REGULAR COUNCIL MEETING
AGENDA

MARCH 26, 2018 - 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 BISHOP THOMAS L. HOLSEY

PLEDGE OF ALLEGIANCE LED BY MAYOR CHRISTIANSEN

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**

- **A. SPECIAL COUNCIL MEETING OF MARCH 12, 2018**
- **B. REGULAR COUNCIL MEETING OF MARCH 12, 2018**

* **2. ECONOMIC DEVELOPMENT COMMITTEE REPORT - FEBRUARY 28, 2018**

- **A. WILMINGTON UNIVERSITY CONTRIBUTION FOR ECONOMIC DEVELOPMENT (DR. CLINTON ROBERTSON)**

  (COMMITTEE ACTION NOT REQUIRED)

* **3. COUNCIL COMMITTEE OF THE WHOLE REPORT - MARCH 13, 2018**

- **A. PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE**
  - **(1) COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) APPLICATION REVIEW**

    (COMMITTEE RECOMMENDED APPROVAL OF THE PROPOSED COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ALLOCATION RECOMMENDATIONS FOR THE FY 2018 CDBG GRANT RENEWAL FISCAL YEAR)
  - **(2) COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM SEMI-ANNUAL UPDATE**

    (COMMITTEE ACTION NOT REQUIRED)

* **3. COUNCIL COMMITTEE OF THE WHOLE REPORT - MARCH 13, 2018 (CONTINUED)**

B. LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

(1) REPORT OF INDEPENDENT PUBLIC ACCOUNTANTS FOR THE FISCAL YEAR ENDING JUNE 30, 2017 (CLIFTONLARSONALLEN, LLP)

(COMMITTEE RECOMMENDED ACCEPTANCE OF THE REPORT)

(2) PRESENTATION - COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR)

(COMMITTEE RECOMMENDED ACCEPTANCE OF THE REPORT)

(3) PROPOSED ORDINANCE #2018-03 AMENDING THE DOVER CODE OF ORDINANCES BY CREATING A NEW CHAPTER 84 - PUBLIC SAFETY FEE (SPONSORS: HARE, LEWIS, AND NEIL)

(COMMITTEE RECOMMENDED BRINGING THIS MATTER BACK FOR DISCUSSION IN SIX (6) WEEKS)

(4) STATUS OF OTHER POST-EMPLOYMENT BENEFITS (OPEB) AND PENSION FUNDS

(DUE TO TIME CONSTRAINTS, THIS ITEM WAS DEFERRED)

(5) PROJECT CARRY-FORWARD BUDGET BALANCES AND PROPOSED ORDINANCE #2018-02 - FY 2017-2018 BUDGET ORDINANCES - FIRST AMENDMENT

(DUE TO TIME CONSTRAINTS, THIS ITEM WAS DEFERRED)

(6) DIVERSITY AND INCLUSION STUDY REQUEST FOR PROPOSAL (RFP)

(DUE TO TIME CONSTRAINTS, THIS ITEM WAS DEFERRED)

(7) AMBULANCE SERVICES PROPOSAL

(COMMITTEE RECOMMEND APPROVAL OF STAFF'S RECOMMENDATION TO AUTHORIZE THE CITY MANAGER TO EXECUTE A SIX-MONTH EXTENSION OF THE CURRENT CONTRACT WITH PRIMECARE MEDICAL TRANSPORT, LLC AT THE RATES PROVIDED, RE-ISSUE THE RFP WITH THE UNDERSTANDING THAT THE RECOMMENDATIONS OF THE MARCH 2016 REPORT WILL BE INCLUDED, AND FORM AN ADMINISTRATIVE COMMITTEE OF MEDICAL AND PARAPROFESSIONALS TO ASSIST THE CITY WITH DEVELOPMENT AND REVIEW OF AMBULANCE SERVICE PROPOSALS AND FUTURE CONTRACTS, WITH THE COMMITTEE TO BE ESTABLISHED BY THE CITY MANAGER AND APPROVED BY THE SAFETY ADVISORY AND TRANSPORTATION COMMITTEE)

C. UTILITY COMMITTEE

(1) UPDATE - U.S. ROUTE 13 EAST PUMP STATION #7 (PS #7) EMERGENCY RESPONSE (REQUESTED BY MR. LEWIS)

(COMMITTEE ACTION NOT REQUIRED)

4. CITY MANAGER'S ANNOUNCEMENTS

5. COUNCIL MEMBERS' ANNOUNCEMENTS

6. 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

SPECIAL COUNCIL MEETING

A Special Council Meeting was held on March 12, 2018 at 6:02 p.m. with Council President Slavin presiding. Members present were Mr. Sudler, Mr. Neil, Mr. Cole, Mr. Polce, Mr. Hare, and Mr. Lindell (arrived at 6:08 p.m.). Mr. Anderson and Mr. Lewis were absent. Mayor Christiansen was also present.

Council staff members present were Mrs. Mitchell and Mrs. McDowell. Other staff members present were Mrs. Sharon Duca.

Others present were Mr. Gerald Street and Mr. Chaz Salkin of the Kent County Conservancy.

ADOPTION OF AGENDA

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

Mr. Neil moved to recess into 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. The motion was seconded by Mr. Cole and unanimously carried.

The Special Council Meeting recessed into Executive Session at 6:03 p.m.

The Executive Session adjourned at 6:32 p.m.

ACTION RESULTING FROM THE EXECUTIVE SESSION

Potential Land Acquisition - 104 Washington Street

During the executive session, members of Council considered the potential acquisition of property located at 104 Washington Street.

Mr. Neil moved to direct staff to proceed with obtaining an appraisal for 104 Washington Street, as well as a wetland delineation. The motion was seconded by Mr. Cole and unanimously carried.

Mr. Lindell moved to request the Kent County Conservancy to communicate with the Jackson family relative to two (2) issues on the possible purchase of the property, one being the terms of a purchase over time, if necessary, and the second being contingency purchase based on DNREC approval. The motion was seconded by Mr. Cole and unanimously carried.

Mr. Salkin advised, and councilmembers concurred, that the conversation with the Jackson family should occur prior to the City moving forward with the appraisal and the wetland delineation.

Mr. Hare moved for adjournment, seconded by Mr. Polce and unanimously carried.

The Special Council Meeting adjourned at 6:34 p.m.

TRACI A. McDOWELL
CITY CLERK

All ordinances, resolutions, motions, and orders adopted by City Council during their Special Meeting of March 12, 2018 are hereby approved.

ROBIN R. CHRISTIANSEN
MAYOR

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S:\AGENDAS-MINUTES-PACKETS-PRESENTATIONS-ATT&EXH\Council-Minutes\2018\03-12-2018 SPECIAL COUNCIL MEETING - ES ACTION (PUBLIC) - Potential Land Acquisition - 104 Washington Street.wpd

REGULAR COUNCIL MEETING

The Regular Council Meeting was held on March 12, 2018 at 7:30 p.m. with Council President Slavin presiding. Council members present were Mr. Anderson (arrived at 7:33 p.m.), 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, Fire Chief Carey (departed at 8:42 p.m.), City Solicitor Rodriguez, and Mrs. McDowell. Mayor Christiansen was also present (departed at 8:44 p.m.).

OPEN FORUM

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

Apostle Marion Lott, Sr., Executive Director, House of Pride, advised that the nonprofit organizations in the Fourth District have been working together over the last few years on a program in the district, especially in the downtown area, to achieve revitalization and to help promote public safety. He expressed concern that placing a public safety fee on nonprofit organizations would have an adverse effect on other programs, such as Habitat for Humanity. Apostle Lott advised that Habitat invests their money for building demolition and asbestos removal, which sometimes costs $30,000 to $40,000 just to remove a building, and it is disappointing for them to have an additional fee attached. He stated that it gives the appearance that the City is asking for help on one hand, but then on another hand they are taking away from the overall effort of all of the nonprofit organizations. Apostle Lott asked what the impact of the public safety fee would be on the 20 churches in the Fourth District and Interfaith Mission.

Ms. Maureen Feeney Roser, Interim Executive Director of the Downtown Dover Partnership, advised that she had been working with the Partnership's staff and its committees over the last several months, developing strategic work plans and prioritizing projects. She noted that, while she is very new at her role with them, she has been very impressed with the can-do attitude of the staff and the energy levels and dedication of the volunteers that surround the Partnership and help support it. Ms. Roser noted that she has been extremely impressed with Dover's absolute gem of the downtown and all the great things that are already going on there, and that she is very excited about its potential. She stated that she is happy to have participated in some of the strategic planning process to help identify goals and aspirations for the future, and that she looks forward to spending the next couple of months working with the organization and with the Dover community to lay the groundwork necessary to implement work plans to help them reach those goals.

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

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. Lewis and carried by a unanimous roll call vote (Anderson absent).

ADOPTION OF MINUTES - REGULAR COUNCIL MEETING OF FEBRUARY 26, 2018

The Minutes of the Regular Council Meeting of February 26, 2018 were unanimously approved by motion of Mr. Neil, seconded by Mr. Lewis and bore the written approval of Mayor Christiansen.

PRESENTATION - 2017 ANNUAL REPORT - DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

Mr. Dave Hugg, Director of the Department of Planning and Community Development, reviewed the 2017 Annual Report.

Mr. Sudler asked if there was currently a process in place for the Economic Development Committee, in conjunction with the Planning and Zoning Department, to provide correspondence to members of City Council regarding new projects, such as restaurants, businesses, etc., or if one would be implemented and what the proposed implementation date was. Mr. Hugg advised that the Department's monthly report includes active projects. He noted that their tracking was not as sophisticated as he would like and they are going to get better at tracking that information. Mr. Hugg noted that he tries to share with members of Council which businesses are starting and when they are expected to open. Mr. Sudler offered continued support and encouraged communication with City Council members so that they can better inform their constituents about new construction and businesses. Mr. Hugg pledged to provide a "progress in pictures" synopsis of current projects at least quarterly.

Mr. Lewis thanked Mr. Hugg for doing an exceptional job in promoting Dover. He asked what some of the goals were that he would like to see achieved in the near future. Responding, Mr. Hugg advised that getting the message out about the City of Dover and making people feel that they can come here with a proposal, a question, or an application, and be treated as friends and as somebody that the City really wants to do business with. He stated that the Comprehensive Plan will need serious attention in 2018, noting that there are major decisions facing the City in terms of investment in City facilities, parking, and infrastructure. Mr. Hugg noted that another goal will be to improve the way they report to City Council and others what is happening in Dover. He stated that he thought they needed to have a more refined vision for what they want the downtown to be and they are working with the Downtown Dover Partnership on the strategic plan that includes the vision for downtown and committing to certain financing, proposals, and incentives. Mr. Hugg advised that his biggest goal will be to look at the 75 or more goals and objectives in the Comprehensive Plan to determine if they are still relevant.

Mr. Anderson stated that he thought Mr. Hugg was doing a terrific job and he thanked him and the staff for the work that is being accomplished. He asked, when there is a zoning change that triggers a notification to property owners, if Council members could be notified when the rezoning is occurring in their districts, so that they could be informed when their constituents call them about the letter and the rezoning. Mr. Hugg advised that he would notify members of Council when property owners are notified of an application.

Mr. Anderson, referring to the slide about the work that Mr. Hugg was doing in coordination with the homeless issue, asked him to provide more specific information about that work. Responding, Mr. Hugg advised that he had been named the head of the development subcommittee of the Mayor's

Blue Ribbon Task Force to End Homelessness, which is focused on what they can do now that begins to improve the situation for people who are homeless. He stated that the committee had done research and determined that one of the ways that they could help was to give homeless people a place to store their personal belongings. Mr. Hugg explained that, working with Ms. Jeanine Kleimo of Dover Interfaith Mission for Housing, funding was identified, lockers were obtained, and a grant was received through the neighborhood building block fund that was used to create shelters for the lockers with security and lighting at the Interfaith location. He stated that, at least initially, they had a lot of good discussions with Police Chief Marvin Mailey and were working on a Memorandum of Understanding (MOU) with the Chief that outlines how to deal with the lockers, which are places of residence for the homeless and have certain values and rights.

Mr. Hugg advised that they determined that there were a lot of people helping the homeless and those with low incomes and they are developing a model for a new nonprofit central organization made up of representatives of various boards, who would serve as a catalyst for communication among these groups.

Responding to Mr. Anderson, Mr. Hugg stated that the Dover Housing Corporation will be a body that has two (2) responsibilities: 1) policy and program development and coordination, and 2) having the authority to own, operate, and manage housing, particularly for those at the very low to affordable housing level, and being able to do that either in their own name or as an entity on behalf of others. Mr. Hugg noted that the entire task force will be meeting on Wednesday afternoon and will be introducing tentative by-laws, membership, and a mission statement.

Mr. Hare moved for acceptance of the 2017 Annual Report of the Department of Planning and Community Development. The motion was seconded by Mr. Anderson and unanimously carried.

PRESENTATION - 2017 ANNUAL REPORT - POLICE DEPARTMENT

Police Chief Marvin Mailey reviewed the 2017 Annual Report of the Police Department.

Mr. Sudler asked if the Police Department had any workshops or workplace psychotherapy to assist officers with work-related stress, anxiety, or psychological challenges that may contribute to the impairment of an officer's judgment on or off the job. Chief Mailey stated that every time there is a traumatic incident officers are offered critical incident stress management training, noting that it is mandatory for the officers who were directly involved in the incident to speak with a counselor, and they are encouraged to continue speaking with the counselor.

Mr. Sudler asked if Chief Mailey had any statistical data regarding hate crime reports. Chief Mailey advised that they track hate crimes and that he would provide that information.

Mr. Sudler asked if Chief Mailey had any statistical data on complaints against officers. Responding, Chief Mailey stated that the Internal Affairs Unit tracks that data and a report is provided annually. He noted that the information could be provided.

Mr. Polce asked if the federal partnership included High Intensity Drug Trafficking Area (HIDTA). Responding, Chief Mailey advised that it included HIDTA through the Drug Enforcement

Administration (DEA). He noted that he meets with a HIDTA representative once a month at the Kent County Chiefs of Police meeting.

Mr. Polce advised that the Overdose Fatality Review Commission issued their first report during the previous week, tracking overdoses across the State, most often due to heroin. He noted that 191 individuals lost their lives to overdose in Kent County, which was a 9% increase. Mr. Polce stated that there were 26 overdoses in 2016 and 28 in 2017. He asked if the number of overdoses resulting in death are tracked. Responding, Chief Mailey stated that he did not think it was tracked internally; however, the State does track it. He advised that the Dover Police Department has six (6) officers trained to carry Narcan on patrol, noting that the State is currently providing the Narcan to them.

Mr. Polce asked, with regard to some of the movement around the State for introduction and pending legislation that would legalize marijuana, what impact legalization would have on local police jurisdictions with K-9s. Chief Mailey advised that they have not trained any more K-9s in narcotic detection because they feel that the legislation probably will pass, noting that the law enforcement community is closely monitoring the legislation.

Mr. Polce, noting that the statistics for the category labeled mental patients decreased from 417 to 404, asked what those calls typically entail and what the process was after responding to such a call. Chief Mailey advised that, typically, they respond to Kent General Hospital for those who have come for a mental observation and have been referred by a doctor to a facility for further observation. He noted that they would take custody of that individual, either from their residence to the hospital or from the hospital to the mental health facility. Chief Mailey advised that they track the number of miles driven in the police vehicle and then file paperwork with the State for reimbursement for the transport.

Mr. Polce asked how they could do a better job in promoting and really informing their communities of the Angel Program, noting that New Castle County's Heroes Program, which is similar, has astronomical numbers and its use is increasing. He stated that it is a vital service that many in the local community could use.

Mr. Anderson thanked the members of the Dover Police Department for doing a tremendous job, day in and day out, and Chief Mailey for his leadership of the Department. He advised that he had been getting extraordinarily positive feedback from members of the community about Dover Police Department.

Mr. Lewis, as Chair of the Safety Advisory and Transportation Committee, commended Chief Mailey and his staff for doing an awesome job in the City.

Mr. Neil noted that he has attended a number of Downtown Dover Partnership meetings where he heard that they have a chance to develop a site and somebody witnesses a drug transaction. He asked if parking a marked vehicle in areas of heavy crime would act as a deterrent to crime. Responding, Chief Mailey stated that it had helped at certain times; however, people also become conditioned to the parked cars. He advised that Community Policing will park a vehicle in an area to deter juvenile crime.

Mr. Hare stated that he thought the cadet program was phenomenal. Chief Mailey noted that they are not getting an influx of young people and are trying to get them interested in the program again. He advised that once they are in the cadet program, they are sought by other police departments.

Mr. Lindell thanked the Dover Police Department for their service to the community. Noting that the authorized strength of the police department is 101 and they are currently at 96 officers, Mr. Lindell asked if the 96 officers included those who were out due to vacation or sickness. Responding, Chief Mailey stated that it varies and he noted that they currently have four (4) people in the academy until September, some officers on light duty, and other officers providing in-service training, which is mandated by the Council on Police Training. He advised that, once the officers return from the academy, the department will be at 100 officers with one (1) vacancy.

Mayor Christiansen congratulated Chief Mailey and the men and women at the Dover Police Department, City Staff, and the members of City Council for their continued support of the Dover Police Department, because they are part of the team that makes the department great. Additionally, Mayor Christiansen thanked the members of the public for their confidence and their cooperation with the Dover Police Department, noting that public cooperation is increasing and they are actually becoming a part of public safety, because public safety in the community is having the community involved.

Mr. Hare moved for acceptance of the 2017 Annual Report of the Police Department. The motion was seconded by Mr. Lewis and unanimously carried.

PUBLIC HEARING/FINAL READING - PROPOSED ORDINANCE #2017-16

A public hearing was duly advertised for this time and place to consider approval of proposed zoning text amendments to Appendix B - Zoning, Article 3 - District Regulations, Section 28 - Traditional Neighborhood Design Zone (TND), Subsection 28.52 - Neighborhood Commercial District.

Mr. Neil moved that the Final Reading of Proposed Ordinance #2017-16 be acknowledged by title only, seconded by Mr. Lewis and unanimously carried. *(The First Reading of the ordinance was accomplished during the Council Meeting of January 8, 2018.)*

Mr. Dave Hugg, Director of Planning and Community Development, advised members that the amendments dealt with the provisions related to neighborhood commercial districts as part of the Traditional Neighborhood Design (TND) zone. He noted that the issue before them was that the current ordinance does not allow for certain uses particularly, in this case, fuel pumps or fueling stations associated with convenience or other services. This matter was brought forward as a part of the ongoing development discussions for the area covered by the TND. Because of the technicality of it being in the company's plan, the actual action was brought to the attention of three (3) members of Council and put on the agenda for consideration. Mr. Hugg advised that the ordinance would allow fueling stations as a conditional use in the neighborhood commercial district, as opposed to being prohibited in the current zoning.

Council President Slavin declared the hearing open.

Mr. Tom Carney, on behalf of Mr. John Paradee and Pettinaro, who initiated the text amendment, advised that he thought Mr. Hugg sufficiently addressed the substance of the ordinance, which in

essence, amends the zoning code to permit uses that our market trends are demanding while maintaining control and the integrity of the TND through the conditional use process. He respectfully requested the support and the approval of the proposed zoning amendment.

Mr. Todd Fry, of Duffy and Associates, the engineer for the project, advised that he was present to answer any questions related to the request.

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

Mr. Hare moved for adoption of the ordinance, as recommended by the Planning Commission. The motion was seconded by Mr. Lindell and, by a unanimous roll call vote, Council adopted Ordinance #2017-16, as follows:

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

That Appendix B - Zoning, Article 3 - District Regulations, Section 28 - Traditional Neighborhood Design Zone (TND), Subsection 28.52 - Neighborhood Commercial District, of the Dover Code, be amended to read as follows:

28.52 Neighborhood commercial district: Additional uses permitted in this district include the following subject to the requirements set forth in subsection 28.7:

28.521 Convenience retail stores such as, but not limited to, drug stores, grocery stores, restaurants, variety stores, or combinations thereof. Fuel pumps accessory to a convenience retail store may be permitted as a conditional use, 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. Drive through drug stores shall be allowed if they are of superior design and screening consistent with the intent of the TND zone. There shall be no drive-through restaurants.

28.522 Personal service stores such as, but not limited to, barber shops, beauty parlors, and laundry/dry cleaning establishments.

28.523 Service establishments furnishing services other than of a personal nature, but excluding motor vehicle storage, repair, or service.

28.524 Business, professional, and government offices, banks, philanthropic or not-for-profit offices, and financial institutions. Drive through banks shall be allowed if they are of superior design and screening consistent with the intent of the TND zone.

28.525 Any of these uses mixed with residential uses in the same building.

ADOPTED: MARCH 12, 2018

DOVER HUMAN RELATIONS COMMISSION REPORT - FEBRUARY 15, 2018

The Dover Human Relations Commission (DHRC) met on February 15, 2018 at 6:16 p.m. with Chairman Henderson presiding.

OPEN FORUM

The Open Forum was held at 6:03 p.m., prior to the commencement of the Official Council Meeting. Mr. Henderson declared the Open Forum in session and reminded those present that the Commission was not in official session and could not take formal action.

There was no one present wishing to speak during the Open Forum.

Election of Commission Chair

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

Mrs. Herbert moved to nominate Mr. Henderson to serve as Commission Chair, seconded by Mr. Gaddis.

Responding to Mr. Fleming, Mr. Henderson stated that he was willing to serve another term.

Mr. Gaddis moved to close the floor for nominations, seconded by Mr. Fleming and unanimously carried.

The Commission elected Mr. Theodore A. Henderson to serve as Commission Chair.

2017 Annual Report to City Council

Referring to the Dover Human Relations Commission 2017 Annual Report to City Council, Mr. Henderson advised that he, Mr. Fleming, Ms. Mishoe, and Mrs. Herbert had contributed portions of the report. Responding to Mr. Henderson, Mrs. Jody Stein, Administrative Assistant, City Clerk's Office, advised that the report would be submitted to Council during their Regular Meeting of February 26, 2018 or March 12, 2018.

The Commission recommended acceptance of the Dover Human Relations Commission 2017 Annual Report to City Council.

Approval for Commissioners to Attend Mediation Training/Update - Education Committee (Fleming)

During the Regular City Council Meeting of February 12, 2018, members approved the DHRC's recommendation to place consideration of mediation training on a future agenda. Referring to the Mediation Training section of the Dover Human Relations Meeting Report dated February 15, 2018, submitted by Mr. Rocha, Mr. Henderson stated that Mr. Rocha had indicated that all members could attend mediation training for $250. Mr. Henderson stated that he thought that was a great price. Referring to the FY 2018 DHRC Budget Report, as of February 7, 2018, Mr. Henderson noted a

budget balance of $2,953.92. He stated that Mr. Rocha's recommendation was to schedule a date in March for all commissioners who are interested, at a location conducive for members, and that members be trained in mediation services for landlord-tenant issues, employer-employee concerns, parent-child disputes, and neighborhood conflicts.

Mr. Fleming suggested tabling this item until consideration of agenda item #5, Update - Education Committee, because he had additional information regarding conflict resolution training.

By unanimous consent, members agreed to amend the agenda to consider item #5, Update - Education Committee, at the same time as item #3, Approval for Commissioners to Attend Mediation Training.

Mr. Fleming provided a flyer, entitled "Conflict Resolution: A Primer", which he had received when he attended a Conflict Resolution Coffee Coaching session offered by the Central Delaware Chamber of Commerce on February 14, 2018 from 8:00 a.m. - 9:00 a.m. Mr. Fleming indicated that the session was led by an attorney and he had learned that Alternative Dispute Resolution (ADR) was currently receiving more attention and looked upon more favorably for settling disputes than litigation, which can bog things down for weeks, months, or possibly a year at an extreme cost. He advised that the link included on the flyer would allow members to access the training that he received, which would give them a pretty good idea of mediation and resolution of disputes in accordance with ADR. Mr. Fleming noted that he was not saying that the mediation training that members would receive for $250 would not be as good or better; however, he suggested that after looking at the online activities they may feel that they do not need mediation training. He stated that he did not believe that members would be doing dispute resolution since they are not qualified and the DHRC does not have the power of courts or judgments.

Mrs. Herbert stated her understanding that mediation training participants would receive a certificate, which would make the training a little more official. Responding to Mrs. Herbert, Mr. Fleming stated that he did not receive a certificate for the conflict resolution training that he attended.

Mrs. Herbert stated that she thought the mediation training would be a good thing, noting that DHRC members had a little trouble defining exactly who and what they want to handle. She noted that if the Commission does mediation, the DHRC would take the first step before an issue is referred to someone else. Mrs. Herbert advised that she saw no reason why members could not do both mediation and conflict resolution training.

Mr. Henderson stated that members could always go online for conflict resolution training and further their knowledge. He noted that the key is to be equipped and, even though members may not be able to become involved legalistically in conflict resolution, they could certainly recognize it and aid people through the process.

Mr. Fleming suggested that if members took the time to look at the conflict resolution training online, they would then have a better idea of whether or not they want to do more.

Mrs. Herbert advised that she would look at the conflict resolution training; however, the State Human Relations Commission (SHRC) had suggested that the DHRC have a couple of people trained in mediation. She stated that she had not volunteered to receive mediation training, noting that this is something that she had done for years and did not wish to do anymore.

Mr. Henderson noted that the mediation training was intense and would be for two (2) days, with six-hour sessions from 9:00 a.m. to 3:00 p.m. He expressed his feeling that members of the DHRC should go.

Mr. Gaddis stated that he had previously expressed interest in going to mediation training when it was suggested. He indicated that he did not think there would be any better preparation for mediation training than going through the ADR information online, and the two (2) types of training would augment each other. Mr. Gaddis noted that it would be wonderful if there was some sort of certification for members through the People's Place mediation training.

The Commission recommended that DHRC members attend mediation training on March 22-23, 2018.

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

Proposed Revisions to DHRC Brochure

During the Regular City Council Meeting of February 12, 2018, members approved the DHRC's recommendation to place consideration of the mission statement in the DHRC brochure on a future agenda.

Referring to the Mission Statement Revision section of the Dover Human Relations Commission Meeting Report dated February 15, 2018, submitted by Mr. Rocha, Mr. Henderson noted that Dr. Nancy Maihoff, Commissioner, State Human Relations Commission, had recommended that the DHRC revise the mission statement in its brochure to shorten it. He noted that he, Ms. Paige, and Mr. Rocha had held a meeting regarding the brochure, Ms. Paige had reminded them that the mission statement on the brochure was consistent with the statement in the DHRC Strategic Plan 2015 - 2018, and these documents had already been voted on and approved by City Council. Mr. Henderson indicated that, as a result of their meeting, he, Ms. Paige, and Mr. Rocha recommended keeping the mission statement as written, to remain consistent with what Council had already approved.

Mrs. Herbert stated that the issue she had with the mission statement was that it was too long, noting that was possible to make it more concise. Mrs. Herbert explained

that goals are not put into mission statements and that mission statements are written so that goals can be developed. Mrs. Herbert stated that she was not sure what the mission statement was anymore, noting that there had been three (3) since she had been on the Commission.

Responding to Mr. Henderson, Mr. Gaddis stated that he and Mr. Henderson had previously put together a mission statement. Mr. Henderson noted that he and Ms. Paige had subsequently worked on a briefer statement.

Mrs. Herbert stated that Ms. Paige had advised her that she had used the statement in the brochure because it was already written. Mrs. Herbert indicated that she had seen a shorter statement, which she thought Mr. Gaddis had sent her, that she thought was closer to what a mission statement is.

Mrs. Jody Stein, Administrative Assistant, City Clerk's Office, reminded members that the DHRC's mission statement was included within the DHRC's Strategic Plan, and at one point members had decided it was too lengthy to use routinely, so they developed a concise statement of what the DHRC does. She explained that the mission statement in the Strategic Plan had not been changed, but members came up with a shorter statement. Mrs. Stein noted that the question was what would be included in the DHRC brochure.

Mr. Gaddis stated that he had a shorter statement and read it, as follows:

The Dover Human Relations Commission is committed to working to ensure community inclusion, intergroup cooperation, and fair treatment for all its citizens. The commission interacts with the City of Dover to ensure that it has and utilizes policies, programs, City ordinances, and specialized resources, and provides education and support to foster diversity, inclusion, and cultural competency in its organization and services. The Commission's goal is to promote understanding and appreciation of diversity, inclusion, and positive intergroup relations, and advocate for a fair and respectful environment among its citizens.

Mrs. Herbert advised that, in her opinion, this statement was better than the long one. She noted that the DHRC Strategic Plan is for 2015 - 2018 and suggested looking toward 2019 and having something more up-to-date and modern. She stated her assumption that the current Strategic Plan was approved by City Council in 2015.

For clarification, Mrs. Stein asked if members were discussing changing the statement in the DHRC brochure or whether they would like to look at amending the DHRC Strategic Plan. Responding, Mrs. Herbert stated that she would like to look at amending the Strategic Plan to make it clearer and easier to understand. Mrs. Stein asked if Mrs. Herbert was suggesting placing amending the Strategic Plan on a future agenda. Responding, Mrs. Herbert stated that she personally finds the Strategic Plan cumbersome to work with.

In response to Mr. Henderson, Mrs. Herbert indicated that the statement that Mr. Gaddis read would be sufficient for the brochure. She noted that the mission statement in the Strategic Plan should match the mission statement in the brochure. Responding to Mr. Henderson, Mrs. Herbert indicated that the statement in the Strategic Plan was inclusive of the statement read by Mr. Gaddis but slightly longer, and there would be no conflict.

Mr. Henderson stated that he did not see any conflict between the Strategic Plan and the shortened mission statement and suggested using this statement for the brochure. Mr. Gaddis stated that he liked this idea.

Responding to Mr. Gaddis, Mrs. Stein indicated that the decision about whether the brochure and the Strategic Plan should match was not hers to make. She stated that the topic on the current agenda was "Proposed Revisions to DHRC Brochure," and if members wished to adopt a new Strategic Plan, this should be placed on a future agenda for consideration, noting that there may be more wide-ranging changes.

Mr. Fleming indicated that he liked the shortened statement for the brochure, noting that the brochure is the Commission's public relations piece and would be given to people who really do not care about the DHRC's Strategic Plan, and Mrs. Herbert concurred.

The Commission recommended amending the DHRC brochure to replace the existing mission statement with the version read by Mr. Gaddis.

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

Updates

Community Engagement Committee (Mullen)

No update was provided.

Commission Members' Announcements

Mr. Henderson reviewed a newspaper article provided by Mr. Fleming, entitled "Dover St. Patrick's Day Parade Seeks Participants". Mr. Fleming suggested that members wear their green DHRC shirts and march in the parade as a Commission. Mr. Gaddis stated that he liked the idea. Responding to Mrs. Herbert, Mr. Fleming indicated that he hoped members would carry a banner advertising the Dover Human Relations Commission, noting that members had been looking for ways to get public exposure.

Mrs. Herbert indicated that she had been thinking more about having a table at some of the events at Legislative Hall. She stated that she would not participate in a parade but was willing to sit at a table.

Mr. Gaddis and Mr. Fleming expressed interest in attending. Mr. Fleming suggested polling the Commissioners who were not in attendance. Mr. Henderson stated that

he was in favor of the DHRC being involved but would probably not participate. He indicated that he would think about it further.

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

MONTHLY REPORTS - JANUARY 2018

By motion of Mr. Neil, seconded by Mr. Lewis, 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

SETTING OF PROPERTY ASSESSMENT APPEALS

Staff recommended that the 2018 Property Assessment Appeals be scheduled for May 29, 2018 through June 1, 2018 from 9:00 a.m. until 4:00 p.m.; June 4, 2018 through June 8, 2018 from 9:00 a.m. until 4:00 p.m. (if needed); and one evening (if needed). Members were advised that the hearing times are subject to change.

Responding to Mr. Anderson, Mrs. Cheryl Bundek, City Assessor, advised that one (1) evening meeting is typically scheduled; however, it had never been needed in the past. She also noted that additional appeals could be scheduled if necessary.

Mr. Anderson moved for approval of the dates and times recommended by staff for the 2018 Property Assessment Appeals, seconded by Mr. Hare and unanimously carried.

CITY MANAGER'S ANNOUNCEMENTS

Mrs. Donna Mitchell, City Manager, reminded members that water distribution system flushing would begin on April 8th, Spring Cleanup would begin on April 9th, and leaf compost and wood chip giveaway would begin on April 6th.

COUNCIL MEMBERS' ANNOUNCEMENTS

Mr. Sudler, as the Fourth District Councilman, thanked Apostle Marion Lott, Executive Director of the House of Pride, and Mrs. Carolyn Fredericks, President/CEO of the Modern Maturity Center, for taking the time to call him that day to convey their position in regards to the City of Dover's Proposed Ordinance #2018-03. He advised that, after severe pondering over the matter, he had chosen not to support the ordinance on behalf of the Fourth District as its representative.

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

Meeting adjourned at 8:51 p.m.

TRACI A. McDOWELL
CITY CLERK

All ordinances, resolutions, motions, and orders adopted by City Council during their Regular Meeting of March 12, 2018, are hereby approved.

ROBIN R. CHRISTIANSEN
MAYOR

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ECONOMIC DEVELOPMENT COMMITTEE

The Economic Development Committee met on February 28, 2018 at 2:01 p.m. with Mayor Christiansen presiding. Members present were Mr. Hudson (City Manager's designee) and Mr. Hugg. Mr. Hare, Mr. Cole, Mrs. Mitchell, Ms. Evans, and Mr. Hammond were absent.

AGENDA ADDITIONS/DELETIONS
Due to the lack of a quorum, the agenda was not adopted.

Mayor Christiansen stated that the meeting would be informational only and no action would be required.

Wilmington University Contribution for Economic Development (Dr. Clinton Robertson)
Dr. Clinton Robertson, Assistant Dean and Professor, College of Business, Wilmington University, advised members that he had been at Wilmington University as a full-time employee for 22 years following his employment as an engineer with Dupont. Ms. Jean Davis, Assistant Professor and Regional Chair, College of Business, Wilmington University, stated that she had approximately 30 years of accounting experience, is a Certified Public Account (CPA), and had been with Wilmington University approximately 10 years.

Dr. Robertson stated that Wilmington University had met with Mayor Christiansen several times to discuss opportunities for cooperative efforts and partnerships for economic development with the City of Dover and Kent County. He advised that a meeting was held last week to brainstorm ideas and was attended by himself; Ms. Davis; Mayor Christiansen; Dr. Don Stuhlman, Wilmington University, Chair, Finance Programs; Mr. Mike Karia, Chair, Wilmington University, Adjunct Program Coordinator; Mr. Jim Waddington, Economic Development Director, Kent County Levy Court/Kent Economic Partnership; and Mr. Kirk Johnson, Professor of Economics, Goldey Beacom College. Dr. Robertson indicated that participants' ideas quickly solidified regarding major industries and growth expected in Dover and Central Delaware, and he provided and reviewed a handout, entitled "Wilmington University Contribution for Economic Development" **(Attachment #1)**.

Dr. Robertson indicated that the major industries in Delaware are food and restaurant, agriculture, healthcare services, and manufacturing. He explained that Wilmington University had recently been working with the Delaware Restaurant Association and noted that the food and restaurant business is the biggest employer in the State, with more than 500 restaurants and 50,000 employees. He indicated that they were looking at a number of training and educational programs to get into and had hired Mr. Van Hampton, a Wilmington University graduate and Executive Director, First State Community Loan Association, as a part-time adjunct instructor. Dr. Robertson stated that Mr. Clinton Tymes, Small Business Development Center, was working with Mr. Hampton.

Dr. Robertson advised that there had been discussion regarding food service in downtown Dover, particularly Loockerman Street. He asked members what they would picture on Loockerman Street in three (3) to five (5) years, noting that millennials are drawn to bars and restaurants. Dr. Robertson stated that Delaware Technical and Community College (Del Tech) and Polytech have culinary arts facilities and, if they were pulled together with business and management programs, there could be a culinary institute at a place like the Loockerman Exchange. He advised that he went to upstate

New York and saw how these culinary institutes work. Dr. Robertson stated that an institute in Canandaigua, New York shows students how to form a table and make preparations, and even has culinary retail outlets. He suggested that local colleges and universities could work together to do something new and innovative like this, noting that these institutions have articulation agreements but had never taken an active role in partnering to move ahead toward a common goal.

Dr. Robertson informed members that healthcare had also been discussed, noting that this field was growing in the local area. He explained that the engine for growth was not just the increase in technology and healthcare but also demographics, since hundreds of retirees are moving into the area because of the taxes, climate, and great active adult communities. Dr. Robertson advised that he had been in this type of community for 17 years and it had drawn his neighbors from Pennsylvania, New York, and New Jersey. He noted that baby boomers would need healthcare, including long-term care, more and more. Dr. Robertson stated that Wilmington University has a nursing program and its business program offers a master's in healthcare administration, which had been very popular, and a number of their graduates work at Bayhealth Medical Center. He indicated that Del Tech also has a nursing program and suggested that these programs could be pulled together for a united front for economic development in Dover and Kent County.

Dr. Robertson advised that a number of manufacturing companies had left the area and it would be nice to have a concerted effort to bring manufacturing back. He stated that a good, educated, confident workforce is one (1) thing that would do this. Dr. Robertson noted that the Delaware Manufacturing Extension Partnership (DEMEP), formerly the Delaware Manufacturing Alliance, would be having an exposé in the area in a couple of weeks and expressed the desire to reconnect to see where education might fit in. He advised that Wilmington University has programs like project management, as well as a number of information systems and technology programs. Dr. Robertson explained that they also have a new and growing program in data analytics that involves analyzing different ways of putting together huge banks of data to see where opportunities might be. He stated that there is a need to look at where and in which types of jobs millennials will be working, and what those moving here to work in data centers would be looking for. Dr. Robertson noted that millennials are gregarious and like the idea of a central place for bars and restaurants, and a number of towns and cities are focusing on this in their downtown areas. He stated that there is also a need for jobs, noting that there was a question of whether jobs or this type of downtown activity would come first. Dr. Robertson stated that colleges and universities can bring data analysis and IT to Dover, online as well as in class, and get a feel for what the market is. He indicated that it would be nice if the City of Dover and the educational institutions could grow together.

Dr. Robertson stated that another area of discussion was firefighters and police, noting that people come from everywhere to Dover to attend the Delaware State Fire School. He advised that Mayor Christiansen had mentioned that perhaps fire chiefs should have a terminal degree of some kind in management or business. Dr. Robertson informed members that Mr. Frank Richardson, a mutual friend of his and Mayor Christiansen's who was once in charge of the Fire School, had worked as the head of the two-year fire and safety program at Del Tech. Dr. Robertson explained that Mr. Richardson had mentioned the possibility of having those who complete the Del Tech

program come to Wilmington University to finish a bachelor's or master's degree program in fire and safety, while having Del Tech take care of everything. He stated that they had never really gotten into this new idea of cooperation among the different schools at this level. Dr. Robertson also advised that Wilmington University has a very dynamic program in administration of justice, which they had been looking at in regard to the police force and security in Dover.

Dr. Robertson informed members that transportation is another field being discussed, noting that a short-line railroad operator had been mentioned because there are spurs off the Norfolk Southern line. He noted that the leasing of railroad lines was allowed after railroads were deregulated in1980. Responding to Dr. Robertson, Mr. Dave Hugg, Director of Planning and Community Development, stated that the Delaware Coast Line Railroad had taken over a lot of the short-haul traffic on the lower part of the Peninsula and could be seen regularly on the west side of Dover using those tracks. He advised that he did not know who their primary customers are, but the railroad is clearly a fixed investment that is grossly underutilized for freight and is not being utilized for potential passenger services. Referring to the air cargo ramp at Dover Air Force Base (DAFB) mentioned in the handout, Mr. Hugg stated that there had been a renewed effort by Mr. Waddington and a committee that is trying hard to get a use agreement signed, and things were starting to happen again at DAFB.

Mr. Hugg informed members that a number of older industrial sites with great rail access were not being used, and there may be opportunities to use a site that had been developed and used for heavy activity as a freight transfer station or some other kind of railroading activity. He indicated that Dover is ideally situated to have a presence for both air and rail. Mr. Hugg stated that Mr. Waddington had discussed the logistics of civilian transportation in and out of DAFB and mentioned that cargo planes have to leave Dover and go to LaGuardia or JFK to be serviced and parked because they cannot be here for more than a specified number of hours. Mr. Hugg indicated that it would be great if there was local service and there was a lot of opportunity for growth in that area.

Dr. Robertson stated that 24/7 availability of the runway is needed for air cargo. He advised that there are opportunities for freight because Dover is centrally located with Baltimore, Washington, New York, and Philadelphia. Dr. Robertson stated that he had heard that fresh flowers from South American were being pursued some years ago, noting that approximately 20 planes come into Miami International Airport per day and unload flowers. He explained that the flowers are placed in trailers and come all the way here for $1,400 per trailer, and he suggested the possibility of getting flowers closer and distributing them. Mr. Hugg indicated that a freight airline had been relaying fresh flowers from Miami to Dover using DAFB; however, they ran into the problem of not having anyplace to park or service the airplanes. He noted that planes have to fly to Dover, offload, and find somewhere to lay over until the flight back. Mr. Hugg advised that some pieces are missing and Dover could fulfill all those things. He stated that there are only one (1) or two (2) commercial or private jet servicing and rehabilitation companies in Delaware, including one (1) in New Castle County, and there is a huge market in private upscale commercial jets that have to be serviced, maintained, and rehabbed. Mr. Hugg noted that a friend who worked at the Greater Wilmington Airport for such a company advised that they were booked 24/7 and had a waiting list.

Dr. Robertson stated that Wilmington University has a number of students from Pats Aircraft in Georgetown who rehab aircraft. Mayor Christiansen noted that Pats Aircraft rehabs planes for the Saudi royal family. Mr. Hudson advised that Keystone Helicopters in Chester County, Pennsylvania rehabs helicopters and had also made specialized helicopters for Saudi Arabian families. He stated that four (4) years ago this company was trying to expand to close to 3,000 jobs, having a very difficult time trying to find qualified people, and starting to pull people from the DC and Maryland areas to come to Chester County, Pennsylvania. Mr. Hudson advised that planes would be another market.

Mr. Hudson informed members that there were culinary schools in Philadelphia that have school by day and sell the food they make to the public at night. He explained that they advertise their up-and-coming chefs and put out white tablecloths, and he stated his assumption that they were still doing well, noting that the community at-large wanted to help support them. Mr. Hudson suggested this as a possibility for Wilmington University and other schools at the Loockerman Exchange, noting that they could actually make money from people coming to eat and enjoy themselves. Ms. Davis noted that product sales would help with a lot of the costs. Mr. Hugg advised that the University of Delaware had done this successfully with their culinary program and had a fancy restaurant which was both a training and marketing opportunity.

Mr. Hugg indicated that, in recent discussions, the owner of the Loockerman Exchange had mentioned offering a variety of foods, such as a sushi bar and a barbecue, noting that this type of setting is increasingly being sought by millennials. He explained that, during the Downtown Dover Partnership (DDP) meeting of February 28, 2018, there had been discussion about how to make downtown Dover different. He suggested that one (1) way to do so would be to make it a foodie heaven and encourage a variety of small restaurants. Mr. Hugg noted that a block in New York may have 20 small restaurants, each with their own kind of specialty. He expressed his belief that there were real opportunities to take advantage of food innovation, from the standpoint of entrepreneurs ranging from those making jelly in their kitchens to those in farm-to-table enterprises. Mr. Hugg advised that there had been discussions about the potential for aquaponics or hydroponics in an urban location downtown because that area is a food desert with no places for people of modest income to get good and fresh foods. He stated that up-and-coming entrepreneurs need somebody to handhold and train them, noting that marketing requires a different skill set. Ms. Davis noted that this is where the bridge would come in with Wilmington University, which would teach entrepreneurs business skills.

Mr. Hugg advised that a university in Glassboro, New Jersey, has a joint innovative kitchen program that provides hands-on teaching on how to write a marketing plan, distribute a product, etc. He noted that this interesting model provides a kitchen that allows students to make a product, such as strawberry jam, in some quantity and with some assurance of meeting health codes and also provides advice about such things as product label design. Dr. Robertson indicated that this program was like an incubator and he believed that it was called a build-out.

Mr. Hugg stated that there are a lot of good business programs in the State but no one offers undergraduate and graduate level education aimed at public administration, and he was unsure if a degree in public administration is available. He noted that not all of those with bachelor's degrees in business are necessarily ready to step into public administration and do it well. Ms. Davis advised

that Wilmington University's undergraduate degree is not in public administration but has something to do with government; however, they offer master's degrees in management and public administration. She indicated that the numbers in this program had been dwindling a little and they may need to update it. Ms. Davis suggested that perhaps Wilmington University should meet with City staff who work in public administration to see what they are missing and promote their program better.

Mr. Hugg stated that the University of Delaware has an Institute for Public Administration that is focused largely on non-profit management and is not really preparing the next crop of managers that is needed. He advised that the International City Managers Association did some analysis not long ago on the graying face of city managers and concluded that more and more communities will be unable to find managers with any kind of focused training. He recalled that at one time there were a couple of thousand vacant city manager jobs across the country, and towns had been looking for years to fill them.

Dr. Robertson stated that the time might be right for an advisory board in Dover, and Wilmington University would welcome the City's participation. Ms. Davis advised that Wilmington University offers public administration classes for their master's degree at DAFB and had also offered them in Georgetown and Dover, noting that perhaps they were not marketing this well.

Mr. Hudson stated that, as a lot of the leadership in Delaware municipalities are getting older and retiring, people are being picked who may have on-the-job experience but not necessarily a degree. Ms. Davis expressed a desire to meet with staff to discuss Wilmington University's courses.

Ms. Davis asked if cities target individuals who have the ability to move up or if people with experience come from the outside. Responding, Mr. Hugg stated that many people come into this profession from the planning side, but a lot come out of the business environment and may or may not understand some of the subtleties.

Mr. Hudson stated that many job announcements for city managers or assistant city managers indicate that they are looking for advanced degrees. He advised that the field is starting to understand that it is okay to have book knowledge; however, those with worldly experience in conjunction with what they have learned will do a lot better. Dr. Robertson stated that he would like to meet with Mr. Hugg and Mr. Hudson in the next couple of months to discuss public administration and perhaps some ideas to develop a city manager.

Responding to Mr. Hudson, Ms. Davis stated that Wilmington University offers the face-to-face classes for the public administration program only at DAFB, noting that their numbers were dwindling a bit and there were only five (5) or six (6) students. She advised that their online programs were doing well. Dr. Robertson stated that the online program would not give students any practice interfacing with other people, as city managers and those in public administration must do.

Mr. Hudson advised that those in resource professions must be able to deal with people, which can not be taught by a book, and must also have a personality that can deal with constant change. Dr. Robertson stated that Wilmington University had started to include internships and co-ops, which

may be something they need to put into public administration. He noted that meeting with Mr. Hugg and Mr. Hudson as advisory staff would provide additional credibility for changing their program.

Mr. Hugg stated that universities could be beneficial to the City in the areas of data analytics and understanding what is going on out in the real world on a longer-term basis. Mr. Hugg advised that retail business models of 10 years ago are outdated and there are many new permutations of how people conduct business, whether face-to-face, over the internet, or both. He indicated, for example, that everyone had been told that big supermarkets were the way to go; however, smaller 15,000 square foot supermarkets were having success because some customers want convenience and value pricing and do not care about brands. Mr. Hugg cited additional trends, including chains like Starbucks, online banking, and walk-in medical care. He stated that he struggles every day to keep up with the new marketing norms, and this is an area where value could potentially be added from the academic side, suggesting that graduate students could be assigned research projects such as tracking the evolution of how people eat or why Wawa is so successful. Mr. Hugg indicated that the City needs to understand this better to know how to manage land use in a changing environment.

Ms. Davis stated that Wilmington University master's degree and doctoral students write theses and dissertations and suggested that City staff could come up with ideas. She noted that they also offer internships and co-ops, and if students could be matched to the City's needs, the University, the City, and the students would all win. Mr. Hugg stated that he would like the University to open an ongoing dialog with the City due to the changing demographics.

Mr. Hudson noted that the population in Delaware is changing, with many people coming from the northeast who are bringing or looking for changes and wanting to go somewhere small, quaint, and walkable. He stated that West Chester and Trolley Square in Wilmington are prime examples where there are new restaurants, eateries, and bars that are full all of the time. Dr. Robertson noted that a lot of people already live in these areas. Ms. Davis stated that Dover has a built-in clientele with the colleges in the area, noting that it is a college town without being a typical college town.

Mr. Hugg stated that a couple thousand college students live two (2) blocks from the downtown area and never go there. He advised that Wilmington University students are largely driven by car, pass by the downtown area, and the City does not know what their preferences are. Dr. Robertson noted that there were challenges when W.T. Smithers was catering to students and State Street became rowdy at 1:00 a.m. Mr. Hugg explained that there are trade-offs, and understanding what they are is important. He stated that university students are an integral part of the community in Newark and are not in Dover and the question is why they are not. Mr. Hugg advised that it was not because the institutions offer many great things on campus.

Mr. Hudson stated that Newark has a vibrant downtown, which Dover does not have but would like to have. He expressed the need for just one (1) big-name destination, like an Iron Hill Brewery, and advised that this was how West Chester started. Mr. Hudson indicated that Iron Hill took a chance, college students went, and the area started filling in overnight. He stated that Dover's downtown is beautiful, much better than other downtown areas he had seen, and close to Route 13, and he could not understand why people were not coming in. Mr. Hudson noted that he lives in Wilmington and his friends there do not know where the downtown area in Dover is. He advised that the City's

administration had talked about signage, but there is really not a lot downtown when people drive there.

Responding to Dr. Robertson, Mr. Hugg stated that there are incentives for downtown, such as waiving fees for building permits and business licenses, but it lacks a "wow." He noted that there are a couple of dress shops, bars, etc., but not a restaurant row, entertainment strip, or boutique area. Mr. Hugg stated that a research project may be an opportunity to ask some of these questions. Ms. Davis suggested that perhaps they could survey the people and colleges in the area and ask what they would like to see and what would bring them downtown. Mr. Hugg explained there were four (4) new women's boutiques downtown that seemed to stay open and in some places expand, but they are very much alone. He stated that he wondered how many of their customers are also buying a cup of coffee or lunch, and if they see their shopping experience as anything but a trip to a boutique.

Dr. Robertson stated that Wilmington University would like to partner with the City to help develop Dover and central Delaware.

Mr. Hugg suggested that Wilmington University get involved with the Kent Economic Partnership, Greater Kent Committee, DDP, and the food innovation program that the County is running. He noted that a lot of serious energy is being spent and people are being asked to come and join. Mr. Hugg explained that the Greater Kent Committee is a very focused group of about 80 or 90 key business leaders and Kent County has organized a plant managers group for manufacturing-related businesses that meets periodically.

Ms. Davis stated that Mr. Waddington had suggested that Wilmington University be part of the discussion and learn about it. Dr. Robertson noted that Wilmington University is also a stakeholder.

Mr. Hugg stated that education is one of the major components in Dover's economy but he was not sure that this is recognized or promoted well. He noted that the average person would not think of Dover as a center of education or higher education, as they may think of Newark and Wilmington, and collectively this message is not being sent. Ms. Davis stated that if Wilmington University can work with the City to find out what jobs are available in this area, they can train students who will stay here.

Meeting adjourned at 2:59 p.m.

Robin R. Christiansen
Chairman

RRC/JS

Attachments

Attachment #1 - Handout entitled "Wilmington University Contribution for Economic Development," provided by Dr. Clinton Robertson

Wilmington University Contribution for Economic Development

Presented by Dr. Clinton Robertson

Major industries/growth expected in Dover and Central Delaware: food/restaurant, agriculture, health care, service (professional fire fighters, police), manufacturing

Potential Program Offerings through Wilmington University:

Concentrate on degree, certificate and continuing education offerings to promote workforce development and work ethic

1. Food service/restaurant
    a. Review pathways program for Polytech and DE Tech culinary students
        i. Offer business courses specific to the food industry to bridge the gap between culinary expertise and business skills
        ii. Clear path for continuing education keeps the students in DE, through school and hopefully beyond
    b. Review ideas for a partnership with the DE Restaurant Association
    c. Utilize agriculture industry in restaurant planning
        i. Farm to table restaurants
        ii. Food innovation
2. Health care
    a. Market existing health care programs to new and existing health care organizations for continuing educations and work force development
3. Manufacturing
    a. Review our current offerings and expand offerings (degrees/certificate programs) focusing on manufacturing
        i. Production/logistics
        ii. Project Management
        iii. Maintenance
    b. Opportunities – manufacturing firms
        i. New short line operator for railroad – Carload Express
        ii. Air cargo ramp at DAFB
4. Professional Fire Fighters/Police
    a. Degree pathways for business degrees for public servants
        i. Management skills, human resources, budgeting, leadership

Becoming Involved in Economic Development

1. Be a part of the ongoing economic development discussions
2. Join professional organizations
    a. International Economic Development Council
    b. Northeast Economic Developers Association

COUNCIL COMMITTEE OF THE WHOLE

The Council Committee of the Whole met on March 13, 2018 at 6:00 p.m., with Council President Slavin presiding. Members of Council present were Mr. Anderson (arrived at 6:28 p.m.), Mr. Sudler, Mr. Neil, Mr. Lewis, Mr. Cole, Mr. Polce (departed at 7:52 p.m. and returned at 7:53 p.m.), Mr. Hare (departed at 7:43 p.m.), and Mr. Lindell. Mayor Christiansen (departed at 7:41 p.m. and returned at 7:53 p.m.) was also present. Civilian members present for their Committee meetings were Mr. Caldwell and Dr. Warfield (*Parks, Recreation, and Community Enhancement*), Mrs. Doyle and Ms. Scarborough (*Utility*), and Mr. Shevock and Dr. Stewart (*Legislative, Finance, and Administration*).

Mr. Hare moved to amend the agenda to change the order of the committees, as follows: Parks, Recreation, and Community Enhancement Committee; Legislative, Finance, and Administration Committee; and Utility Committee. The motion was seconded by Mr. Sudler and unanimously carried.

PARKS, RECREATION, AND COMMUNITY ENHANCEMENT COMMITTEE

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

AGENDA ADDITIONS/DELETIONS
Mr. Neil moved for approval of the agenda, seconded by Mr. Lewis and unanimously carried.

Community Development Block Grant (CDBG) Application Review
Mrs. Tracey Harvey, Planner/CDBG Administrator, reviewed her memo to the Parks, Recreation, and Community Enhancement Committee, dated March 13, 2018, regarding CDBG Grant Recommendations for FY 2018, as well as the FY 2018 CDBG Proposed Budget.

Staff recommended approval of the proposed Community Development Block Grant (CDBG) allocation recommendations for the FY 2018 CDBG grant renewal fiscal year.

Mr. Neil moved to recommend approval of staff's recommendation, seconded by Mr. Lewis and unanimously carried.

Community Development Block Grant (CDBG) Program Semi-Annual Update
Mrs. Tracey Harvey, Planner/CDBG Administrator, reviewed the CDBG Semi-Annual Report, December 2017 - February 2018.

Mr. Neil moved for adjournment of the Parks, Recreation, and Community Enhancement Committee meeting. The motion was seconded by Mr. Lewis and unanimously carried.

Meeting adjourned at 6:08 p.m.

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

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

AGENDA ADDITIONS/DELETIONS

Mr. Hare moved to amend the agenda to consider item #7 - Proposed Ordinance #2018-03 Amending the Dover Code of Ordinances by Creating a New Chapter 84 - Public Safety Fee (Sponsors: Hare and Neil), following item #2 - Presentation - Comprehensive Annual Financial Report (CAFR). The motion was seconded by Mr. Lewis and unanimously carried.

By unanimous consent, the agenda was approved as amended.

Report of Independent Public Accountants for the Fiscal Year Ending June 30, 2017 (CliftonLarsonAllen, LLP)

On behalf of CliftonLarsonAllen, LLP, Mr. Bill Early, Principal, and Mr. Remi Omisore, Principal, reviewed a presentation entitled "City of Dover, Delaware, Audit Results, Year Ended June 30, 2017" **(Attachment #1)**.

Staff recommended acceptance of the report.

Mr. Neil noted, for clarification to those audience members present, that this was not the first time that member's of the Committee were receiving this information. He indicated that the report was included in the Committee meeting packet which was available on the City's website. Mr. Neil stated that everything is transparent, explaining that if anyone ever wants to know what's happening, they can go online and view the same material as members.

Mr. Neil thanked Mr. Early and Mr. Omisore for their impressive report and members of staff for working with them so closely.

Mr. Sudler asked Mr. Omisore to elaborate on his comment that expenses had decreased over the last couple of years. Responding, Mr. Omisore, referring to page 11, Income Statement Summary, of his presentation, explained that the expenses reflected are for the City as a whole and it is a combination of all of the funds. He stated that in looking at that $5M increase, the old accounting for Other Post-Employment Benefits (OPEB) standards related to how much you contributed to the trusts; however, when the new standard came into play, OPEB kind of smoothed out. Mr. Omisore advised that it is not a funding mechanism, it is more of an accounting mechanism of smoothing the expense across the plan. He stated that the best way to explain it is to compare your mortgage payment to the value of your home, explaining that if you bought a home for $400,000, the old standard only required you to record your monthly payment, but now the standard requires you to put the full value of your home, $400,000, and then you decrease those payments over the year. Mr. Omisore noted that it is more of a funding mechanism than a true expenses decreasing; unfortunately, when you see it in the financial statements, it's hitting as an expense. He stated that it is difficult to compare apples to apples, but when you do that it looks like the expenses decreased. Mr. Omisore noted that there was also some reduction in budgeted expenses on the General Fund, which goes into that process as well.

Mr. Early encouraged members to read Management's Discussion and Analysis included the in Comprehensive Annual Financial Report (CAFR), noting that it is a very high-level, year-to-year comparison that provides more detail regarding the exact causes for fluctuations in expenditures and revenues.

Mr. Sudler asked what the number one expense is for the City. Responding, Mr. Early stated that payroll is definitely the main expenditure.

Mr. Neil moved to recommend acceptance of the report, seconded by Mr. Lewis and unanimously carried.

Presentation - Comprehensive Annual Financial Report (CAFR)

Mrs. Lori Peddicord, Controller/Treasurer, reviewed a presentation entitled "City of Dover, Comprehensive Annual Financial Report, Fiscal Year Ended June 30, 2017".

Staff recommended acceptance of the report.

Mr. Anderson noted that the County Water/Wastewater was favorable by more than $400,000 and asked what the reason was for this. He asked if the County went down in their cost or if the City had other usage. Responding, Ms. Peddicord stated that the City may have budgeted higher than normal, expecting an increase in their fees. Mrs. Donna Mitchell, City Manager, stated that the City charged the Inflow and Infiltration (I & I) fee which helps offset the County treatment fees and that overage goes to capital projects for fixing the sewer mains. She explained that the City plans on the fact that the fee is going to be higher, noting that it has been budgeted that way for a while, and staff purposely looks for that extra to help pay the capital projects.

Mr. Neil noted that Pump Station #7 (PS #7), located in the Third Council District, is still having problems and being worked on. He asked if the additional costs regarding those problems were yet known and included in these figures. Responding, Ms. Peddicord clarified that the CAFR information was for fiscal year 2017; therefore, those unexpected expenses were not reflected in this report. In response to Mr. Neil, she stated that she did have a budget amendment come through for fiscal year 2018; however, she did not know whether the City had received all of the bills in regard to the problem at PS #7 yet.

Mr. Neil moved to recommend acceptance of the report, seconded by Mr. Anderson and unanimously carried.

Proposed Ordinance #2018-03 Amending the Dover Code of Ordinances by Creating a New Chapter 84 - Public Safety Fee (Sponsors: Hare and Neil)

Mrs. Donna Mitchell, City Manager, reviewed a presentation entitled "City of Dover, Public Safety Fee," and provided members with a list of owners of tax-exempt developed property, including the exterior square footage and sample fees **(Attachment #2)** and a list regarding public safety calls for 2016 - 2017 **(Attachment #3)**. She reminded members that during the budget process in May of 2017 there was discussion among Council members regarding a public safety fee and, rather than try to put that into the budget at the last minute last year, she took some time to develop a public safety fee for mid-year consideration. Mrs. Mitchell explained that this would allow time for the

Committee to vet the proposed ordinance, and if it is approved by Council, it would go into effect in July. She advised that one (1) of her goals in trying to get this out several months earlier than the budget process was to allow time to notify the entities that this would impact, and she also wanted to provide time to review all of the records and make sure they are reconciled.

Mrs. Mitchell, referring to page 3 of the presentation, explained that the graph depicted the outlay and receipts for public safety expenses and revenues for governmental activities. She stated this graph was included in the budget and included all public safety. Mrs. Mitchell advised that public safety includes code enforcement, the Fire Marshal's Office, police, and fire. She explained that to help offset that in the past, staff has shown the property taxes going toward these costs in the budget.

Mrs. Mitchell, referring to page 8, Sample Comparison of Fees by Non-Profit Entity, of the presentation, advised that this was only a sample of the entities with the highest calculations and did not include all 95 entities, which is 135 properties. She advised that the presentation did not include information regarding the amounts the City currently receives in payment in lieu of taxes (PILOT) from some entities. Mrs. Mitchell noted that one (1) of the reasons the State of Delaware is not included in the sample and is exempt from the fee is because they make a formula-based PILOT to the City in accordance with State Code. She stated that Luther Towers was not included in the sample because they made a PILOT to the City in the amount of $31,828 in July 2017. She explained that, for example, based on a $.02 per square foot public safety fee, Luther Towers would have paid the City approximately $7,160. Mrs. Mitchell advised that the Delaware State Housing Authority currently pays the City approximately $13,000 per year and based on a $.02 per square foot fee they would pay $2,866. She stated that Dover Housing Authority is budgeted to pay the City $50,000 this year and based on a $.02 per square foot fee they would pay $6,114. Mrs. Mitchell noted that The Milford Housing Development Corporation is budgeted to pay the City $7,500 this year and they would pay $1,726, based on a $.02 per square foot fee. She explained that by using the square footage, the proposed public safety fee would equalize all nonprofits to be paying at the same rate.

Staff recommended adoption of Proposed Ordinance #2018-03.

Mr. Anderson thanked Mrs. Mitchell, noting that he thought that she did a thorough and comprehensive job on this assignment. He asked if the City would lose money if entities stopped making their PILOT and paid a $.01 per square foot fee. Responding, Mrs. Mitchell stated that yes, at $.01 per square foot, the City would not make as much as it currently makes based on what the four (4) entities pay in-lieu of taxes.

Mr. Anderson stated that the City had done a lot to encourage economic development and asked if the proposed ordinance would be negative to organizations that had been partnering with the City to help in this regard. Mr. Anderson noted that organizations that provide affordable housing, such as Milford Housing and Habitat for Humanity, have to hold properties at least one (1) year to avoid the transitional cost. He asked if these types of organizations, including the new Dover housing, if it comes about, would pay a fee if they were to buy a property in order to improve it. He noted that these purchases benefit the City and provide a lot more tax money that if they were to pay a fee. Responding, Mrs. Mitchell stated that the fees for organizations, like Habitat, who build and sell houses are based on the Certificate of Occupancy when the house is built and the property assessment is done. She explained that such a property would not be on the records until it is

finalized and the assessed value is taken through the Tax Assessor's Office. Mrs. Mitchell advised that the bills are done quarterly and if they sold the house, they would never see the fee; however, if they have not sold that house, they would have a fee. She stated that the City provides a lot of economic development incentives through impact fee and permit waivers, and quite a few waivers had been provided over the past five (5) years. She explained that these waivers are tracked and the beneficiaries for the most part are NCALL, Habitat, and Milford Housing.

Mr. Sudler asked Mrs. Mitchell whether she had considered a restriction or constraint on the proposed fee. He asked, for example, if she would recommend that the proposed $.02 or $.03 not exceed $.05 or $.10, which would deter nonprofit or 501(c)(3) organizations from coming to the City. Responding, Mrs. Mitchell stated that Council would decide the rate during the budget process and she was not currently recommending any particular rate, this was only a discussion of the ordinance and fee. She explained that she had used $.01 and $.02 as examples, noting that a $.01 fee would garner $72,000, while a $.02 fee would garner $144,000. Mrs. Mitchell reminded members that the fee would only help the City pay for the costs associated with fire and police capital items; it would not pay for all of those items at these levels. Mr. Sudler suggested that members reach out to their State officials to get some input and see how it may affect constituents or 501(c)(3) business partners.

Mr. Lindell asked what the exact amount of money is that the City offers in total incentives for the various groups. Responding, Mrs. Mitchell stated that in the downtown district the City offered or waived fees in the amount of $21,811 in FY 17 and $61,545 in FY 16. She advised that there was also commercial development which amounted to $39,252 in FY 16 and $1,000 in FY 17.

In response to Mr. Sudler's suggestion that members reach out to their State legislators, Mr. Hare stated that he had been reaching out to the legislators for the past two (2) to three (3) years and it was obvious to him that the City of Dover was not treated the same as the City of Wilmington at Legislative Hall. He explained that the State distributes $3M to the three county seats, Georgetown, Dover, and Wilmington, and the City of Dover has approximately $275M worth of State properties that are exempt and receives $300,000, while the City of Wilmington has $175M worth of exempt property and receives $2.6M. Mr. Hare indicated that there was a caveat that they get more for less property because they have 50,000 people. He noted that the City of Wilmington also has a city wage tax but the State will not approve a wage tax for the City of Dover. Mr. Hare stated that he agrees that everyone should reach out to the legislature because there is obviously discrimination between Wilmington, Dover, Georgetown, and even Newark.

Ms. Judy Diogo, President, Central Delaware Chamber of Commerce (CDCC), stated that, since the public safety fee was announced, the CDCC had received a number of phone calls from nonprofits with concerns that there was a lack of information leading up to the discussion of a public safety fee. She advised that they were trying to figure out if the fee was about equity or need, noting that, from the information that they had heard at the meeting, it appeared that the reason for the fee was need. Ms. Diogo expressed concern that there were no examples of the rate in the ordinance, leading people to jump to conclusions, and she thanked Mrs. Mitchell for the list of owners of tax-exempt developed property, including the exterior square footage and sample fees, that was provided, which made it clearer and helped a great deal.

Ms. Diogo advised that a lot of nonprofits took hits at Legislative Hall last year and were still anticipating budget cuts. She recommended, on behalf of the CDCC's nonprofits, that the City meet with groups who will be impacted by this particular fee in a huge way. Referring to list of owners of tax-exempt developed property, including the exterior square footage and sample fees, Ms. Diogo noted that the highest fee listed at the $.01 per square foot rate was approximately $19,500 and the lowest was $10.54. She asked if there was a possibility of looking at the situations of organizations with higher fees, such as those ranging from $1,000 to $19,500. Ms. Diogo noted that these organizations are already paying fees to the City for water, electricity, etc., and suggested consideration of a different rate for some of the larger users.

Ms. Diogo noted that consideration was being given to implementing the proposed ordinance in April and starting billing in July. She requested, if it absolutely had to be done, that Council set the rate at $.01 per square foot, with a caveat that this would last for three (3) to five (5) years so that nonprofits can plan their budgets. Ms. Diogo asked that the City hold public workshops after this initial period to find out the fee's impact on nonprofit organizations. She stated that the impact is a missing piece of the puzzle, and she expressed the need to remember that nonprofits are providing services that the government cannot pay for.

Ms. Carolyn Fredericks, Modern Maturity Center (MMC), stated that she had called almost all members of Council and expressed thanks for the calls back that she received. She asked members what they considered the value of the MMC to the City, noting that they have paid $188,000 in utilities to the City, and do not receive any type of discount for the services they provide to residents. She noted that her counterpart in Newark had advised that the City of Newark provides Newark Senior Center a credit of $60,000 on their electric bill, which would be really nice for the MMC to receive. Ms. Fredericks stated that the MMC provided 133,000 Meals on Wheels to shut-in residents, just in the Dover area, at a value of $1.1M. She explained that Meals on Wheels is not all paid for by the State or Federal government and the MMC had to supplement that funding by approximately $100,000.

Ms. Fredericks informed members that 55-plus communities are tax paying and are locating to Dover in droves. She stated that The Grande, which bought the property adjacent to the MMC and is a big taxpayer, had just added another building. Ms. Fredericks reminded members that years ago the City provided the Senior Surrey for transportation but now the MMC provides transportation.

Ms. Fredericks stated that nonprofits had experienced a 20% cut in State funds and, even with those cuts, worked diligently not to reduce the services that they provide to their clients. She advised that the City had never provided any funding to the MMC, and the organization had not gotten any breaks on building or other fees. She noted that they had not received any breaks on the building permit for their current building program and were just assessed an impact fee of $6,000 for one (1) hand sink and one (1) floor drain. Ms. Fredericks advised members that the MMC has provided a social environment and services for older adults for almost 50 years, which makes Dover a great place to live and retire.

Mr. Sudler thanked Ms. Fredericks for reaching out to him and educating him about her position and continuing to educate members about the MMC's services and what they have and have not received.

Ms. Jeanine Kleimo, Chair, Dover Interfaith Mission for Housing (DIMH), stated that, in addition to the points that had already been made, DIMH had already submitted proposals for funding for the program year that will begin in July, so they had not had an opportunity to budget for any increase. She noted that costs are rising, but funding is absolutely not rising. Ms. Kleimo informed members that DIMH has brought homeless people off of the streets and made Dover safer as a result. She stated that this should not result in being charged fees for the services that they receive, noting that DIMH is a net contributor to public safety. Ms. Kleimo stated that DIMH puts approximately $3.5M every year into the local economy in terms of the wages generated by their clients that are hired by local employers, which is more than 10 times their budget and is a part of the economic development of the community of Dover. She asked members to consider the impact of this and other ways to engage with those working with disadvantaged populations to increase public safety in a way that does not cost them more money.

Ms. Mamie Charest, Executive Director, People's Place, requested that members not move forward with the proposed fee. She explained that People's Place had served Delaware's most vulnerable population for over 45 years. Ms. Charest advised that their Whatcoat Program is the largest homeless shelter in Dover and the only one that provides shelter for families. She stated that Whatcoat sheltered 417 adults and children and provided 13,500 nights of shelter in 2017, and the agency serves one-third of the homeless population in the State. Ms. Charest indicated that without their program people would be on the streets, and there would be an impact to the City in other ways. She expressed her belief that this fee would be pushed to the first responders in the City, noting that Whatcoat appreciates these responders very much but wants to work in partnership with them.

Ms. Charest stated that last year was a very hard year for People's Place and they received a 20% cut, which meant that their Whatcoat Program, through which they provide homeless shelter, is running at a large deficit. She explained that they had continued to operate that program as a good faith effort, knowing that they are doing good in the community. Ms. Charest asked members not to push the proposed ordinance forward.

Mr. Robert Clark II, President, Wesley College, noted that he would not repeat the things that other individuals had stated. He stated that he acknowledged the support and partnership that Wesley College had enjoyed with the City, County, and State. Mr. Clark advised that Wesley College views itself as Dover's, Kent County's, and Delaware's college that shares the privilege of educating and mentoring the future with other institutions of higher learning in this area. He indicated that Wesley is very proud of the education and opportunities they provide their students that will enable them to be catalysts of positive change in the region. Mr. Clark stated that he had been amazed that, since he became a member of the community, he could not go far without finding a Wesley alumnus who had impacted the culture, leadership, and future of the region and State, which he stated was Wesley's worth.

Mr. Clark stated that he thought that the current discussion was not so much about "do we or don't we" but about a coming together of the community and finding a partnership that works for moving it forward. He expressed the need to find something that is informed and collaborative, where various stakeholders work together to find out the short- and long-term implications and possible solutions. Mr. Clark stated that he thought it was important to gain perspective by finding out what other communities do, noting that Dover is not the only city facing this challenge. He advised that

Ms. Fredericks had made an excellent point and that the proposal was very focused on tax. Mr. Clark stated that, if members are looking at need and who provides relief, they must look across the board at community service, utilities, water, and the impact if an entity leaves. He indicated that he did not think there had been that type of discussion, noting that he just found out about the proposal a few days ago. Mr. Clark advised that he could not provide a recommendation until he had time to look at the problem and all of the options from an informed standpoint, and come together with a solution. He expressed concern that, in reading the newspaper, he saw things that inferred a lack of contribution by Wesley and others in the room, noting that he knew that was not intended but was how it read. Mr. Clark asked members to look at the jobs that are provided and the monies put forth. He stated that he was unsure whether what the City was trying to do was aligned with 9 Delaware Code, Section 8105. Mr. Clark requested that, before moving forward, everyone get together and perhaps form a group representative of those present, take a look at the realm of possibilities across the board, and find the right equity that will meet the needs for the near and long term. Mr. Clark advised that nonprofits of any sort, whether for education, healthcare, or any of the things that serve the community, are one (1) team and family, with one (1) collective future, and all their voices and efforts are needed to help see this matter through.

Responding to Mr. Anderson, Mr. Clark explained that 9 Delaware Code, Section 8105 addresses some of the things being looked at. He stated that Section 8105 referred to the legalities and expressed the need to focus on potential solutions and make sure there is informed input.

Ms. Valerie Swayze, Delaware Agricultural Museum, stated that she was speaking as a citizen who was born and raised in Dover and her comments did not apply to the Museum. She explained that she, the director, and Museum staff had seen an article in the newspaper regarding the proposed public safety fee earlier in the day. Ms. Swayze advised that the proposed fee would not apply to the Delaware Agricultural Museum; however, this did not mean that it would not in the future. She noted that the Museum leases its property from Delaware State University and when she saw the amount of approximately $19,000 for the University, she thought that the Museum would have to find a way to come up with the money. Ms. Swayze explained that the Delaware Agricultural Museum is one (1) of the only museums not funded by the State. She noted that they did take a cut like other nonprofits did. Ms. Swayze stated that she asks herself how the Museum can continue to do what they do when they receive a $4,000 per month gas bill or $3,000 electric bill. She explained that they see more than 100,000 kids per year from New Castle, New Jersey, Maryland, etc. Ms. Swayze stated that most museums in Delaware are free; however, the Delaware Agricultural Museum charges admission because they have to. She indicated that she had worked in budget and finance and that there have to be other ways, and she asked that everyone work together and look. Ms. Swayze noted that one (1) or two (2) pennies were currently being discussed; however, she guaranteed that before long it would be more.

Ms. Melissa Hopkins, Vice President of Sector Advancement, Delaware Alliance for Nonprofit Advancement (DANA), advised that DANA is a statewide membership organization for nonprofits in Delaware and their goal is to advance the nonprofit sector through advocacy, training, capacity-building, and research. Ms. Hopkins stated that DANA had concerns regarding the legality of the proposed legislation. She stated that, as previously stated, 9 Delaware Code, Section 8105 states "Corporations created for charitable purposes and not held by way of investment that are in existence on July 14, 1988, together with existing and future charitable affiliates of such corporations that are also not held by way of investment, shall not be liable to taxation and

assessment for public purposes by any county, municipality, or other political subdivision of this State." Ms. Hopkins stated that charitable nonprofits are exempt from this kind of statute and encouraged members to look into this further. In addition, she advised that the rationale behind the tax is that fire and police resources are insufficient, which she could appreciate; however, she thought there was not enough evidence to link the insufficiency of capacity at the Police and Fire Departments to the actions of nonprofits in the City of Dover. Ms. Hopkins questioned whether there was data showing a link between charitable organizations and insufficiencies in these agencies, because otherwise it felt as though the City was demanding a special payment from nonprofit organizations, which she thought was a question of equality.

Ms. Hopkins noted that nonprofit organizations in the City want to partner with Dover's police and fire organizations and requested consideration of how nonprofits are making it easier for law enforcement to do the job that they are intended to do. She noted that DANA's organizations in the City and statewide are serving homeless populations, feeding the hungry, serving the mentally ill, and serving as community safe spaces for children and teens. Ms. Hopkins cautioned members that the additional expense of one (1) or two (2) pennies being discussed did not seem like much, but does add up and will impact services offered in the City.

Ms. Hopkins expressed concern regarding the fee amount and collection process outlined in the legislation. She stated that the fee amount is not really clear, noting that the proposed ordinance states that, "The public safety fee amount and collection process will be examined by the city manager and city council annually during the budget formulation process...The city council will set and adopt the public safety fee amount...." Ms. Hopkins noted that it indicates that if revenues are insufficient to properly operate the public safety department, Council may need to reevaluate. She expressed concern that the language was shifting and that operational expenses were being discussed, versus capital funds, which she thought the proposed ordinance was really intended to serve, and suggested that this language be clarified. Ms. Hopkins stated that nonprofits in Delaware and in the City really want to be a partner to the City's police and fire organizations, and she expressed her hope that members continue to allow them to do what they do well and serve the City of Dover.

Mr. William Garfinkel, Bicentennial Village, congratulated members for bringing forth the proposed ordinance, stating that it was time for exempt corporations that use City services to pay their fair share, and there should be no more cost-shifting to homeowners and small businesses. He advised that the proposal was not something new, noting that federal credit unions are exempt from income tax but are required to pay county and municipal property taxes by federal law, and they had been paying ever since the credit union movement began. Mr. Garfinkel stated that it was only fair that other exempt properties start paying their fair share. He requested, on behalf of himself as a taxpayer and other taxpayers in the City, that members stay the course and pass the proposed ordinance.

Mr. Sudler moved to recommend that, due to the sentiment of the majority of the individuals present, the City not move forward with Proposed Ordinance #2018-03 until further discussion with the stakeholders and the legality of the matter has been clarified in lieu of evading legal ramifications. The motion was seconded by Mr. Anderson.

Mr. Slavin asked that members not make negative motions because members would be voting yes for the process to close, which had proved very confusing in the past.

Mr. Slavin expressed appreciation for the input received, noting that where members are currently and where they will be when legislation is eventually enacted are two (2) different places, and this is the nature of creating legislation. He advised that he considered the legislation to be organic and noted that it was not something that Council drummed up but came from numerous meetings that members attend with homeowners and neighborhood associations. Mr. Slavin explained that there had been a clarion call from people who were wondering why their real estate taxes offset services for people who do not pay taxes, and he could not defend it. He indicated that maybe those present and some of the things he had heard could help him create a defensible position; however, there is a principle of fairness that must be addressed. Mr. Slavin explained that, while good, honest, and ethical non-for-profits were currently being represented, there were also not-for-profits who clearly operate outside of their stated mission. He advised that they operate bars, campgrounds, and RV parking lots and sell cars on their property, which is not what they are chartered to do, and he expressed the need to tighten this up.

Mr. Slavin suggested rewording the motion, if the maker was amenable, to have the City Manager provide analysis of some of the ideas that had been heard, continue the dialogue, and bring forward an amended ordinance based on these ideas in one (1) month at the April meeting of the Committee. Mr. Sudler indicated that his intent was to have further discussion with the community before bringing this matter back to Council or the Committee and did not think that one (1) month would allow enough time. Mr. Slavin advised that the one-month suggestion was meant only as a marker so that members would have a report in a month's time.

Mayor Christiansen yielded to Mr. Lindell, noting that this was a meeting of the Council Committee of the Whole. Mr. Lindell stated that he supported the one-month delay proposed by Mr. Slavin, noting that this was an arbitrary number that could be changed. He stated that this time frame would be reasonable to get the conversation started and if the process was not complete the matter could be moved to another agenda, as had been done previously.

Mr. Hare noted that he would not be available for the second Committee meeting in April. Responding to Mr. Hare, Mr. Sudler stated that he would be amenable to amending the motion to state six (6) weeks, and Mr. Anderson concurred stating that one (1) month was not enough time. Mr. Slavin suggested that the motion be withdrawn and restated as a positive motion with a six-week time frame.

Mr. Lindell called the question.

The motion to recommend that, due to the sentiment of the majority of the individuals present, the City not move forward with Proposed Ordinance #2018-03 until further discussion with the stakeholders and the legality of the matter has been clarified in lieu of evading legal ramifications was withdrawn by Mr. Sudler and Mr. Anderson.

Mr. Sudler moved to recommend bringing this matter back for discussion in six (6) weeks, seconded by Mr. Anderson.

Mr. Sudler advised that his original motion had included further discussion with the community. Mr. Hare stated that it would be up to members to go out and talk to people. Mr. Sudler stated that he was more amenable to the City Manager having a meeting with the community.

Mr. Lindell advised that he had called the question on Mr. Sudler's original motion. Mr. Anderson stated, as a point of order, that Mr. Lindell's motion was not recognized and was irrelevant.

Mr. Hare stated that there was a motion and a second and the matter was still open for discussion.

Mayor Christiansen raised a point of order, noting that, as a matter of courtesy, he had yielded to Mr. Lindell. Mayor Christiansen suggested that he and the City Manager meet with those who are interested and bring information back to Council in a timely manner, in the interest of bettering the City's communications. Mr. Hare stated that he would also make himself available if his schedule permitted.

Mr. Anderson stated that he felt the discussion should be held; however, he was unsure if there was a fix because members were ignoring that money is brought in by some of the nonprofits. He explained, for example, that Restoring Central Dover and the National Council on Life and Labor Research (NCALL) had brought in a grant to help with lighting project demonstrations. Mr. Anderson advised that this grant alone was for more than the amount that they would pay for the next 10 years under the proposed ordinance. He stated that Restoring Central Dover grants had amounted to more than $0.5M for the community and this had to be taken into account.

Mr. Anderson advised that many demolitions that would have cost the City $15,000 - $30,000 apiece had been done by Habitat for Humanity, NCALL, and Milford Housing, saving the City well over $100,000. He stated that nonprofits are bringing in a lot of money through partnering with the City, and he expressed the need to look at the issue comprehensively, not just based on the small amount the City is losing but also on how much the nonprofits are bringing. Mr. Anderson expressed the need to ask questions, such as how much Wesley College's security footprint downtown saves the City. He noted that Wesley's security provides an extra set of eyes not just on campus but from Pear Street through State Street, and the comprehensive picture is a lot more than $144,000. He noted that he would like to see a legal opinion on this matter before the six-week period is over to see if it the proposal is legally defensible and if members should spend time on it.

Mr. Hare informed members that the City has one of the best police departments in the State. He noted that the Dover Fire Department is also one of the best and has an insurance rating of two (2) because, as a non-paid fire department, they are not allowed to be number one (1). Mr. Hare noted that the Dover Fire Department's response time in the past had been quicker than the Wilmington Fire Department's. He advised that, when time, apparatus, etc., are included, the cost every time the alarm goes off and responders go out the door is a minimum of $500 to $1,000. Mr. Hare stated that there is also a cost whenever the police have a call. He advised that there had been 123 fire and police calls to Wesley College in the past two (2) years, 277 fire and police calls to Delaware State University, and 662 police and fire calls to Bayhealth and questioned the cost of these calls. Mr. Hare noted that, as Ms. Fredericks had stated, costs were going up. He questioned if members should advise constituents that their taxes would be raised to cover false alarms.

Mr. Hare suggested the possibility of developing a set run fee for all fire alarms or police calls to a facility, and those who do not use the service would not pay for it. He stated that, as Mr. Anderson had advised, there may be some offsets to the costs; however, he did not think that the costs of close to 1,000 calls in two (2) years would be offset.

Mr. Neil stated that he and many of his neighbors, who own homes in a leased land community and pay a lot rent, appreciate the MMC's facilities and the services they provide. He explained that these same individuals had tried to purchase their homes but could not. Mr. Neil informed members that the company that bought the community's land had decided they wanted more money and raised their rent by $40. He noted that they are entitled to $3.52 by the Consumer Price Index for All Urban Consumers (CPI-U). Mr. Neil advised that, while the City is trying to bring in businesses, this money was now leaving Delaware's economy and going to Michigan and, unfortunately, the State was also involved because they guaranteed them a profit and took away all of their risk.

Mr. Neil expressed his belief that the City has an obligation and responsibility to protect students at the colleges as well as people who are in Delaware Housing Authority housing, Dover Housing Authority housing, and at Bayhealth. He expressed his hope that taxpayers who are moving into homes created by Habitat are not subsidizing police and fire protection. Mr. Neil suggested seeing if the nonprofits could come up with some suggestions during the interim period and that having the legal questions answered, noting that by that time members would be ready for a discussion about resolving some of the problems without raising taxpayers' payments. He noted that the PILOT program that Luther Towers had participated in may be an answer.

Responding to Mr. Lindell, Mr. Hare stated that there was a motion on the floor to bring this matter back in six (6) weeks.

Mr. Lindell called the question, seconded by Mr. Sudler and unanimously carried.

The motion to recommend bringing this matter back for discussion in six (6) weeks was unanimously carried.

Responding to Mayor Christiansen, Mr. Hare stated that, with the permission of Council, Mayor Christiansen and the City Manager could proceed with speaking to the aggrieved parties.

Status of Other Post-Employment Benefits (OPEB) and Pension Funds
Mr. Sudler moved to defer consideration of this item, due to time constraints. The motion was seconded by Mr. Lewis and unanimously carried.

Project Carry-Forward Budget Balances and Proposed Ordinance #2018-02 - FY 2017-2018 Budget Ordinances - First Amendment
Mr. Sudler moved to defer consideration of this item, due to time constraints. The motion was seconded by Mr. Lewis and unanimously carried.

Diversity and Inclusion Study Request for Proposal (RFP)
Mr. Sudler moved to defer consideration of this item, due to time constraints. The motion was seconded by Mr. Lewis and unanimously carried.

Ambulance Services Proposal

Mrs. Donna Mitchell, City Manager, informed members that City staff issued a Request for Proposals (RFP #18-0010CM) on November 15, 2017 for Ambulance Services, with proposals to be received by December 19, 2017. Two (2) proposals were received from Mid-Atlantic Care, LLC and PrimeCare Medical Transport, LLC, the current provider. In completing the review of the current proposals, staff also reviewed their financial statements, the Center for Public Safety Management (CPSM) Report of March 2016, and previous City Council minutes pertaining to the Ambulance Services. She explained that she had several conversations with the City Fire Marshal, Mr. Jason Osika, and Mrs. Kay Sass to help her understand the services provided and the current contract. Mrs. Mitchell advised that her findings indicated that RFP #18-0010CM was not sent to national firms as recommended in the CPSM Report, and staff had not followed through on Council's motion of May 22, 2015.

Mrs. Mitchell explained that staff was requesting to re-issue the RFP with the understanding that the recommendations of the March 2016 Report will be included. She noted that staff would also like to form an Administrative Committee of Medical and Paraprofessionals to assist the City with development and review of Ambulance Service Proposals and future contracts. The Committee would be established by the City Manager and approved by the Safety Advisory and Transportation Committee. The City Manager would be the Committee Chair, and the Emergency Management Coordinator would serve on the Committee as well.

Mrs. Mitchell advised that while the Mid-Atlantic Care, LLC proposal has a lower cost, staff has concerns with their ability to staff crews and provide ambulances with the current contract expiring on March 31. She noted that she did reach out to the CEO and COO to explain her concerns and let them know of the plans to reissue the RFP. Mrs. Mitchell stated that she had negotiated a six-month extension with PrimeCare Medical Transport, LLC, whose contract had a provision for two (2), one-year extensions. She explained that PrimeCare's new proposal contained a rate increase and the City would absorb this increase for six (6) months. Mrs. Mitchell noted that the public safety risk is too great to change a contract without several months' notice. She stated that a revised RFP will be drafted upon Council approval of the six-month extension of the current contract.

Staff recommended authorizing the City Manager to execute a six-month extension of the current contract with PrimeCare Medical Transport, LLC at the rates provided.

Responding to Mr. Lewis, Mrs. Mitchell stated that the current provider's proposed rate had increased from $40 to $45. She advised that there had been no rate increase over the three-year contract and she had agreed to absorb the rate increase for six (6) months while another RFP is issued.

Mr. Neil moved to recommend approval of staff's recommendation to authorize the City Manager to execute a six-month extension of the current contract with PrimeCare Medical Transport, LLC at the rates provided, re-issue the RFP with the understanding that the recommendations of the March 2016 Report will be included, and form an Administrative Committee of Medical and Paraprofessionals to assist the City with development and review of Ambulance Service Proposals and future contracts, with the Committee to be established

by the City Manager and approved by the Safety Advisory and Transportation Committee. The motion was seconded by Mr. Lewis and unanimously carried.

Mr. Lewis moved for adjournment of the Legislative, Finance, and Administration Committee meeting. The motion was seconded by Mr. Anderson and unanimously carried.

Meeting adjourned at 7:43 p.m.

UTILITY COMMITTEE

The Utility Committee met with Chairman Cole presiding.

AGENDA ADDITIONS/DELETIONS

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

Update - U.S. Route 13 East Pump Station #7 (PS #7) Emergency Response (Requested by Mr. Lewis)

Mrs. Sharon Duca, Public Works Director/City Engineer, provided an update regarding the U.S. Route 13 East Pump Station #7 (PS #7) emergency response in relation to the sanitary sewer overflow that occurred at PS #7 on February 19, 2018.

Mr. Lewis thanked Mrs. Duca and her staff for their due diligence in addressing this matter in an expeditious time frame, and asked if the City had any warranties on any of the related equipment. Responding, Mrs. Duca stated that some of the equipment was outside the time frame of a standard warranty and typical warranties would not cover the occurrence, due to the fact that the failure was related to the corrosive environment.

Mr. Lewis asked if there was a proposed final cost yet. In response, Mrs. Duca explained that based on the costs that she had received so far, which included emergency hauling services, environmental services, bypass pumping, the materials to change out the station, as well as the new pump components which were ordered, they were looking at more than $200,000. She stated that she was still waiting for some final estimates, and that amount does not include future component change-out that staff would like to do once the air scrubber is in place and the environment is more controlled.

Mr. Lewis noted that the City was collaborating with the County on the air scrubber and asked what the status was in that regard. Responding, Mrs. Duca advised that the air scrubber had been ordered after Council had approved it and, based on the most recent update, the manufacturing of the device was ahead of schedule so staff is hoping that it could be in by the end of April rather than the end of May. She explained that they would install it upon completion of the manufacturing.

Mr. Anderson stated that he knew that there had been samples collected and asked if there was any indication of environmental impact or potential problems. In response, Mrs. Duca advised that, as explained in her memo dated March 6, 2018, because of the sampling results received, staff had to go back and remove all liquid from the stormwater management pond located at the old Berry Van

Lines site, and apply lime to help control the area. She explained that Silver Lake involves much more complex chemical analysis due to the nature of the lake and staff is waiting to receive the report from the Department of Natural Resources and Environmental Control (DNREC). Mrs. Duca stated that it did appear as though there may be some kind of effect; however, she could not speak to the analysis in terms of the extent or whether it is within tolerable ranges.

Mr. Anderson asked whether there were anticipated environmental costs related to this and if the City would be solely responsible or if the cost would be split between the City and County. Responding, Mrs. Duca stated that as the City moves forward with the data, further discussions with the County would definitely involve the City Manager. She advised that at this time she could not assess the actual cost of what may have to be done for further clean-up, explaining that it is difficult to surmise what may have to be done in regard to the lake, for example. Mrs. Duca explained that the City is paying for the costs at this point but future arrangements are still up in the air.

Mr. Neil stated that PS #7 is located in his neighborhood and is known as "Big Stinky," which is why it was planned to have the scrubber clean it out. He noted that the problem was fortunately not affecting water. Mr. Neil advised that this would be a long-term project because the City is tied very closely to the County. He explained that the pipeline extending from Denneys Road to Capital Station will be replaced in two (2) years, which will affect traffic along Route 13. He noted that the current problem is a City problem; however, it is also a City/County problem because of its connection with this pipeline. He advised that he had tried to alert his neighborhood area, which was being affected, and he complimented staff for taking care of the immediate problem.

In response to Mr. Neil's comments, Mrs. Duca stated that she completely agreed that it is in the City's best interest for the County to get the line repaired. She explained that the County is planning to re-line it rather than dig it up. Mrs. Duca advised that this project will have a tremendous impact on traffic because the line runs down the median of Route 13, where turn lanes into facilities are located. She stated her understanding that the County's plans for the project are currently being reviewed and discussed with the Delaware Department of Transportation (DelDOT). Mrs. Duca indicated that part of the project could hopefully move forward toward the end of this year.

Responding to Mrs. Doyle, Mrs. Duca stated that the City has 44 pump stations, noting that the County owns and operates a few of these stations, such as the stations off Denneys Road and Water Street. She advised that, in the past, an odor could often be experienced coming from the Water Street station, and the County had installed an air scrubber unit at that location. Mrs. Duca explained that the solution for the City's station had been identified through working with the County, based on their experience and research at County stations.

In response to Mrs. Doyle, Mrs. Duca advised that, because of the environment that PS #7 experiences, its wires are cleaned on a regular basis. She stated that, depending on the station, wires may be inspected weekly. Mrs. Duca explained that some things in pump stations are checked daily, but there are some things that operators cannot check without taking the station out of operation, which creates a tremendous issue. She advised that, for this reason, while PS #7 had been down staff had been moving forward with trying to install more corrosive resistant materials, etc., in it. Mrs. Duca stated that all City stations have a regular maintenance schedule, and the amount of flow that goes through them determines the frequency of maintenance, because this, as well as the environment that it's faced with, could factor in the mechanical wear and tear. She noted that some

stations have very little flow going through them. Mrs. Duca advised that the overall goal is to get to each station every day, Monday through Friday, noting that this particular station will be monitored seven (7) days a week for some time in the immediate future.

Responding to Mrs. Doyle, Mrs. Duca explained that outflow would have gotten into Silver Lake due to the effects of stormwater management throughout the state. She stated that anywhere that there are roadways, there are ditches to help control the drainage off the roads. Mrs. Duca advised that there may be storm sewers that ultimately run off some properties into these drainage ditches. She stated that the ditches at the location of the pump station along Leipsic Road ultimately go to other ditches that discharge to Silver Lake. Mrs. Duca advised that there are sampling locations at multiple places because of the ultimate discharge location.

In response to Mrs. Doyle, Mrs. Duca stated that the City does not treat its stormwater, noting that this could be a matter of debate based upon current stormwater regulations if bio-filters, etc., could be considered treatment of stormwater. She noted that bio-filters are relatively new and are not everywhere.

Mr. Cole expressed thanks to Mrs. Kay Sass, Public Affairs and Emergency Management Coordinator, who was instrumental in getting the word out to the businesses along the route during the time period of the event, and to Mrs. Duca for the update and her hard work.

Mr. Neil moved for adjournment of the Utility Committee meeting. The motion was seconded by Mr. Lewis and unanimously carried.

Meeting adjourned at 8:01 p.m.

Mr. Cole moved for adjournment of the Council Committee of the Whole meeting. The motion was seconded by Mr. Lindell and unanimously carried.

Meeting adjourned at 8:01 p.m.

Timothy A. Slavin
Council President

TAS/TM/dd/js
S:\AGENDAS-MINUTES-PACKETS-PRESENTATIONS-ATT&EXH\Committee-Minutes\2018\03-13-2018 CCW Minutes (revised 03-26-2018 to correct CPI-U figure).wpd

Attachments

Attachment #1 - Presentation entitled "City of Dover, Delaware, Audit Results, Year Ended June 30, 2017", provided by CliftonLarsonAllen, LLP

Attachment #2 - A list of owners of tax-exempt developed property, including the exterior square footage and sample fees, provided by Mrs. Donna Mitchell, City Manager

Attachment #3 - A list regarding public safety calls for 2016 - 2017, provided by Mrs. Donna Mitchell, City Manager

CliftonLarsonAllen



City of Dover, Delaware
Audit Results
Year Ended June 30, 2017

Bill Early, Principal

Remi Omisore, Principal

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Presentation Agenda

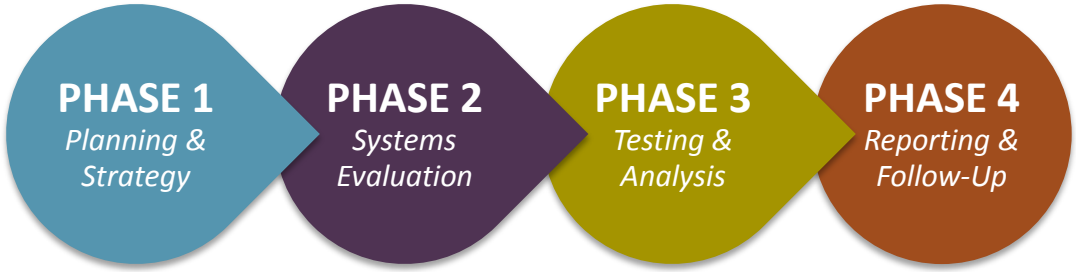
- Scope and Responsibilities in a Financial Statement Audit
- Required Communications
- Audit Approach Summary
- Financial Statement Summary
- Federal Grant Audit Results
- GASB Update/Emerging Issues
- Questions

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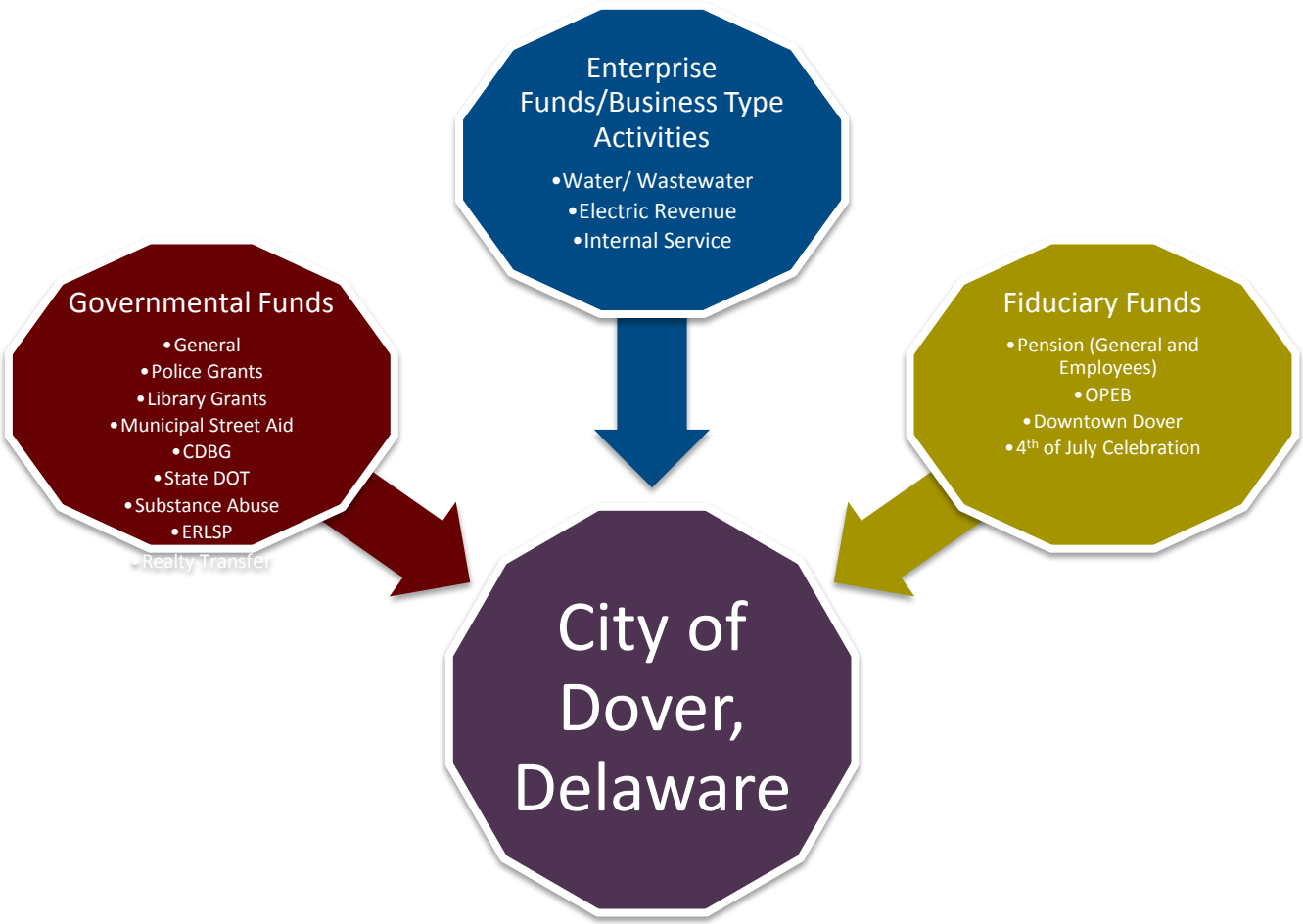
Scope

- Audit of the June 30, 2017 Financial Statements
- Management letter to communicate other matters
- Letter to governance on key components of the audit
- Available for Consultation



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Scope of Services (continued)



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Auditors Required Communications

- We have performed an audit of the financial statements in accordance with Generally Accepted Auditing Standards (GAAS) .
- Purpose of an audit is to:
  - Obtain reasonable (not absolute) assurance about whether the financial statements are free from material misstatement
  - Assess accounting principles used and significant estimates made by management
  - Evaluate the overall financial statement presentation
- Unmodified Opinion
- Significant Accounting Polices
  - City's significant accounting policies are described in Note 2 to the financial statements and are in accordance with generally accepted accounting principles and consistent with industry practices and standards

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Auditors Required Communication

- Significant Disclosures
  - Deposits and Investments (Page 63-66)
  - Capitals Assets (Page 67)
  - Long Term Liabilities (page 69/82/92)
  - Implementation of Gasb 74/75 (Page 76)
  - Fund Balance (Page 75)
  - Restatement (Page 76)
- Significant Management Judgments & Estimates
  - Allowance for uncollectible receivables
  - Useful lives of capital assets
  - Incurred but not reported claims
  - Pension and other post-employment benefits (OPEB) liabilities



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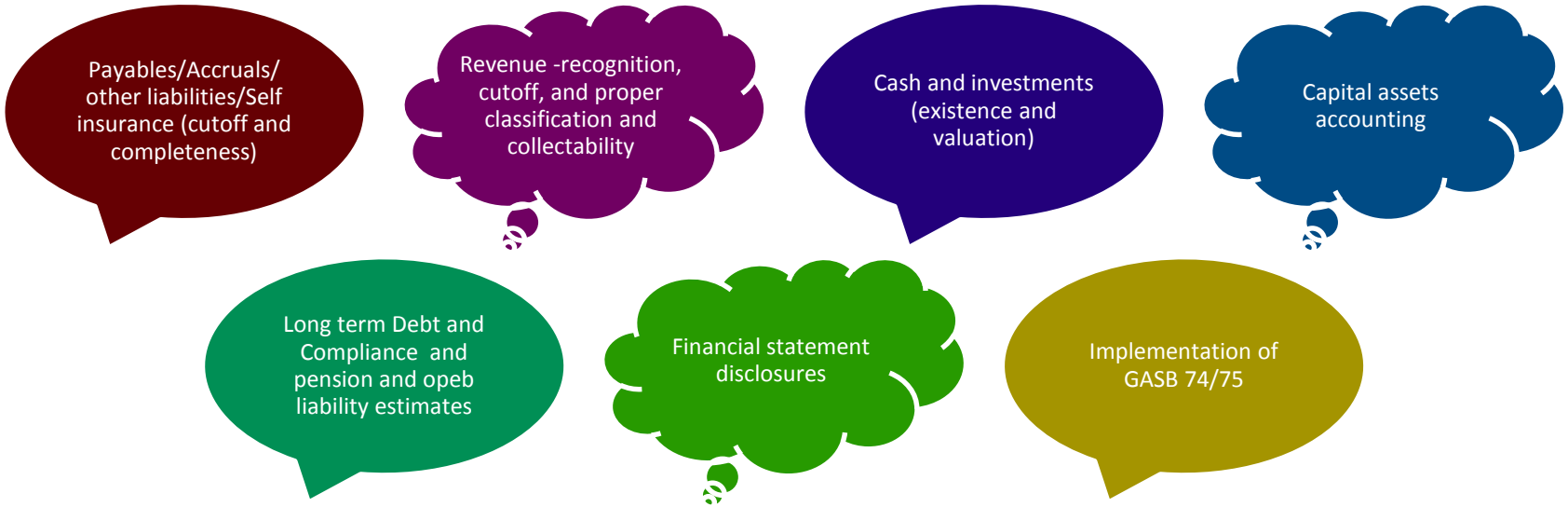
Auditors Required Communication

- Significant corrected or uncorrected misstatements included in governance communication
- No disagreements with management
- Management was very cooperative and professional during the audit process
- Management did not consult with other accountants on the application of GAAP or GASB
- No major issues were discussed with management prior to us being selected as the auditors

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Audit Approach Summary

- During our planning and risk assessment process and have identified the following areas to be of focus:



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System and Control Evaluation

Understanding of the Process

- Control Environment
- Revenue Generation- Appropriations
- Revenue Generation- Grants
- Revenue Generation- Sanitation/Water/Electric
- Revenue Generation- Contributions
- Treasury (Cash, Investments and Debt)
- Expenditure- Cash Disbursements
- Expenditure- Payroll Disbursements
- Expenditure- Capital Assets
- Expenditure- Self Insurance
- Information Technology
- Financial Close and Reporting
- Estimation



Test of Design

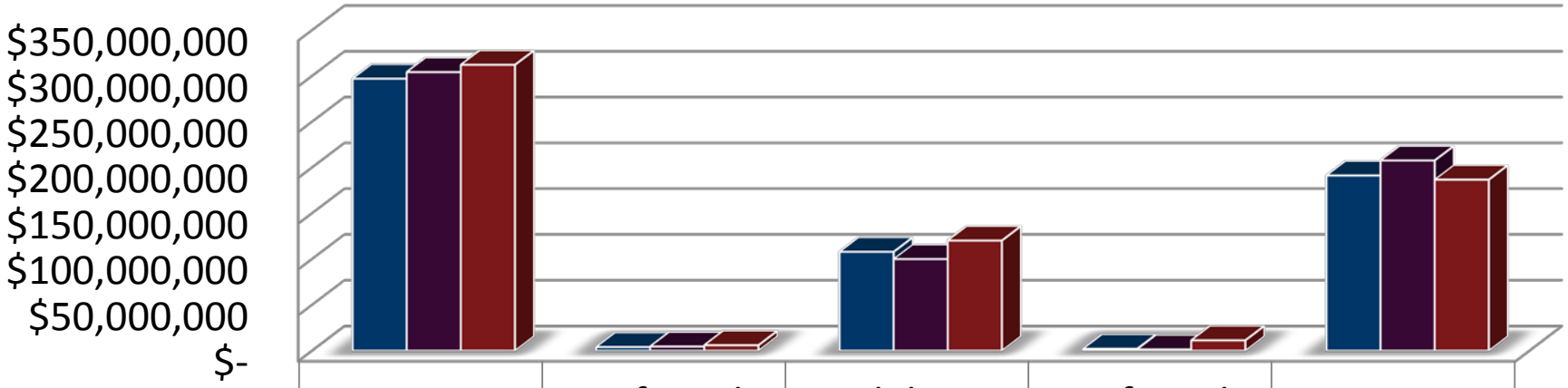
- Control Environment
- Revenue Generation- Appropriations
- Revenue Generation- Grants
- Revenue Generation- Sanitation/Water/Electric
- Revenue Generation- Contributions
- Treasury (Cash, Investments and Debt)
- Expenditure- Cash Disbursements
- Expenditure- Payroll Disbursements
- Expenditure- Capital Assets
- Expenditure- Self Insurance
- Information Technology
- Financial Close and Reporting
- Estimation

Test of Controls

- Cash receipts
- Expenditure- Cash Disbursements
- Expenditure- Payroll Disbursements

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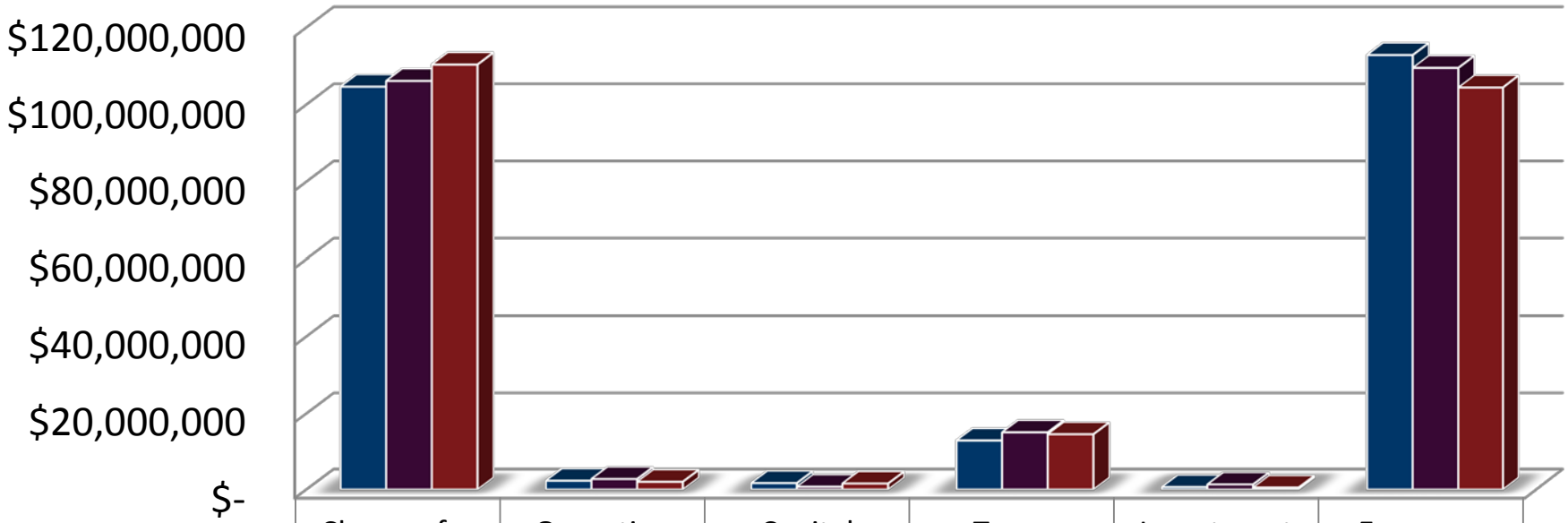
Balance Sheet Summary



	Assets	Deferred Outflows	Liabilities	Deferred Inflows	Net Position
2015	296,938,681	3,964,029	107,771,874	1,986,999	191,143,837
2016	304,162,438	4,561,184	99,861,060	1,269,206	207,593,356
2017	312,023,786	5,947,440	120,083,565	11,294,044	186,593,617

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Income Statement Summary



	Charges for Services	Operating Grants and Contributions	Capital Grants	Taxes	Investment Earnings	Expenses
2015	104,627,984	2,298,936	1,683,311	12,890,268	637,103	112,834,294
2016	106,124,769	2,759,367	720,739	15,038,689	1,321,695	109,515,740
2017	110,361,596	2,025,522	1,562,501	14,530,304	511,388	104,410,784

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GASB Update

Effective Dates—December 31

- **2017**
  - Statement 74—Other postemployment benefits (OPEB) plan reporting
  - Statement 77—Tax abatements
  - Statement 78—Pension provided through certain multiemployer plans
- **2018**
  - Statement 75—Other postemployment benefits (OPEB) plan reporting-employers
  - Statement 80—Blending Requirements for Certain Component Units
  - Statement 81—Irrevocable Split-Interest Agreements
  - Statement 82—Pension Issues
- **2019**
  - Statement 83—Asset Retirement Obligations
- **2020**
  - Statement 84—Fiduciary Activities

GASB GOVERNMENTAL ACCOUNTING STANDARDS BOARD

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GASB Invitation to Comment

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GASB is seeking feedback on three alternative recognition approaches as well as other potential changes that could be made to reporting rules for governmental fund financial statements. In an invitation to comment, GASB introduced the approached, which it describes as:

- Near-term financial resources
- Short-term financial resources
- Long term financial resources

The near-term model is a closer-to-cash approach, while the long-term model is a closer to economic resources approach. The short-term model is also known as a working capital approach and is situated between the other two models on a cash vs economic resources continuum.

In addition to the recognition approaches, these potential improvements include:

- Format of the government funds statement of resource flow
- Changes to terminology
- Reconciliation to the government-wide statements
- For certain recognition approaches, a statement of cash flows.

Cybersecurity Examination

In response to growing market demand for information about the effectiveness of an entity's cybersecurity risk management program, the AICPA ,is developing a new engagement that CPAs can use to assist boards of directors, senior management, and other pertinent stakeholders as they evaluate the effectiveness of an entity's cybersecurity risk management program. The AICPA Assurance Services Executive Committee (ASEC), through its Cybersecurity Working Group, has developed a set of benchmarks, known as description criteria, to be used when preparing, and evaluating the presentation of, a description of the entity's cybersecurity risk management program. The description criteria included in the draft is categorized into the following sections:

a) Nature of Operations.
b) Nature of Information at Risk
c) Cybersecurity Risk Management Program Objectives (Cybersecurity Objectives)
d) Inherent Risks Related to the Use of Technology
e) Cybersecurity Risk Governance Structure
f) Cybersecurity Risk Management Process
g) Cybersecurity Communications and the Quality of Cybersecurity Information
h) Monitoring of the Cybersecurity Risk Management Program.
i) Cybersecurity Control Activities



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Other Relevant Governmental Issues



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2017 Legislative and Regulatory Agenda

Tax Reform

- While there has been a great deal of discussion both pre and post-election on fixing and building new public infrastructure – and how to pay for it – tax writers are already drafting legislation that could have a significant impact on the preservation of the tax exemption on municipal bond interest.

Other Municipal Bonds Initiatives

- In 2014-2016 SEC's Enforcement Division increased its focus on improving continuing disclosure compliance through the Municipalities Continuing Disclosure Cooperation (MCDC) initiative. In mid-December 2016, the SEC stated that it has concluded actions against issuers and underwriters that self-reported in the MCDC program and will now turn their attention to issuers, underwriters and obligors that did not participate.

Marketplace Fairness & the Preemption of State and Local Government Taxes

- These measures threaten to reduce State and local tax revenues even as States and localities struggle to fund critical services like education, health care, and public safety.

Majority of Public Pension Plans Have Made Recent Reforms

A new issue brief from the Center for State and Local Government Excellence, "State and Local Pension reform Since the Financial Crisis" examines how, why, and to what extent state and local government have enacted pension reforms in the aftermath of the financial Crisis. The study examines data from 2009 to 2014 for all 114 state plans and 46 local plans in the Public Plans Database (http;//publicplansdata.org) along with an additional 86 local plans. The briefs key findings include:

- 74% of state plans and 57% of large local plans have cut benefits or raised employee contributions to curb rising costs
- States with the strongest legal protections for current workers were more likely to limit the cuts to new hires
- New Employees most commonly experienced increases in the age and tenure required to claim benefits
- Higher employee contributions were the most common benefit reduction for current employees followed by reductions to the COLA

Government Finance Officers Association

BEST PRACTICE

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GFOA Approves New Best Practices

GFOA's Executive Board recently approved five best practices in the areas of treasury and investment management, retirement and benefits, and municipal debt. GFOA best practices identify specific policies and procedures that contribute to improved government management. They aim to promote and facilitate positive change rather than merely to codify current accepted practice. GFOA has emphasized that these practices be proactive steps that a government should be taking. Best practices are applicable to all governments (both large and small), are approved by the GFOA executive board, and represent the official position of the organization.

- New best practices include:
  - **Procurement of Financial Services**, recommends that governments review their financial services contracts every five years and use a competitive process for the procurement of financial services.
  - **Investment Program for Public Funds**, recommends that all governments establish a public funds investment program by completing several steps: developing an investment leadership team, identifying the funds being invested and their cash flow characteristics, reviewing all applicable laws and regulations, establishing a risk profile, determining the portfolio management team, and creating an investment policy.
  - **Defined Contribution Retirement Plan Design**, clarifies and updates the design elements governments should include if they choose to provide a defined contribution (DC) plan as a primary retirement vehicle. These include analysis to determine the cost of providing the benefit and determining whether employees are eligible for a federal insurance program that provides benefits to retired people (e.g., Social Security).
  - **Electronic Payments**, recommends that governments use electronic payments for all payments.
  - **Refunding Municipal Bonds** recommends that issuers include guidelines in their debt management policies that address preservation of future refunding flexibility. Issuers should also analyze their refunding objectives, the efficiency of any related escrow, and the unique aspects of executing the refunding transaction.

Spotlight on Retiree Health Care Benefits for State Employees in FY 2015

The National Association of State Retirement Administrators and the Center for State and Local Government Excellence examined the finances of the health insurance benefit plans offered by state governments to retired employees in all 50 states, key findings included the following:

- Nearly every state and most local governments provide access to health benefits to retired employees and, in most cases, this coverage includes spouses and dependents;
- Thirty-one states hold approximately $41 billion in assets to pay for future retiree health benefit costs;
- The median state retiree health unfunded actuarial accrued liabilities is approximately $2.7 billion, and the mean average is just over $12 billion; and
- Ten states - New Jersey, Texas, New York, California, Illinois, North Carolina, Connecticut, Pennsylvania, Florida, and Massachusetts - are responsible for $451 billion, or nearly 77 percent of the aggregate state retiree health unfunded actuarial accrued liabilities.

Appendix A: UAAL and OPEB Expenditure by State, FY 2015

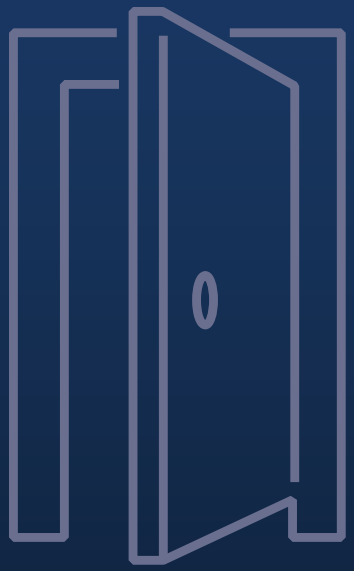
State	Unfunded Liabilities ($millions)	OPEB Expenditure ($millions)	Percentage of State Expenditures (%)	State	Unfunded Liabilities ($millions)	OPEB Expenditure ($millions)	Percentage of State Expenditures (%)
AL	11,638	360.0	2.4	MT	467	13.9	0.3
AK	6,712	503.9	4.9	NE	0	0.0	0.0
AZ	355	106.0	0.5	NV	1,428	60.9	0.8
AR	1,795	49.3	0.3	NH	2,454	76.07	2.2
CA	75,494	2,028.2	1.3	NJ	81,456	2,044.3	5.2
CO	1,328	84.6	0.3	NM	3,363	149.4	1.4
CT	21,966	571.5	2.8	NY	77,359	1,550.8	1.6
DE	6,111	227.8	3.1	NC	26,615	800.3	2.6
FL	17,023	487.2	1.1	ND	69	11.5	0.2
GA	15,662	158.0	0.5	OH	15,046	336.4	0.7
HI	8,530	393.6	4.0	OK	5	0.2	0.0
ID	56	3.8	0.1	OR	241	6.2	0.0
IL	33,051	809.8	1.7	PA	20,589	920.7	2.0
IN	331	31.5	0.2	RI	714	61.9	0.9
IA	218	10.6	0.1	SC	9,860	571.8	3.8
KS	214	16.0	0.1	SD	0	0.0	0.0
KY	4,612	332.0	1.7	TN	1,441	76.4	0.4
LA	5,128	191.4	1.0	TX	79,936	2,108.8	2.8
ME	1,765	93.8	1.8	UT	185	31.6	0.3
MD	10,008	438.5	1.6	VT	2,096	43.4	1.3
MA	15,893	636.9	1.4	VA	2,172	151.0	0.4
MI	8,386	766.0	2.4	WA	5,274	73.8	0.3
MN	667	32.4	0.1	WV	2,712	153.0	1.2
MS	732	32.4	0.3	WI	893	42.1	0.1
MO	2,732	94.3	0.6	WY	244	10.8	0.1

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QUESTIONS?

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Owner	Exterior Sq. Ft.	$.01 per sq ft	$.02 per sq ft
A & I HOUSING INC	4,328	**43.28**	**86.56**
ADC I INC	1,732	**17.32**	**34.64**
AFRICAN M E CHURCH OF DOVER	10,166	**101.66**	**203.32**
AMERICAN LEGION	19,863	**198.63**	**397.26**
BAYHEALTH MEDICAL CENTER INC	901,184	**9,011.84**	**18,023.68**
BETHEL SEVENTH DAY ADVENTIST	2,194	**21.94**	**43.88**
BIBLE CHURCH OF GOD INC	2,000	**20.00**	**40.00**
BIBLE WAY TEMPLE CHURCH	23,155	**231.55**	**463.10**
BLOOD BANK	12,507	**125.07**	**250.14**
CAESAR RODNEY SCHOOL DISTRICT	59,229	**592.29**	**1,184.58**
CALVARY BAPTIST CHURCH	10,593	**105.93**	**211.86**
CAPITAL BAPTIST CHURCH	27,412	**274.12**	**548.24**
CAPITAL GRANGE NO 18 INC	9,200	**92.00**	**184.00**
CAPITAL SCHOOL DISTRICT	386,332	**3,863.32**	**7,726.64**
CAPITOL GREEN DAY CARE INC	5,830	**58.30**	**116.60**
CENDEL FOUNDATION	12,944	**129.44**	**258.88**
CENTRAL DEL HABITAT FOR HUMANITY INC	5,976	**59.76**	**119.52**
CHARTER SCHOOL INC	44,288	**442.88**	**885.76**
CHILDREN'S CHOICE PROPERTY TWO, A PA NON	5,376	**53.76**	**107.52**
CHRIST EPISCOPAL CHURCH	11,866	**118.66**	**237.32**
CHRISTIAN LIFE CENTER	3,234	**32.34**	**64.68**
CHURCH OF CHRIST INC	4,124	**41.24**	**82.48**
CHURCH OF THE HOLY CROSS	100,794	**1,007.94**	**2,015.88**
CHURCH OF THE LIVING GOD	5,090	**50.90**	**101.80**
COMM LEGAL AID SOCIETY INC	5,734	**57.34**	**114.68**
COMMUNITY HOLY TABERNACLE	3,008	**30.08**	**60.16**
CONGREGATION BETH SHALOM	7,686	**76.86**	**153.72**
CONGREGATION OF JEHOVAHS WITS	3,977	**39.77**	**79.54**
DE STATE UNIVERSITY FOUND INC	21,298	**212.98**	**425.96**
DEL CONF AFRICAN METH EPIS CHURCH	2,672	**26.72**	**53.44**
DELAWARE GUIDANCE SERVICES	10,248	**102.48**	**204.96**
DELAWARE HOUSING AUTHORITY	143,311	**1,433.11**	**2,866.22**
DELAWARE SOLID WASTE AUTHORITY	21,696	**216.96**	**433.92**
DELAWARE STATE UNIVERSITY	1,954,477	**19,544.77**	**39,089.54**
DIMA IX INC	6,164	**61.64**	**123.28**
DOVER ART LEAGUE	7,422	**74.22**	**148.44**
DOVER CENTURY CLUB	3,604	**36.04**	**72.08**
DOVER HOUSING AUTHORITY	305,659	**3,056.59**	**6,113.18**
DOVER INTERFAITH MISSION FOR HOUSING INC	7,657	**76.57**	**153.14**
DOVER SPECIAL SCHOOL DISTRICT	589,395	**5,893.95**	**11,787.90**
EDGEHILL COMMUNITY CHURCH	1,918	**19.18**	**38.36**
EJB INC	9,054	**90.54**	**181.08**
ELIZABETH MURPHY SCHOOL	49,968	**499.68**	**999.36**
ELKS LODGE BPOE 1903	17,700	**177.00**	**354.00**
FIRST BAPTIST CHURCH	34,340	**343.40**	**686.80**
FIRST PILGRAM BAPTIST CHURCH INC	3,288	**32.88**	**65.76**
FIRST SOUTHERN BAPTIST CHURCH OF DOVER	15,962	**159.62**	**319.24**
FIRST UNITED PENTECOSTAL CHRCH	26,817	**268.17**	**536.34**
GRACE PRESBYTERIAN CHURCH INC	43,842	**438.42**	**876.84**

Owner	Exterior Sq. Ft.	$.01 per sq ft	$.02 per sq ft
HOLY TRIN CHRCH OF LIV GOD INC	8,769	**87.69**	**175.38**
IGLESIA CHRISTIANA MARANTHA	11,940	**119.40**	**238.80**
JIREH CHRISTIAN CENTER INC	10,400	**104.00**	**208.00**
KENT COUNTY THEA GUILD FOUN	3,336	**33.36**	**66.72**
KENT SUSSEX COMMUNITY SERV INC	11,700	**117.00**	**234.00**
LIBERTY CHURCH INC	5,760	**57.60**	**115.20**
LOVE TEMPLE CHURCH OF GOD	4,696	**46.96**	**93.92**
LUTHER TOWERS IV	358,837	**3,588.37**	**7,176.74**
MASONIC HALL CORPORATION OF DOVER	9,124	**91.24**	**182.48**
MODERN MATURITY CENTER INC	82,172	**821.72**	**1,643.44**
MOM'S HOUSE INC OF DOVER	2,089	**20.89**	**41.78**
MOUNT ZION AME INC	2,762	**27.62**	**55.24**
NATIONAL COUNCIL ON AG LIFE & LABOR	6,514	**65.14**	**130.28**
NEW JERUSALEM BAPTIST CHURCH	5,962	**59.62**	**119.24**
PEOPLES CONGREGATION CHURCH	25,962	**259.62**	**519.24**
PEOPLE'S PLACE PROPERTIES INC	67,521	**675.21**	**1,350.42**
PERSIMMON PARK PLACE	1,054	**10.54**	**21.08**
PLANNED PARENTHOOD OF DE INC	2,964	**29.64**	**59.28**
PRESBYTERIAN CHURCH OF DOVER	22,044	**220.44**	**440.88**
PRESBYTERIAN HOMES INC	483,206	**4,832.06**	**9,664.12**
ROBBINS HOSE CO	36,640	**366.40**	**732.80**
SECOND BAPTIST CHURCH	10,800	**108.00**	**216.00**
SEVENTH DAY ADVENTIST CHURCH	12,082	**120.82**	**241.64**
SOLID ROCK SOUTHERN BAPTIST CHURCH INC	6,440	**64.40**	**128.80**
ST ANDREWS CHURCH	1,605	**16.05**	**32.10**
ST JOHNS EVANGELICAL CHURCH	8,204	**82.04**	**164.08**
ST JOHNS LUTHERAN CHURCH	15,431	**154.31**	**308.62**
THE MILFORD HOUSING DEV CORP	86,326	**863.26**	**1,726.52**
THE RECTOR WARDEN & VESTRYMAN	1,566	**15.66**	**31.32**
THE SALVATION ARMY	6,018	**60.18**	**120.36**
THE WELLNESS COMMUNITY-DEL INC	1,613	**16.13**	**32.26**
TRUSTEES OF THE PENINSULA	6,156	**61.56**	**123.12**
TRUSTEES OF WESLEY CHURCH	32,360	**323.60**	**647.20**
UNION AME CHURCH	2,808	**28.08**	**56.16**
UNION MISSIONARY BAPTIST CHURCH, INC	11,865	**118.65**	**237.30**
UNITED METHODIST CHURCH	5,402	**54.02**	**108.04**
UNITED STATES OF AMERICAN	16,028	**160.28**	**320.56**
UNIVERSITY OF DELAWARE	9,712	**97.12**	**194.24**
VETERANS OF WW II	6,032	**60.32**	**120.64**
VICTORY CHRISTIAN FELLOWSHIP	14,836	**148.36**	**296.72**
WASH DIST ADVISORY BOARD	1,656	**16.56**	**33.12**
WESLEY COLLEGE INC	562,334	**5,623.34**	**11,246.68**
WESLEY UNITED METHODIST CHURCH	3,540	**35.40**	**70.80**
WHATCOAT COMMUNITY DEV INC	79,134	**791.34**	**1,582.68**
WHATCOAT METHODIST CHURCH	23,905	**239.05**	**478.10**
WILMINGTON UNIVERSITY	107,514	**1,075.14**	**2,150.28**
YOUNG MENS CHRISTIAN ASSOC (YMCA)	47,250	**472.50**	**945.00**
		72,103.83	**144,207.66**

Police Complaints 2016 - 2017	
Bayhealth	649
Wesley College	85
Dover Housing Authority	84
Delaware Housing Authority	22
Delaware State University	22
Wilmington University	5
	867

Fire Incidents	2016	2017	Total
Bayhealth	8	5	13
Wesley College	29	19	48
Dover Housing Authority	5	7	12
Delaware Housing Authority	4	6	10
Delaware State University	128	127	255
Wilmington University	1	4	5
	175	168	343