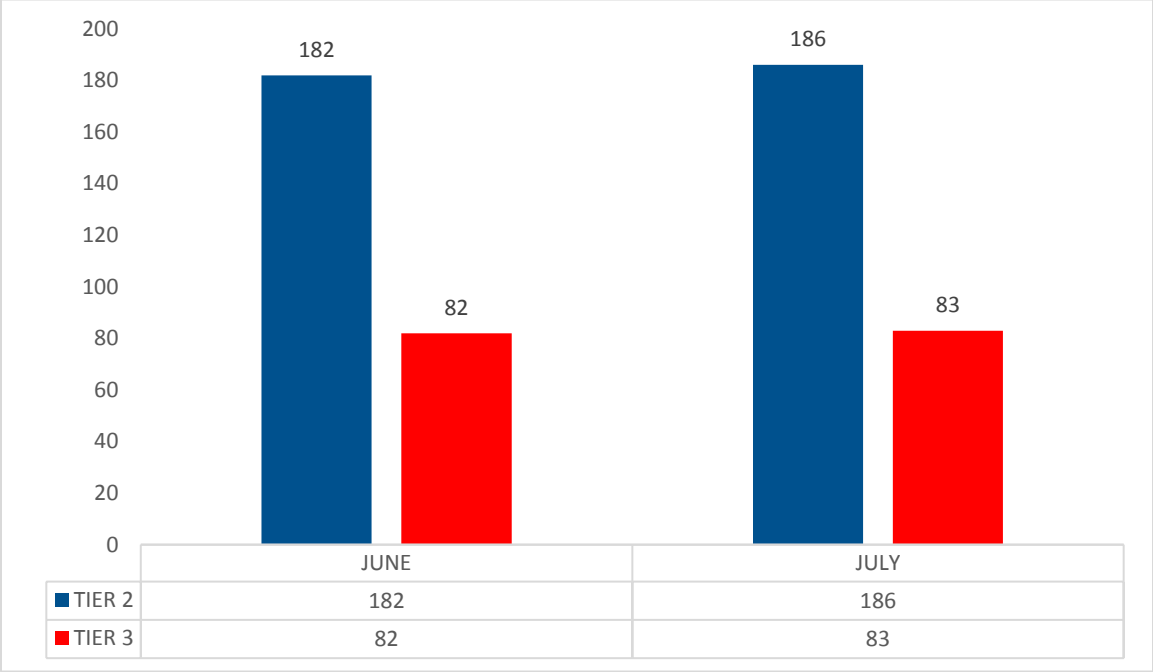


	2013	2014	2015	2016	2017
ISSUED	4,176	4,306	3,573	4,066	3,423
PAID	2,455	2,999	2,134	2,040	1,764

SEX OFFENDER STATISTICS/JULY

	VERIFICATIONS	NOTIFICATIONS	MONTHLY REVERIFICATIONS	NON COMPLIANT WARRANTS
TIER 1	0	0	0	1
TIER 2	12	1116	39	2
TIER 3	6	908	27	1

ACTIVE SEX OFFENDERS THAT RESIDE IN THE CITY OF DOVER *(please note, Tier 1 offenders are not contacted by Dover Police Sex Offender Agents).*



(Please note, Tier 1 offenders are not contacted by Dover Police Sex Offender Agents).

Please visit our website at www.doverpolice.org for up to date information on crimes and activities in the City of Dover.

Respectfully Submitted,

Marvin C. Mailey
Chief of Police