REGULAR COUNCIL MEETING

The Regular Council Meeting was held on September 11, 2017 at 7:30 p.m. with Council President Slavin presiding. Council members present were Mr. Anderson, Mr. Sudler, Mr. Neil, Mr. Lewis, Mr. Cole, Mr. Polce, Mr. Hare, and Mr. Lindell.

Staff members present were Police Chief Mailey, Ms. Peddicord, Mrs. Mitchell, Mr. Hugg, City Solicitor Rodriguez, and Mrs. McDowell. Mayor Christiansen was also present (departed at 7:32 p.m.).

OPEN FORUM

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

Ms. Pie Jones reminded members that she spoke at the previous Open Forum about seat belts for school buses. She advised that she contacted Senator Bushweller and presented him with a petition with 300 signatures, along with the list of the states that have seatbelt laws. Ms. Jones requested assistance with requiring seatbelts on school buses.

Council President Slavin suggested that the Safety Advisory and Transportation Committee could consider a Resolution from the City to the State Legislature in support of seat belts on school buses.

Mr. Lewis asked if Ms. Jones had been in contact with the school district. Responding, Ms. Jones stated that Senator Bushweller advised that once she provided the signatures, he would get her in contact with the Transportation Department.

Ms. Sue Harris, referring to the sale of the former Dover Public Library to Wesley College in exchange for $1M in Community Transportation Funds from the State of Delaware, asked if the $1M was in addition to the $500,000 in Community Transportation Funds that was in the draft budget. She asked if Wesley College and Delaware State University had taken ownership of the Schwartz Center in February 2016, and now it is sitting empty.

Ms. Harris asked why a similar deal could not be made to a coalition of non-profits that support the homeless. Noting that it had been said that no plans had been presented, Ms. Harris advised that they have been unable to be placed on the agenda for a Regular Council meeting or be invited in to have a two-way conversation with anybody. She stated that they assume that Council is not ready to positively listen to any official plan they might have. Ms. Harris advised that they do have ideas, and they have shown dedication and commitment to being a partner to finding a solution, but to say they just have ideas is hardly fair. She noted that it was not ideas that have provided over 20,000 meals to the homeless this year or more than 500 boxes of food to desperate families this year, and it wasn't just ideas that have helped change dozens of lives.

Ms. Harris advised that they are not a bunch of do-gooders trying to kick up trouble. The elder Pastor Appling has been a respected businessman, land developer, and religious leader in their community for decades. She noted that the young Pastor Appling is educated, worldly, and is as passionate about helping his fellow man as any human being you will ever find and have the pleasure

of meeting. His community leadership and dedication to his causes and to his followers is unmatched by anybody around here. Ms. Harris advised that Council should consider themselves fortunate to be offered a partnership with them.

Ms. Harris noted that her father was a highly respected leader on City Council, and her mother and brother were well-loved by the community. She stated that they come to City Council and are responded to like they are a side show.

Ms. Harris asked why City Council would make the deal with Wesley College when the Mayor's Task Force on Homelessness had not even been formed yet, noting that they might have wanted to look at that location as a resource. She noted that the City receives Community Transportation Funds every year from the state and advised that she could look for a legislator that will stand up for the homeless and offer the same deal of their Community Transportation Funds, one contingent upon some vacant houses being offered for a dollar to a coalition that was created to help the homeless.

Ms. Harris asked what report a community member could access to see the all of the City's Community Transportation Fund expenditures. She noted that she would submit her questions officially to ensure that she gets a response.

Mr. Steven French referenced buildings that had been vacant for some time and suggested that they be fixed up and rented to the homeless.

Mr. Eric Abernathy advised that they were still looking for help for the homeless and that they would keep advocating, helping, and doing for those who are in need.

Mr. Swan Twitty stated that the homelessness seemed to be getting worse and asked where they were supposed to go. He noted that Code Purple and other shelters can only take so many people.

Mr. Corey Berry advised that he works two jobs and is still homeless. He requested help for himself and others.

Ms. Elizabeth Joves advised that she reads the paper everyday and has not seen anything about the task force to study the homeless. She noted that winter is coming and people have no place to go. Ms. Joves stated that, in certain woods, tents are still being stolen. She also advised that some of the cops are giving them a hard time. Ms. Joves requested that something be done to help the homeless.

The invocation was given by Captain Elmer N. Davis, Jr., followed by the Pledge of Allegiance.

Mayor Robin R. Christiansen made the following remarks, followed by a moment of silence in remembrance of 9/11:

> *Sixteen years ago, on a sun-lit blue-sky day, 2,997 of our fellow citizens were brutally slain in the 9/11 attacks. Six thousand or more remain as casualties and suffer from their infirmities on a daily basis, remembering what happened on that horrific day.*

I ask you to always keep those who departed that day in your prayers. Those who suffer the infirmities of that day in your prayers, and their families, always in your prayers. And I ask you to never, never, never forget.

AGENDA ADDITIONS/DELETIONS

Council President Slavin requested that item #2-A - Rezoning Request - Public Hearing/Final Reading of Proposed Ordinance #2017-10 - Property located at 826 Forest Street, owned by Sarah E. Jones, be deferred until the Council meeting of September 25, 2017.

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

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

ADOPTION OF MINUTES - REGULAR COUNCIL MEETING OF AUGUST 28, 2017

The Minutes of the Regular Council Meeting of August 28, 2017 were unanimously approved by motion of Mr. Neil, seconded by Mr. Anderson and bore the written approval of Mayor Christiansen.

PUBLIC HEARING/FINAL READING OF PROPOSED ORDINANCE #2017-11 - REZONING REQUEST FOR PROPERTY LOCATED AT 870-872 FOREST STREET

A public hearing was duly advertised for this time and place to consider the rezoning of property located at 870-872 Forest Street, consisting of $0.7473^{+/-}$ acres ($32{,}552^{+/-}$ S.F.), owned by Bennie Smith Real Estate, LLC. Council President Slavin noted that the First Reading of Ordinance #2017-11 described the IO zone as "Industrial and Office," and the Final Reading has been corrected to read, "Institutional and Office." 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).

Mr. Neil moved that the Final Reading of Proposed Ordinance #2017-11 be acknowledged by title only, seconded by Mr. Lindell and unanimously carried. *(The First Reading of the ordinance was accomplished during the Council Meeting of July 24, 2017.)*

Planner's Review

Mr. David Hugg, Acting Director of Planning and Community Development, reviewed the petition to amend the zoning district and the findings and recommendations of the Planning Commission. He advised that the Planning Commission recommended approval of the rezoning request.

Responding to Mr. Anderson, Mr. Hugg noted that the primary change is the Institutional use, which would allow places of worship and philanthropic and charitable uses, which are not permitted in the C-1A zone. Mr. Hugg noted that St. Nicholas Ukrainian Orthodox Mission was the equitable owner.

Responding to Mr. Hare, Mr. Hugg stated that the property would remain taxable because of its intended use of the existing commercial business.

Public Hearing
Council President Slavin declared the public hearing open.

Mr. Phil McGinnis, McGinnis Commercial Real Estate Company, advised that he was representing both Benny Smith and St. Nicholas Ukrainian Orthodox Mission. He noted that St. Nicholas Ukrainian Orthodox Mission intended to make the site the permanent home for their church. Mr. McGinnis stated that Cindy's Bright Stars Daycare is located in the back of the property and that use will continue. He advised that the IO zoning is necessary to accommodate both the daycare and the church.

There being no one else wishing to speak, Council President Slavin declared the public hearing closed.

Mr. Hare moved for approval of the rezoning request, as recommended by the Planning Commission. The motion was seconded by Mr. Neil and, by a unanimous roll call vote, Council adopted Ordinance #2017-11, as follows:

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF DOVER BY CHANGING THE ZONING DESIGNATION OF PROPERTY LOCATED AT 870 - 872 FOREST STREET

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: SEPTEMBER 11, 2017

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

During their Regular Meeting of August 28, 2017, due to the absence of Councilmen Hare and Lewis, members of Council deferred action on this item. Council President Slavin reminded members that this item was forwarded to City Council with no recommendation by the Committee.

Mr. Lindell moved to amend the existing process to allow those members being considered for Committee re-appointments to have the option of either updating their previously submitted application or requesting that their previously submitted application be considered. The motion was seconded by Mr. Polce.

Mr. Lewis advised that, not more than a year ago, the Committee of the Whole asked he and Councilman Anderson to come up with ideas to revise the recruitment process for the City. He noted that they took their time and came up with various ideas, which were voted upon unanimously by both the Committee of the Whole and City Council. Mr. Lewis stated that he thought the current process was good and that it did not need fixing, noting that it had already been amended by removing the resume requirement. He advised that his concern was the conflict of interest portion of the application, which he thought should be reviewed annually for people to make adjustments. Mr. Lewis also expressed concern with changing rules that had been implemented.

Mr. Lindell stated his feeling that the City's ordinances and processes should be flexible and based on the needs of the people. He noted the importance of Committees and the need to know what district members live in and some background on those individuals initially. However, the process of having people re-apply over and over again, especially when they have served the City for quite a long time, could be improved by having them update the application they have already submitted, if they so choose. Mr. Lindell stated his feeling that the annual application requirement was another bureaucratic layer that is unnecessary.

In response to Council President Slavin, Mr. Lindell and Mr. Polce agreed that if a current member had never submitted an application, a baseline application for them would be required.

Mr. Neil thanked Councilmen Anderson and Lewis, feeling that their efforts have yielded results in the area of recruitment. He advised that he had no objection to the amendments and noted that the discussion of amendments related to the Ethics Commission the following evening would have a greater impact on every member of City Council.

Mr. Anderson stated that he shared Mr. Lewis' concerns and, although he was open to amendments that would allow appointees to review and update their applications, he wanted to be careful to maintain the reforms that had been implemented.

Mr. Hare stated that he could understand having an application; however, he thought it would be acceptable to ask members who had served for 10 or 12 years if there was anything that had changed that would cause a conflict. He stated that he thought, because the City was asking them to serve, completing the initial application should be the responsibility of the appointing member.

Mr. Sudler advised, for the record, that he was not in disagreement with revisiting or adjusting an ordinance; however, he was concerned with City Council being perceived as indecisive in implementing new ordinances. He noted that he believed that there needed to be a tangible tool to assess the effectiveness of new ordinances and without any research data to support a change in an ordinance, he could not support the motion. Mr. Sudler advised that if there were tangible data and research provided with the request indicating that this is or could potentially become a problem, then he would have no problem making the proper adjustment at that time. He stated that he respected the spirit of making the process better.

Mr. Lindell called the question. The motion was seconded by Mr. Polce and carried by a unanimous roll call vote.

The motion to amend the existing process to allow those members being considered for Committee re-appointments to have the option of either updating their previously submitted application or requesting that their previously submitted application be considered, stipulating that a baseline application be on file for all appointees, was carried by a roll call vote of six (6) yes (Neil, Cole, Polce, Hare, Lindell, and Slavin) and three (3) no (Anderson, Sudler, and Lewis).

Mr. Sudler moved for acceptance of the Council Committee of the Whole/Legislative, Finance, and Administration Committee Report of August 15, 2017 - Proposed Amendment to Committees, Commissions, and Boards Appointment Process. The motion was seconded by Mr. Neil and unanimously carried.

COUNCIL COMMITTEE OF THE WHOLE REPORT - AUGUST 29, 2017

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.

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 ShotSpotter-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 Committee tabled the matter until members have additional information.

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, 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.

UTILITY COMMITTEE

The Utility Committee met with Council President Slavin presiding in the absence of Chairman Cole.

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.

The Committee recommended 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.

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

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

MONTHLY REPORTS - JULY 2017

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

City Assessor's Report
City Council's Community Enhancement Fund Report
City Manager's Report
City Planner's Report
Controller/Treasurer's Budget Report
Fire Chief's Report
Police Chief's Report

ACTING CITY MANAGER'S ANNOUNCEMENTS

Mrs. Donna Mitchell, Acting City Manager, reminded members that leaf collection would begin in October and that the dates would be posted.

COUNCIL MEMBERS' ANNOUNCEMENTS

Mr. Sudler thanked each and every Councilperson and City Staff for coming out and supporting the revitalization of Dover Park. He thanked Council President Slavin, Mrs. Mitchell, Acting City Manager, Mr. Hugg, Acting Director of Planning and Community Development, Mrs. Duca, Director of Public Works, and staff members Mr. Eddie Diaz and Ms. Carolyn Courtney for helping with the event. Mr. Sudler advised that it was a great time attended by a lot of kids and adults. He stated that he was looking forward to holding more events at Dover Park.

Mr. Slavin thanked Mr. Sudler for leading the effort, noting that for the brief time that he was there, it was wonderful to see the amount of people and the wide range of ages of the people who were using the park for what it was designed to be - an area of respite and rest and comfort in their neighborhoods.

Mr. Neil advised that September 20, 2017 would mark the start of the Jewish New Year and he wished a Happy New Year to the members of the Jewish faith of the Dover community.

Mr. Lewis thanked Councilman Sudler for organizing the event and uniting the community at Dover Park. He advised that the event was phenomenal and everybody had a good time.

Mr. Anderson concurred with the comments previously made regarding the Dover Park event and congratulated Mr. Sudler on his award-winning bbq ribs.

Mr. Anderson advised that he had been asked why he supported the transfer of the Dover Public Library to Wesley College and he answered by listing all of the streets that are in high need of reconstruction in the City of Dover, which the money had not been available for until now. Mr. Anderson noted that this was an important part of what they were doing.

Mr. Sudler stated that all of the individuals that participated in the rib-off were winners because they were doing something selfless for the community and that impacted the whole community. He advised that he accepted the rib-off trophy on behalf of not just himself, but also the others. Mr. Sudler stated that all those who participated in and supported the event, whether they were there or not, were all winners.

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

Meeting adjourned at 8:01 p.m.

TRACI A. McDOWELL
CITY CLERK

All ordinances, resolutions, motions, and orders adopted by City Council during their Regular Meeting of September 11, 2017, are hereby approved.

ROBIN R. CHRISTIANSEN
MAYOR

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