COUNCIL COMMITTEE OF THE WHOLE

The Council Committee of the Whole Meeting was held on August 23, 2016 at 6:00 p.m., with Council President Slavin presiding. Members of Council present were Mr. Sudler, Mr. Neil (arrived at 6:03 p.m.), Mr. Lewis (arrived at 6:09 p.m.), Mr. Cole, Mr. Hosfelt, Mr. Hare, and Mr. Hutchison. Mr. Anderson was absent. Mayor Christiansen was also present. Civilian members present for their Committee meetings were Mr. Keller and Mr. Shelton (*Safety Advisory and Transportation*) and Mr. Shevock and Dr. Stewart (*Legislative, Finance, and Administration*).

SAFETY ADVISORY AND TRANSPORTATION COMMITTEE

The Safety Advisory and Transportation Committee met with Councilman Hosfelt presiding.

AGENDA ADDITIONS/DELETIONS

Mr. Hutchison moved for approval of the agenda, seconded by Mr. Keller and unanimously carried.

Viability of the ShotSpotter Gunshot Detection and Location Service

During the Council Committee of the Whole/Safety Advisory and Transportation Committee Meeting of July 26, 2016, members considered the Viability of the ShotSpotter Gunshot Detection and Location Service and deferred this item for further investigation.

Deputy Police Chief Marvin Mailey advised members that he wished to address questions that members had posed during the meeting of July 26, 2016. In regard to the availability of federal grant funding, he explained that he had spoken with Ms. Amanda Wood, Funding Specialist, ShotSpotter, Inc., who outlined a number of funding programs that could cover some or most of the cost of the ShotSpotter program, which would be approximately $195,000 per year. Deputy Chief Mailey stated that there were three (3) programs available through the Department of Housing and Urban Development (HUD), a program through the Department of Homeland Security's State Homeland Security Grant Program, and federal grants through Project Safe Neighborhoods and the Smart Policing Initiative Grant, as well as a technology grant for innovations in public safety. He indicated that grants are awarded annually, and Ms. Wood would be willing to help the Department with the paperwork to obtain them.

Deputy Chief Mailey informed members that he had spoken with Captain James Sarkos, Atlantic City Police Department, who was the organizer or head of the ShotSpotter program in Atlantic City, New Jersey. Captain Sarkos stated that they received grant funding; however, Atlantic City bore a lot of the cost for the program in its first year, which was very expensive, and the grant funding kicked in during the following years.

In response to questions asked by Mr. Hosfelt and Mr. Hutchison during the meeting of July 26, 2016, Deputy Chief Mailey advised that he had spoken to Mr. John Martin, IT Systems Administrator, Wilmington Police Department, who directs this program in Wilmington, in regard to cleared cases pertaining to ShotSpotter and was informed that Wilmington tracks the raw data but does not correlate it to crimes solved. The approval of the Wilmington's chief of police was needed

to obtain the data; however, Deputy Chief Mailey stated that he was unable to receive approval after reaching out to the chief on several occasions. He informed members that the raw data from Wilmington would show only activations and would not correlate to a homicide solved on a particular day, and this was also the case in Atlantic City and in the Camden County Police Department in Trenton, New Jersey.

Responding to Mr. Neil's question during the meeting of July 26, 2016, regarding ShotSpotter technology upgrades, Deputy Chief Mailey indicated that, although he had described the ShotSpotter as a lease program, it is actually a subscription service that is paid for annually. He informed members that ShotSpotter, Inc. would provide new hardware and software as the technology ages so that there would be optimal results from the system.

In response to Mayor Christiansen's questions during the meeting of July 26, 2016, Deputy Chief Mailey stated that ShotSpotter guaranteed full maintenance throughout the service subscription, including replacement and tech support, and they would come to the City to provide onsite training. He indicated that Atlantic City had advised that ShotSpotter was very good about providing service. Deputy Chief Mailey stated that Atlantic City loved ShotSpotter and was very willing to meet or hold a conference call with City of Dover representatives to discuss the program. He advised that Captain Sarkos informed him of an incident when Atlantic City used ShotSpotter to identify a gunshot that was unreported. The police department responded and found a subject who had been shot, and Captain Sarkos believed that this person probably would have expired had they not had the ShotSpotter program to identify the gunshot location. Deputy Chief Mailey advised that the New York City Police Department went to Atlantic City to discuss and observe the Atlantic City ShotSpotter program, and New York City was now using this technology.

Mr. Hosfelt recalled that Wilmington had been having an issue with not receiving calls for 911 service when shots were fired and had no way to track them. It was believed that this technology would help them to respond to those areas, and this was one of the selling points for obtaining ShotSpotter. Mr. Hosfelt noted that the $195,000 cost was not cheap, and he felt that if there was an ability to connect the use of ShotSpotter to cleared homicides or shootings, this would be advertised as a selling point. He questioned if the City of Dover would be better off investing these funds in more security cameras, noting that the results from existing cameras were known and could show cleared homicides or shootings. Mr. Hosfelt believed that the City of Dover still has community involvement and that residents and constituents still make those calls. He was not sure that Dover was at the point that Wilmington was in terms of not receiving calls.

Deputy Chief Mailey stated that ShotSpotter advertises that once their system is put in, there is a decline in gunshots and gun violence. They pointed to Wilmington as showing a 42% drop in gunshots after the technology was initially installed. Deputy Chief Mailey indicated that several agencies had used ShotSpotter in criminal investigations to point them to evidence that was brought into the courtroom as part of probable cause in prosecution of criminal cases. He stated that, personally, if he had the money to spend, he would spend it on equipment, cameras, and officers, which he felt would better serve the City. Deputy Chief Mailey agreed with Mr. Hosfelt that the City of Dover is not a place where people do not report gunshots fired.

Responding to Mr. Hutchison, Deputy Chief Mailey advised that the cost of ShotSpotter would be $65,000 per square mile, with a total cost of $195,000 to cover three (3) square miles. He indicated that shots are fired throughout the City, beyond an area of three (3) square miles, and cited occurrences on White Oak Road, Mayfair, and Autumn Run Apartments. Deputy Chief Mailey indicated that a three (3) square mile footprint is not very large.

In response to Mr. Hutchison regarding statistics for the days and times when more problems are experienced in the City, Deputy Chief Mailey indicated that he did not have this data but could research it and provide information. He stated that Retired Captain Robert Scott, Crime Analyst, analyzes raw data and provides peak times for crime, dates, land locations, and the Department provides enhanced patrols in those areas. Deputy Chief Mailey advised that State funding allowed for extra duty for officers, and this had helped in some of the troubled neighborhoods where there is a lot of violence and drug sales. He indicated that the Police Department is reactive to real time crime data.

Mr. Hutchison stated that the Police Department should be very proud of its men and women, who do an outstanding job, as shown in last year's audit of the Police Department that contained information on response times and clearance percentages. He felt that this was a reflection of training, staffing, and community support.

Mr. Slavin expressed appreciation for the effort put into researching the ShotSpotter service but noted that he had never been in favor of this technology. He thought it was probably useful in some jurisdictions, but perhaps not the City of Dover due to its geography and the frequency of problems. Mr. Slavin felt that $195,000 could be deployed more effectively, noting that this $195,000 had not been budgeted and would be a mid-year addition to the budget. He believed that adding expenses mid fiscal year weakens the discipline in the budget and displaces other things that went through the budget vetting process and were approved, some of which were in the Police Department budget. Mr. Slavin stated the need to be careful about this and be good stewards of public safety, public finances, etc. He indicated that he appreciates grant funding; however, grant funding typically helps start something and then goes away, which inflates the budget in outlying years and causes cycles of desperation with large gaps. Mr. Slavin noted that he was very interested in the use of technology to help fight crime.

Responding to Mr. Sudler, Deputy Chief Mailey advised that he would rate the necessity for the ShotSpotter in 2017 as a very low priority, rating it as a one (1) or two (2) on a 10-point scale, with a ten being the highest priority.

Debriefing/Post-Mortem on Firefly Music Festival (Presentations by the Department of Planning and Inspections and the Dover Police Department)

Mrs. Ann Marie Townshend, Director of Planning and Community Development, referred to the memorandum dated August 17, 2016, regarding Debriefing/Post-Mortem Firefly Music Festival. She explained that this was the first year that the entire festival was held within the City, and staff knew that it would be a learning experience and there would be some things that they would want to improve next year. Mrs. Townshend indicated that 152 man-hours were expended by the Fire Marshal's Office staff, noting that loading of campgrounds was one of the most time intensive

issues. A number of issues were identified during the loading where the fire marshals intervened to ensure that parking allowed for adequate emergency access and that tail pipes were not against tents in the tent camping areas. Mrs. Townshend stated that there were a number of occupancy load checks. The fire marshals went early in the day to inspect all pyrotechnic displays and were on stage for these events. Mrs. Townshend informed members that there was one (1) small fire and a few minor issues that were identified and shared with Dover International Speedway, noting that the Speedway was equally concerned about these issues.

In regard to next year's festival, Mrs. Townshend stated that there was a need to fine-tune the campground layout. She explained that tents and RVs were intermingled but need to be separated to prevent attendees from backing their cars up to their tents. She explained that if someone was sitting in an air-conditioned car and backed up to a tent, this would create a carbon monoxide issue. Mrs. Townshend advised that staff had identified some information that would be helpful to have in the future when permit information comes in, such as the number and type of camping spots. For the most part, she felt that the event went extremely smoothly, and both Red Frog Entertainment and the Speedway worked very well with City staff.

Councilman Hosfelt, who serves as security manager for Dover Motorsports, Inc., noted that Lot 18, which had been annexed into the City, is the largest campground at the speedway and, when full of campers on Firefly Weekend, this area is probably the fourth largest City in Delaware. He offered kudos to Interim Fire Marshal Jason Osika and Deputy Fire Marshal Matthew Brown, stating that they had worked very well with Mr. Mark Hostetter, Fire Protection and Life Safety Technician, Dover Motorsports, Inc. Mr. Hosfelt stated that the Speedway values this great relationship. He indicated that aerial photographs spoke wonders as to what the Fire Marshal's Office staff had done, and the State Police had also spoken volumes about this, stating that the work of the Fire Marshal's Office had helped with the State Police's response time.

Mrs. Townshend stated that Interim Fire Marshal Osika and Deputy Fire Marshal Brown had put a lot of effort into the festival and reminded members that the Fire Marshal's Office was down to two (2) people during the festival.

Mr. Neil stated that he was very impressed and felt, from the standpoint of the internal workings, that the event was absolutely marvelous. He believed that the head of all the multiple police forces for the entire operation showed obvious experience. Mr. Neil advised that this event was held directly across from where he lives and the flow moving in and out was probably the easiest it had ever been for the residents on Persimmon Tree Lane. He explained that getting emergency vehicles through, which had been a major problem, was much better this year. Mr. Neil thanked Dover Downs, Dover Speedway, and whoever served as the head of the effort and suggested that they meet on a regular basis to let all of the neighbors know what is happening. He also felt that directing all traffic through the woodlands up to the northeast Lot 18 entrance near Route 9 would be useful. Mr. Neil applauded the efforts of Dover Downs and Dover Motorsports for their efforts to resolve the issues that neighbors directly across from the event had. Responding, Mrs. Townshend advised that the Delaware Department of Transportation (DelDOT) had a big role in this.

Lieutenant Christopher Hermance, Special Enforcement Unit Commander, Dover Police Department, stated that one of his primary responsibilities is serving as the major events' coordinator for the Firefly Festival. He reviewed a presentation entitled, "Special Preparation Instructions & Debriefing/Post-Mortem on Firefly Music Festival." Lieutenant Hermance advised that the event ran from Wednesday, June 15, 2016 through Monday, June 20, 2016, and one of the unique things about this event was the addition of the Lot 18 and Division 3 area into the City of Dover's jurisdiction. He explained that in years past the Delaware State Police handled this area. This year, the Dover Police Department took full command and worked with the Delaware State Police, who assisted specifically in Lot 18.

Lieutenant Hermance stated that the Dover Police Department had to take on additional positions. Referring to the Grid Map, he explained that in prior years the Dover Police Department handled Divisions 1, 2, and 4, along with traffic and camping positions, and the Delaware State Police had responsibility for Division 3. Lieutenant Hermance advised that Division 3 had now been annexed into the City and falls under the primary command of the Dover Police Department. He explained that Police Chief Paul Bernat's priority was to put Dover officers inside the festival, which meant that Lieutenant Hermance had to employ up to 19 different agencies throughout the State to assist in traffic and camping positions. Lieutenant Hermance indicated that those agencies did a fantastic job. He advised that, in preparing for the festival, monthly and then weekly meetings were held to open lines of communication with the Speedway and Mr. Hosfelt regarding numerous issues, including monitoring threat levels. He stated that there were also training videos shown to officers who are educated about the event because they must respond to many questions.

Lieutenant Hermance advised that officers were brought in at 6:00 a.m. on Wednesday and worked with DelDOT to get attendees to the grounds as effectively and safely as possible. He noted that at any given time there were almost 49,000 people sleeping on the ground. Lieutenant Hermance advised that one of the big changes made this year was to close the Leipsic Road Bridge at 10:00 p.m. to all vehicular traffic, including emergency vehicles. The bridge was used strictly for pedestrians, which allowed a massive flow of pedestrians to come through when clearing out. Lieutenant Hermance explained that the festival is on one side of Route 1 and camping is on the other. Vehicles and personnel were pre-positioned so that they did not have to cross the bridge, and this approach worked very well. Lieutenant Hermance advised that they prepared for weather problems, such as those that occurred in years past; however, there were no weather problems this year.

Lieutenant Hermance noted that the City's Drug, Vice and Organized Crime Unit had lucrative arrests in terms of drugs and counterfeit material, such as shirts. He stated that there were 19 supporting police agencies involved in the festival who expended almost 1,800 man-hours. Including the City of Dover, there were with approximately 1,350 man-hours spent in the camping area and 1,470 in the festival, with a total of 4,662 hours of overtime for officers on the grounds and in the area of the Speedway supporting the event. Lieutenant Hermance reviewed some of the calls for services that were received, as well as items that needed to be addressed and corrected for the 2017 Firefly Festival.

Mr. Sudler stated that he had seen individuals who were drinking while walking to the Firefly Music Festival from State College Road and crossing to the Acme store, and asked if this is heavily or lightly enforced. Responding, Lieutenant Hermance explained that once the officers are inside the festival, they do not have the resources to address the roadways because they have other things that they should be doing. He indicated that City road patrol units, if available, could handle issues on public roadways. Lieutenant Hermance indicated that this matter had not been an issue and they did not see much enforcement there.

In response to Mr. Sudler, Mr. Hosfelt advised that Red Frog Entertainment pays the bill for overtime hours for this event. He explained that Red Frog Entertainment is an extra duty employer who requests extra duty officers, similar to requests received from local nightclubs or for high school basketball games.

Mr. Hutchison extended compliments, stating that this is a major event for the City with approximately 90,000 people attending, most of who are young people. He noted that coordination, training, and leadership is needed to get the job done and stated that every year the City gets better at it. Mr. Hutchison felt that this said a lot about the agencies involved and noted that once the event is over, those involved are already talking about next year. Lieutenant Hermance noted that discussions regarding the next year begin a week after the event, and they are already striving to do better.

Mr. Keller commented that the clean-up was very effective as well, and Lieutenant Hermance indicated that the Police Department was not involved in that effort.

Prioritization of City of Dover State Capital Transportation Program (CTP) Projects

Members were informed that, each year, City Council develops priorities for capital improvements to State transportation infrastructure and shares these priorities with the Secretary of Transportation for consideration as the Delaware Department of Transportation (DelDOT) develops the State's Capital Transportation Plan (CTP). She explained that staff had reviewed the priorities that were set in September 2015 by City Council, stating that the 2016 list was unchanged except for the addition of a North U.S. Route 13 Service Road behind Dover Mall. She explained that the Safety Advisory and Transportation Committee received a presentation on this proposal at their meeting on June 28, 2016. Staff recommended the following priority ranking for the coming year:

1. Construction of Sidewalks within the Walk Zone of the New Dover High School - Now that the Dover High School has been operational for a full school year, the critical sidewalk gaps that were identified in the Dover High Pedestrian Study performed by the Dover/Kent County MPO continue to be a high priority. The critical gaps that are of highest priority to the City and most critical in providing safe access to the school are listed below:

    a. Mifflin Road
    b. South Side of Route 8 West of Mifflin Road

Students are routinely seen walking within the roadway and shoulder on the side of Route 8 between the Dover High School and Mifflin Road and along Mifflin Road. The City is concerned about the safety of pedestrians in this area. While there is currently no funding in place, the City believes that this is a safety issue that must be addressed.

2. Kenton Road Corridor Upgrades - Upgrading Kenton Road, including the addition of sidewalks along the road, continues to be a priority for the City. This project is currently in the Capital Transportation Plan.

3. Loockerman Street/Forest Street Improvements - This project has been a priority for the City to help spur redevelopment and improved traffic flow on the west side of Dover. It was initially identified in the West Side Redevelopment study performed in 2001. This project is currently funded in the Capital Transportation Plan. With the Downtown Development District Program, the implementation of this project is a priority for the City.

4. Garrison Oak Connector Road - Due to the increased activity and interest in the Garrison Oak Technical Park, the planning and construction of this connection to Delaware Route 1 is increasingly important. This project is not currently in the Capital Transportation Plan.

5. North U.S. Route 13 Service Road - The North Route 13 Service Road would run parallel to Route 1 between Leipsic Road and Scarborough Road. It would help to remove some of the traffic from U.S. Route 13 and would provide economic benefit to the Dover Mall and expansion of development on the mall property. This project is not currently in the Capital Transportation Plan.

6. College Road Corridor Upgrades - This project is intended to upgrade College Road to include sidewalks and other road improvements. This project is not currently in the Capital Transportation Plan.

7. Route 8/Hazlettville Road Connector - This is planned to be a north/south access road that was identified in the Delaware 8 Concept Plan and Operations Study. With the construction of the new Dover High School, the construction of this connection is important to providing access to the school without causing additional burden on other roads in the area. This project is not currently in the Capital Transportation Plan.

8. Crawford Carroll Avenue Extension - The extension of Crawford Carroll Avenue south toward the Delaware State University Campus becomes a more critical priority with Delaware State University's lease of the Sheraton Hotel property. The extension of Crawford Carroll Avenue will help avoid use of U.S. Route 13 for local trips between the Sheraton property and the Delaware

State University Campus. This project is included in the Capital Transportation Plan.

9. Kings Highway/Route 13 Intersection Improvements - The intersection of Kings Highway, U.S. Route 13, and White Oak road needs improvement to meet an acceptable level of service standard. The current condition of the intersection hinders redevelopment of properties in this vicinity. This project is not in the Capital Transportation Plan.

10. U.S. Route 13 Service Road Corridor - The construction of service roads along U.S. Route 13 is a project that will help to alleviate congestion on U.S. Route 13. This project is not in the Capital Transportation Plan.

11. U.S. Route 13 Sidewalk Construction - Construction of sidewalks along U.S. 13 continues to be a priority. This project is not in the Capital Transportation Plan. Construction of sidewalks is required when properties develop.

In addition to these projects, the City is also in support of implementation of the Bicycle and Pedestrian Plans developed by the Dover/Kent County MPO and approved by City Council in 2016. The City is appreciative of the construction of Capital City Trail segments by DelDOT and the active participation on the part of DelDOT in our efforts to make Dover more bicycle and pedestrian friendly. The City is also appreciative of DelDOT's support of planning and construction of segments of the Senator Bikeway. These projects will be beneficial to the quality of life of Dover residents.

Mrs. Townshend advised members that prioritizing transportation projects had helped to achieve some of the City's goals. For example, the Loockerman Street roundabout had fallen off the State's transportation list, and through the City's prioritization and advocating through the MPO process, this project was put back on the list and funded.

In response to Mr. Lewis, Mrs. Townshend advised that the City's transportation prioritization list is a wish list of projects to be funded by the State, and many of the projects have no funding associated with them yet.

Mr. Neil moved to recommend approval of the priority ranking for the coming year, as recommended by staff. The motion was seconded by Mr. Hutchison and unanimously carried.

Mr. Hutchison moved for adjournment of the Safety Advisory and Transportation Committee meeting. The motion was seconded by Mr. Neil and unanimously carried.

Meeting adjourned at 6:43 p.m.

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

The Legislative, Finance, and Administration Committee meeting was held with Chairman Hare presiding.

AGENDA ADDITIONS/DELETIONS

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

Addition to the Dover Police Department Vehicle Fleet

Deputy Chief Marvin Mailey requested permission to add to the Police Department's vehicle fleet. He advised that a member of the Police Department was assigned to the U. S. Marshal's Task Force and the U. S. Marshals had proposed to give the Police Department a vehicle. This vehicle would be fully paid for by the federal government; however, the City would have responsibility for the ownership and insurance, and it would become a City of Dover vehicle. Deputy Chief Mailey indicated that the City would not bear any of the cost of purchasing the vehicle, which was approximately $31,000; however, the City would have to insure and register it. He indicated that the vehicle would be used for undercover operations and tasks associated with the retrieval of fugitives by this member of the Police Department. Deputy Chief Mailey stated that he had spoken with the officer earlier in the day, and if it was decided to take him off the task force at some point, the City would retain the vehicle.

Staff recommended allowing the Police Department to take ownership of the vehicle and add it to the fleet.

Responding to Mayor Christiansen, Deputy Chief Mailey stated that once the lifetime of the vehicle has expired, it would be the City's asset to dispose of, so there could be potential revenues to the City or it could be available for another use by the City.

In response to Mr. Hutchison regarding the length of time of the City's commitment to the U. S. Marshal's Office, Deputy Chief Mailey indicated that the Police Department had engaged in one-year agreements in the past. Even though the officer would be with the task force, there is an understanding that he can be called if the Police Department has a need for him to perform the normal functions of a police officer. Deputy Chief Mailey indicated that this officer was assigned to the Department's Special Investigations Unit, and his primary duty was to pursue fugitives with the assistance of the U. S. Marshals. This one-year agreement is renewed every year by the Police Chief.

Mr. Hosfelt moved to recommend allowing the Police Department to take ownership of the vehicle and add it to the fleet, as recommended by staff. The motion was seconded by Mr. Lewis and unanimously carried.

Revenue Policy for Extra Duty/Voluntary Overtime

Mrs. Donna Mitchell, Controller/Treasurer, reminded members that Council had adopted a policy for billing for extra duty/voluntary overtime a couple of years ago. She explained that staff

calculates the rates based on the actual cost of service and factors in the overhead cost, as well as the cost of other City staff who work events. Mrs. Mitchell noted that in March 2016 staff presented revised rates to Council based on the Fraternal Order of Police (FOP) contract that was approved, and these rates were approved, but staff held off on the special event rates. After analyzing the actual cost of the special events, it was determined that there was a need to adjust these rates. Mrs. Mitchell reviewed the draft revised Revenue Policy, noting that the changes were mostly administrative.

Referring to the billing rates on page 10 of the draft revised Revenue Policy, Mrs. Mitchell noted that the rate changes would affect only special event rates, stating that the other rates were implemented in March 2016. In regard to the Officer Extra Duty Billing Rates for Special Events, Mrs. Mitchell indicated that she planned to correct the Policy by removing the term "Officer Extra Duty" to state only "Billing Rates for Special Events" because staff was now also billing for dispatchers. She explained that the extra duty was a product of the FOP contract and no other employment contracts. Mrs. Mitchell noted that special event rates were listed for officers, dispatchers at straight time, and dispatchers at overtime, and this would line up with the contractual language. She explained that the rates are calculated by determining the actual cost, the officer rate and the dispatcher rate are the median of the population, and the overhead and other City costs are taken into consideration to calculate that rate. Mrs. Mitchell indicated that in the prior Policy, the overhead included the dispatchers, as well as the Police Chief and the Major, who are also paid for special events. She explained that the in the draft revised Policy, Police Chief and Major had been pulled from the overhead rate and were now included in the Special Event Rate for officers, and the dispatchers would be billed separately. Mrs. Mitchell advised that the only costs in the overhead rate would be some of the cost of insurance, the costs of the Fire Marshal's Office, Mrs. Kay Sass, Public Affairs and Emergency Management Coordinator, and some of the other City staff that have to work these events, such as pump station mechanics. She indicated that the overhead rate also included some overhead costs, operating expenses, and staff expenses and took all of the Police personnel out of the overhead cost and put this into direct billing. Mrs. Mitchell stated that Police Department administrative staff had billed for the dispatchers, the Chief, and the Major at the old rate of $59.00 per hour, even though they were in the overhead rate under the prior Policy. She indicated that the City lost money on the Firefly Music Festival, and noted that had the Police Department administrative staff not billed for those rates and used only the overhead rates, the City would have lost even more money. Mrs. Mitchell advised that the City would direct bill for the Police staff people and the overhead would then include everyone else but Police Department staff. She stated this was a change to the way these rates were calculated for the 2016 Firefly Music Festival.

Staff recommended approval of the revised Revenue Policy - Extra Duty/Voluntary Overtime.

Responding to Mr. Sudler, Mrs. Mitchell stated that the amount of funds lost due to the Firefly Music Festival was approximately $5,500; however, that was with staff billing for the Chief, the Major, the Chief, and the dispatchers at $59.00 per hour.

Mr. Neil moved to recommend approval of the revised Revenue Policy - Police Extra Duty/Voluntary Overtime, as corrected *(Attachment #1)*, as recommended by staff. The motion was seconded by Mr. Hutchison and unanimously carried.

Application for Rural Economic Development Grant Through U.S. Department of Agriculture (USDA)

Mrs. Ann Marie Townshend, Director of Planning and Community Development, advised members that she and Mr. Scott Koenig, City Manager, had been in contact with the U. S. Department of Agriculture (USDA) Delaware Office about a grant program that Smyrna had very effectively utilized. She explained that the City would receive a $300,000 grant from the USDA and would have to provide a 20% match. Mrs. Townshend indicated that this money would be used to start a loan fund for economic development. A letter had been received approximately three (3) weeks ago stating that the City would be eligible for this program as a rural utility provider. The City would receive the funds from the USDA, allocate $60,000 of City funds, and establish a loan fund. Mrs. Townshend noted that the application for the funds would be due to the USDA Delaware Office on September 30, 2016, and a number of details would need to be worked out. She explained that the projects to be funded in the first round must be identified in the application. Mrs. Townshend informed members that, as monies are paid back into the loan fund, they can be loaned back out. The first $360,000 must be loaned at 0% interest for a 10-year term, and after that the City can specify an interest amount if desired.

Staff recommended that the Committee and City Council authorize staff to proceed with the application for funds and the establishment of a loan fund. If Council would like further review of the funding recipients for the first round of funding, staff requested that this role be assigned to the Economic Development Committee.

In response to Mr. Shevock, Mr. Koenig advised that this was not a budgeted item and the $60,000 in City funds would have to come out of the first budget amendment when the unapplied balances are brought forward, or an adjustment would have to be made in the City budget for the expense. He indicated that staff would like to make the application because they thought this was a good opportunity to get $300,000 from the federal government. Mr. Koenig indicated that necessary budget adjustments would be made going forward to meet the 20% match.

Responding to Mr. Hutchison, Mrs. Townshend did not believe that this was a new program. She explained that number of years ago, she had inquired about eligibility for USDA programs for housing and received the answer that the City's population was too high, and she assumed that the City did not qualify for USDA funds at all. Mrs. Townshend indicated that after several members of Council went to Washington, DC, Councilman Cole approached her about this subject, which had come up with Representative John Carney's staff. She noted that Mr. Todd Stonesifer, member of the Downtown Dover Partnership (DDP) Board of Directors, had also been in contact with the USDA because he is part of the Destination Downtown Dover group, which is trying to recruit businesses to downtown Dover and had looked at the program's success in Smyrna. Mrs. Townshend informed members that Smyrna had received this grant from the USDA and their initial loan was for the Duck Creek Inn, which was now a very successful restaurant. She stated that over 10 years the business owner would pay funds back at a 0% interest rate.

Mr. Hutchison felt that this was a great idea.

Mr. Slavin stated his belief that the City had reserve funds that were funded above policy levels and questioned if they could be reduced to the policy level to obtain this $60,000. Responding, Mrs. Mitchell confirmed that there were reserve funds that were funded above minimum policy level and Council could do this if they choose to do so. She was unsure if the 20% would be matched as each loan is done or if the entire $60,000 would have to be put in up front, stating that there were a lot of details missing. Mrs. Mitchell stated that she was in favor and thought it was a good program; however, she had questions and wanted to work out the details regarding administering the loan, determine if there were collateral requirements and/or liens, etc.

Mr. Slavin suggested that within the next two (2) weeks, before this matter comes before Council for full consideration, that this all be worked out and the source of the $60,000 be identified. He stated that these are the moments when other people beat the City to the markets, when it takes six (6) to 12 weeks to analyze everything, and hoped that this could be done quickly.

(City Clerk's Office Note: Subsequent to the meeting, Mrs. Mitchell provided a memorandum dated August 24, 2016, regarding the Rural Economic Development Loan & Grant Program ***(Attachment #2)****.)*

Mrs. Mitchell advised that she had talked to Mr. Bruce Weaver, Business and Cooperative Specialist/State Energy Coordinator, USDA, who stated that the chances of the City receiving this money were good.

Mayor Christiansen shared Mr. Slavin's concern that a source of funding must be identified. He also asked what the recourse would be if the loan was defaulted on, and if the City would seize the property. Responding, Mrs. Townshend indicated that these were the details that staff would have to develop as part of a loan program. She stated that this would depend on what the funds were used for, noting that in some cases they may be used for property purchase or construction and it would be easy to place a lien; however, in some cases funds may be used for start-up capital, such as tables and chairs for a restaurant or other operational items. Mrs. Townshend advised that staff was in the beginning stages and must obtain the application and look at how other successful programs had been run. She felt that, based on her knowledge of federal programs, it would take some time for the USDA to review the application and stated that additional legwork could be done during that time.

Mr. Sudler asked Mr. Todd Stonesifer, 115 North State Street, for his opinion regarding the advantages and disadvantages of the program. Responding, Mr. Stonesifer indicated that he and some of his associates had been trying to identify potential businesses that would open and spark economic development and revitalization downtown. He indicated that these program funds would be in addition to Downtown Dover Development (DDD) funds issued by the State. Mr. Stonesifer stated that they thought this program would be a huge driver to encourage businesses to open their doors and had already identified two (2) projects that they would work with City staff on in order to pursue the application.

Mr. Sudler moved to recommend authorizing staff to proceed with the application for funds and the establishment of a loan fund, as recommended by staff. If Council would like further review of the funding recipients for the first round of funding, staff requests that this role be assigned to the Economic Development Committee. The motion was seconded by Mr. Neil and unanimously carried.

Requests for Additional Extensions

Banking and Cash Management Services Agreement

Mrs. Donna Mitchell, Controller/Treasurer, reminded members that the City awarded a three-year contract for bank and cash management services to WSFS Bank in August 2012, and the contract included a provision for two (2), 1-year extensions with Council approval. She indicated that the Finance Department missed the original expiration of the contract in August 2015; however, authorization to extend the contract through August 31, 2016 was approved by Council in December 2015.

Mrs. Mitchell explained that, in reviewing the proposals received for the Electronic Bill Presentment and Bill Payment Services (EBPP), which will be considered by the Committee during the latter part of the meeting, as well as Enterprise Resource Planning (ERP) systems and credit card services, staff felt that there was a good deal of interconnection and interchange on these topics and that it would be a disservice to rush through this matter. She noted that staff was currently completing this analysis and conducting research on best practices for the Government Finance Officers Association (GFOA) and requested approval of the second one-year extension of the City's current banking services contract.

Staff recommended authorizing the Controller/Treasurer to extend the WSFS Banking and Cash Management services agreement through August 2017.

Mr. Hosfelt moved to recommend authorizing the Controller/Treasurer to extend the WSFS Banking and Cash Management services agreement through August 2017, as recommended by staff. The motion was seconded by Mr. Cole and unanimously carried.

ADP Contract

Mrs. Donna Mitchell, Controller Treasurer, advised that in December 2015, City staff requested authorization to negotiate an extension of the City's current ADP contract in light of the City's efforts to evaluate alternative Enterprise Resource Planning (ERP) systems. She explained that an extension was negotiated, and ADP provided the price increases over current cost for the next three (3) years. Mrs. Mitchell advised that she had emailed the vendor to attempt to align this contract with ERP by obtaining an end date of December 31, 2018 for W-2 purposes, but had not yet been able to achieve this. For this reason, she was unsure if the contract would terminate on December 1, 2018 or December 31, 2018. She reminded members that a contract was awarded for the ERP consultant during the Regular City Council Meeting of August 22, 2016 and indicated that she had talked to the ERP consultant and asked if a December 1, 2018 termination date for ADP would be a problem or if they would help the City to negotiate any change, and they were agreeable to this.

Staff recommended authorizing the Controller/Treasurer to extend the ADP contract through December 1, 2018, unless the ERP implementation results in an earlier cancellation.

Mr. Shevock moved to recommend authorizing the Controller/Treasurer to extend the ADP contract through December 1, 2018 or December 31, 2018. The motion was seconded by Mr. Lewis and unanimously carried.

Evaluation of Request for Proposals - Electronic Bill Presentment and Bill Payment Services (EBPP)

Mrs. Mitchell explained that Electronic Bill Presentment and Bill Payment Services (EBPP) relates to customers who review or pay electric bills online via use of a credit card or electronic payment. She stated that staff evaluated proposals for this service, noting that the current service had been previously bundled with the City's banking services agreement. Mrs. Mitchell explained that nine (9) proposals were received and reviewed. Comparisons were difficult because some required merchant/credit card services to be combined while others did not, and pricing structures varied. Mrs. Mitchell indicated that InvoiceCloud was recommended for a one-year contract with four (4) one-year renewals because of the City's ERP implementation. She indicated that she talked to the ERP consultant, who advised that InvoiceCloud would provide much more functionality than other ERP vendors who provide bill presentment.

Mrs. Mitchell informed members that each proposal had been priced out and the proposal from WSFS Bank was over $108,000, PNC was $167,000, Retail Lockbox Merchant Services was $173,000, Value Payment Systems was $69,500 with an implementation fee, eGov Strategies, LLC was $70,800, and Aliaswire was $83,568. She indicated that they were all higher priced than InvoiceCloud and several had implementation and/or set-up fees. Mrs. Mitchell stated that PaymentUS partnered with HTE/Sungard, the City's current software vendor, to do the integration but wanted $9,350 for that cost, over $5,000 of which was an annual cost. She explained that InvoiceCloud had no cost on setup or startup.

Referring to the estimated volume calculations, Mrs. Mitchell explained that a 14% growth rate was applied and the average rate per transaction was $0.56, versus $0.59 for the current vendor. She advised members that representatives from InvoiceCloud had met with the City Manager, Assistant City Manager, and Customer Service staff. Mrs. Mitchell reviewed some of the features of the service, explaining that mobile service would be optimized. She noted that the service sends three (3) alerts for a late bill and provides 27 email templates that can be modified, which would provide more flexibility. Noting that there had been recent discussion about collections, Mrs. Mitchell explained that staff believed that this service would allow for the most customer flexibility since it has many features and would also allow for payment on a mobile phone, iPad, or computer.

Staff recommended awarding a one-year contract to InvoiceCloud for an estimated first year annual cost to the City of $67,000. This first year estimated annual cost includes a 14% growth in customer use. The proposed contract for Electronic Bill Presentment and Bill Payment services includes an option to renew each year for four (4) subsequent years.

Mr. Lewis asked if the system would include a service fee. Responding, Mrs. Mitchell stated that there would be a per unit cost. Credit and debit cards would be $0.60 per item, e-checks would be $0.50, chargebacks for bad credit cards would be $15.00 per unit, and Interactive Voice Response (IVR) would be $0.25 per transaction. She explained that staff took current volumes and increased them by 14%, resulting in a $66,912 annual cost and an average of $0.56 per transaction. She noted that InvoiceCloud tries to market their program for growth and would send emails about the program to those whose email addresses they have.

Mr. Lewis questioned if the cost of the system would be $67,000. Responding, Mrs. Mitchell stated that this was an estimate and the City would pay an average of $0.56 per unit.

In response to Mr. Lewis regarding service fees, Mrs. Mitchell advised that although there is a charge for online bill payment, this is an operating expense that is not charged to City customers.

Responding to Mr. Neil, Mrs. Mitchell advised that anyone who is currently paying their bills automatically will be able to continue this seamlessly.

In response to Mr. Sudler regarding whether this item was budgeted for 2016, Mrs. Mitchell stated that funds for this service were allocated in the current budget as bank and credit card fees. She indicated that each of the fund budgets has a fund expense line item and this is built in, along with lockbox fees.

Mr. Hare noted that he pays his electric bill monthly through his bank, which sends a paper check. Mrs. Mitchell indicated that the City pays bank fees for services such as online banking and e-checks and pays for paper checks sent by the bank through the lock box.

Mr. Neil moved to recommend awarding a one-year contract to InvoiceCloud for an estimated first year annual cost to the City of $67,000. This first year estimated annual cost includes a 14% growth in customer use. The proposed contract for Electronic Bill Presentment and Bill Payment services includes an option to renew each year for four (4) subsequent years. The motion was seconded by Mr. Shevock and unanimously carried.

Uncollectible Reserve Adjustments and Demolition Cost Recovery

During the Special Council Meeting (Budget Review) of June 2, 2015, members referred the review of the demolitions process and some of the issues related to recouping fees to the Safety Advisory and Transportation Committee. During the Safety Advisory and Transportation Committee meeting of June 22, 2015, members deferred discussion of Cost Recovery for Violations of the Dangerous Building Ordinance (Demolitions).

Mrs. Donna Mitchell, Controller/Treasurer, advised members that every year the City must demonstrate to its auditors that the City has enough funds in reserve to handle receivables that are 90 days old or older. Referring to a spreadsheet entitled, "Receivables Over 90 Days - June 30, 2016," ***(Attachment # 3)***, Mrs. Mitchell stated that this document contained an analysis and calculation of these receivables. Referring to the Demolitions FY 2016 Activity as of June 30, 2016, she noted that the cost of demolitions had increased, which was anticipated, and explained that this

cost was written off against the uncollectible reserve, which now had a $28,000 negative balance. She indicated that receivables over 90 days would have to be replenished by approximately $300,000 and this expense must be accrued to FY 16; therefore, the carryforward balance in the preliminary June budget report would decrease by $300,000. Mrs. Mitchell stated that the Electric Fund would also need to be increased and recommended that funds be taken from the Inventory Reserve, which was overfunded. She explained that the Inventory Reserve Fund is used to cover losses due to the disposal of damaged inventory.

Staff recommended authorizing the Controller/Treasurer to record an adjustment of $300,000 each as a reserve for estimated uncollectible receivables for Fiscal Year 2016, thereby reducing the Budget Balance in the General Fund and the Inventory Reserve Balance in the Electric Fund.

In response to Mr. Sudler, Mrs. Mitchell estimated that the balance in the Inventory Reserve Fund was approximately $968,000.

Mr. Neil moved to recommend authorizing the Controller/Treasurer to record an adjustment of $300,000 each as a reserve for estimated uncollectible receivables for Fiscal Year 2016, thereby reducing the Budget Balance in the General Fund and the Inventory Reserve Balance in the Electric Fund, as recommended by staff.

Discussion of Duties and Assignments of City Personnel

During the Council Committee of the Whole/Legislative, Finance, and Administration Committee meeting of July 26, 2016, members discussed the Duties and Assignments of City Personnel and deferred this matter until members had all the information they needed.

Council President Slavin advised that some members of Council had a number of concerns about this topic, noting that it had been discussed last year and again during the FY 2017 budget hearings. He indicated that he had requested that this be put on the agenda as an open discussion item with no end result in mind other than to discuss it. Mr. Slavin felt it likely that the discussion would take place over a couple different meetings as members work through the issues. He felt that two (2) areas had come into focus, the first being the public safety cluster of functions. He noted that a Special Council Committee of the Whole/Safety Advisory and Transportation Committee meeting was scheduled for September 7, 2016 at 6:00 p.m. to consider the Public Safety Study - Fire/EMS Operational & Administrative Analysis. Mr. Slavin advised members that this study included recommendations regarding further clustering safety functions and suggested that members review the study. He also stated the need to look at the collapsing of functions that took place during financial down times that resulted in the Planning and Inspections and the Parks and Recreation Departments being merged into one large department. Mr. Slavin advised that he was not on Council when this occurred and that he would not discredit the decisions that were made then. He thought that the right decision was probably made at the time for the circumstances that were presented; however, he had experienced some issues in this regard. Mr. Slavin stated that he looked forward to an open and frank discussion about whether there might be better ways to create effectiveness in the organization by moving some functions around.

Mr. Sudler indicated that he would like to see the Planning and Inspections Department separated from the Parks and Recreation Department, with individual directors.

In response to Mr. Lewis, Mr. Slavin stated that he believed there would be an opportunity between now and when budget discussions begin in earnest in late March or early April to develop some ideas, establish some scenarios, vet those scenarios, and consider their financial impact. He noted that it is very difficult to take on this task at the same time that members are trying to balance the budget.

Mr. Hare suggested considering responsibility for the budget, noting that this responsibility had fluctuated. He stated the need to decide on whether this would be the responsibility of the Finance Department or the City Manager's Office before moving ahead with determining whether to hire additional people and felt this should be on the agenda.

Mr. Sudler moved to defer this item until September 27, 2016, seconded by Mr. Lewis and unanimously carried.

Designing and Expanding Recruitment for City Committees, Commissions, and Boards

During the Regular City Council Meeting of July 11, 2016, members considered reappointments recommended by Mayor Christiansen and members referred the issue of designing and expanding the recruitment for City committees, commissions and boards to the Council Committee of the Whole. Mr. Hare suggested requesting Councilmen Anderson and Lewis to get together and make recommendations to the Committee in this regard.

Mr. Lewis advised members that he had not spoken with Mr. Anderson and was unsure of his ideas; however, Mr. Lewis had several suggestions, as follows:

1) Advertise or place news briefs through the local media regarding vacancies on boards or committees.

2) Place postings of such vacancies on the City's website or Facebook with information on how to apply for the particular board or vacancy.

3) When applications come in, have the City Clerk or person receiving applications provide Council members with copies of resumes and applications to review before the City Council meeting.

4) Require all individuals interested in serving on a board or commission, including members wishing to be reappointed, to fill out an application with a resume since reappointed members may have new information they need to provide.

5) With respect to training, Mr. Lewis advised that he would inquire through the Delaware League of Local Governments (DLLG) if basic training was offered for individuals who want to serve, for example, on the Planning Commission or

> Dover Human Relations Commission. He explained that, while he was serving as a school board member, the Delaware School Board Association had offered training on how to be a good school board member, including training on finances and various things that Mr. Lewis thought were essential.

Mr. Sudler agreed with Mr. Lewis, believing that this type of training would enhance individuals' understanding of the duties and expectations of committee members, as well as the City of Dover in general.

Mr. Neil indicated that this was not a new idea, noting that the State of Delaware has an entire board for this process. He explained that the State also has forms to be filled out and applicants must have resumes stating their expertise, noting that the City may not need a process that was this extensive. Mr. Neil was unsure if this should be a matter for the City Clerk's Office or Human Resources Department, but thought that in essence it was part of Human Resources. He did not feel there was a need to reinvent the wheel but to style a process for the City and determine who would receive and hold the information. Mr. Neil stated that news releases to the media would get the word out without additional expense.

Mr. Lewis concurred that a process already existed; however, he expressed the need to advance and improve it, particularly in regard to recruiting.

Mrs. Kay Sass, Public Affairs and Emergency Management Officer, stated that everything Mr. Lewis had mentioned could easily be covered and that there were many options with no cost, including use of social media through Facebook. She recommended that a link be placed on the main page of the City's website to the listing of available committee openings, and the application. Mrs. Sass advised that press releases could be done; however, funds would have to be budgeted if other advertising was desired.

With respect to social media, Mrs. Sass recommended a total of five (5) posts in order to issue information with the greatest impact on the community, starting at 10-12 weeks prior to applications being due and with reposting at six (6) to eight (8) weeks, two (2) to four (4) weeks, three (3) to five (5) days, and on the due date. She explained that staff asks for notice of at least two (2) weeks when accepting information from the community to post on Facebook so to allow adequate time to incorporate this in their schedule, since Facebook is not a primary focus of staff's job duties that is done daily.

Referring to the proposed Application for Committee, Commission, or Board Appointment, Mrs. Sass advised that the City Clerk had developed this application, which covered many of the concerns expressed by Councilmen Lewis, Sudler, and Anderson. She noted that the application asked applicants to describe the skills they have that would enhance the productivity of the committee, commission, or board. Mrs. Sass felt that the proposed application was a big improvement from the current application as it was much more thorough and requested applicants to identify their districts, allowing the ability to obtain a cross section from the community. Mrs. Sass commented that many changes would be made to the City's website, hopefully within the next few days.

Responding to Mr. Lewis, Mrs. Sass indicated that it is very easy to have press releases put in the newspaper. Although they are not always guaranteed to be printed, she felt it likely that the media would be more than happy to pick up on them.

Mr. Slavin suggested that this would be an opportunity to pilot Facebook boosts and Twitter ads, which are very inexpensive. He explained that a Facebook boost will boost a message beyond the people who "like" a page or who are from the area. Mr. Slavin indicated that the frequency can be specified, analytics can be received regarding effectiveness, and this would also allow for periodic release, as suggested previously by Mrs. Sass. He indicated that the cost to boost an ad is only $5.

Mr. Shevock questioned who would develop the qualifications and review the applications to determine who is qualified. Responding, Mrs. Sass stated her understanding that Council wanted to start this conversation among the Committee members to establish some guidelines. Mr. Shevock noted that each committee would need different qualifications and felt the qualifications should be advertised before someone completes an application.

Mr. Hare advised that he did not totally agree with the City putting out the qualifications and felt this was a question of what an applicant feels they can bring to a committee, such as a former parks and recreation director or someone with experience in public utilities. He believed that members would limit the committees by requiring utility experience for members of the Utility Committee. Mr. Hare believed there were individuals who do not have a financial background but would make very good Legislative, Finance, and Administration Committee members because they had run a business, etc. In his opinion, members should let the applicant tell them what they can bring to the committee.

Mr. Neil advised that the State application includes recommendations from at least three (3) individuals endorsing or supporting the application. He felt it would be up to the councilmen who would review the application, recommendations, and skills that an applicant brings and hopefully the district representatives could get together to make an appointment. Mr. Neil did not believe that the City would be deluged with applications.

For clarification, Mr. Slavin noted that the Council President or Mayor makes appointments and Council approves appointments.

Mr. Hare noted that civilian members of standing City committees are paid a stipend.

Mr. Sudler felt that, although a detailed job description was not needed, a statement could be included that experience is preferred. He believed that applicants need to know exactly what will be expected of them and make an educated decision on whether or not a committee suits them. He suggested perhaps providing a summary of what the committee does so applicants could know whether or not they are eligible. Responding, Mrs. Sass pointed out that this information is currently available on the website for each committee.

Mr. Hare felt that it was up to Council members to actively reach out and find individuals in their districts that they believe would do well on committees and recommend them to the Mayor and Council President. Responding, Mr. Lewis stated that he had recommended individuals with

experience who were not appointed. Mr. Hare stated that he shared this experience; however, the individuals who were appointed were also good people.

Mr. Lewis stated that he would like to see a better recruitment tool, which he felt could be accomplished through Mrs. Sass. He reiterated that he planned to check with the DLLG to see if they offer training for individuals that do not have the experience. In Mr. Lewis's opinion, it would behoove applicants to have some experience to serve on committees.

Mrs. Ann Marie Townshend, Director of Planning and Community Development, stated that her department staffs three (3) boards and commissions, and she believed that a bigger pool of interest was needed. She expressed concern about waiting until there is a vacancy to solicit for it. Mrs. Townshend felt that an application could be made available, people should be encouraged to apply, and they should be allowed to self-select what they feel they are qualified for and interested in. She expressed concern with waiting to advertise until there is a vacancy since there may not be an applicant from the district with a vacancy. Mrs. Townshend noted that the Planning Commission, like Council, has two (2) representatives from each district and one (1) at-large member. She suggested a rolling application process so there would not be a large expanse of time while trying to find someone to serve.

Mr. Slavin felt that a rolling application process would create a large expanse of time if people submit an application and there is no spot for them. He stated that they would then have a legitimate complaint that they tried to serve and the City never took them up on their offer. Responding, Mrs. Townshend noted that many appointments are made at the same time of year. Mr. Slavin stated the need to be sensitive to this issue and felt that a solution could not be created without looking at all angles.

Mrs. Townshend explained that the Planning Commission, Board of Adjustment, Historic District Commission, and standing Council committees are all appointed between May and July, and suggested having a window that the application process is open with lead time. She noted that there was currently a vacancy on the Planning Commission, and that members are sometimes unable to attend meetings. Mrs. Townshend advised that approximately a year ago a Planning Commission meeting had been canceled because there was no quorum. She stated that this was the first time that this had happened since she had been with the City and expressed concern that perpetuating vacancies could create an operational issue.

Referring to Mr. Lewis's comment that current members should submit an application when their term is expiring, Mr. Hare suggested that they submit a shorter application and a letter of interest.

Mr. Neil moved to defer this matter to allow the ideas to be solidified and brought back. He stated that a very good start had been made with the application prepared by the City Clerk and felt that Mr. Anderson and Mr. Lewis should review this matter, refine it further, and bring it back. The motion was seconded by Mr. Lewis.

Mr. Lewis reiterated that he would like to hear Mr. Anderson's ideas, noting that they were supposed to collaborate together. He stated that he liked Mrs. Sass's suggestions and would like to see them initiated.

Mr. Hare thought that Mrs. Sass had summarized the entire issue.

Mr. Sudler asked if Mrs. Sass and the City Clerk's Office would work together on this and if this would be part of the motion or if members would leave this open, and questioned if this item would be brought back in 30 or 60 days. Responding, Mr. Hare indicated that they would work together and the matter would be brought back at the second meeting in September.

The motion to defer this matter until September 27, 2016 to allow the ideas to be solidified, Mr. Lewis and Mr. Anderson to review and refine it further, and for Mrs. Sass and the City Clerk's Office to work together was unanimously carried.

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

Meeting adjourned at 7:44 p.m.

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

Meeting adjourned at 7:44 p.m.

Timothy A. Slavin
Council President

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Attachments
Attachment #1 - Draft Revised Revenue Policy - Police Extra Duty/Voluntary Overtime, as corrected
Attachment #2 - Memorandum from Mrs. Donna Mitchell, Controller/Treasurer, dated August 24, 2016, regarding the Rural Economic Development Loan & Grant Program
Attachment #3 - Spreadsheet - Receivables Over 90 Days - June 30, 2016, reviewed by Mrs. Donna Mitchell, Controller/Treasurer

CITY OF DOVER
REVENUE POLICY
POLICE EXTRA DUTY / VOLUNTARY OVERTIME

I. POLICY

The City of Dover Police Department recognizes the need for individuals and businesses to have the services of police officers for special events or other functions that would not be part of routine patrol. The Department will ensure that these needs are met by permitting officers to work for these employers in their capacity as Dover Police Officers. Additionally, the Department shall seek to secure grant funding to compensate officers for voluntary patrols in and around specific areas of the city, supplementing the normal activities of the Department.

II. PURPOSE

It is the purpose of this document to outline the extra duty billing rates and procedures to our customers and granting agencies.

III. RESPONSIBILITIES

The Special Enforcement Unit Commander will be the Extra Duty Coordinator and will assign clerical support as well.

The Extra Duty Coordinator shall be responsible for ensuring that all requests conform to this Procedural Notice, City ordinances, and to oversee compliance with departmental regulations.

The Chief of Police will determine if an extra duty request is a “must fill” position, due to safety concerns to the public or to police. When this occurs, and no one has volunteered to work the position, the Extra Duty Coordinator will be responsible for assigning this extra duty job to an officer.

The Extra Duty Coordinator will be responsible for determining the adequate number of officers to staff an event.

In cases where the staffing was underestimated the on-site supervisor or working shift commander, at an event may, at his discretion, notify the employer and the extra duty coordinator that additional officers are needed. Regardless of whether or not the employer was able to be notified, the on-site supervisor may call in additional officers and the employer will be billed accordingly.

Examples of “Special Events” requiring extra duty assignments include, but are not limited to, events:

1. That require a City of Dover permit
2. Involve temporary road closures
3. Require right of way closures
4. Bicycle or foot races or walks
5. Active traffic control- where an officer is actively/physically engaged in directing vehicular or pedestrian traffic
6. Other special events

IV. REQUESTS FOR EXTRA DUTY OFFICERS

Any individual or private firm may request extra duty officers for work within the city limits of Dover. Requests must be received between the hours of 8:00 am and 4:00 pm Monday through Friday and can be mailed, emailed, faxed or brought in person to the Dover Police Department. Applications must be received seven (7) days before the event. Any requests made less than seven (7) days in advance are only processed with the understanding that the assignment may not be filled. These requests will be directed to the Extra Duty Coordinator, who will ensure that the requesting party understands the payment and cancellation procedures.

The Extra Duty Coordinator will try to accommodate any schedule requests made by the employer if made within one hour prior to the time of the event.

It shall be the responsibility of the Extra Duty Coordinator to review all requests and the work required. The extra duty request will be denied if:

A. The employment is prohibited by State Law, City Ordinance, or Dover Police Department Rules & Regulations.

B. The employment presents a potential risk of injury due to the lack of officers being requested for the assignment.

C. The request requires the officer to act in any capacity other than a law enforcement official.

D. The final determination of whether a permit is approved rests with the Extra Duty Coordinator. While efforts will be made to comply with the assignment duties as defined by the business representatives, the Dover Police Department maintains exclusive rights in determining the number of officers required in order to maintain a safe environment for all and dictate placement and duties.

E. On occasion, specific staffing levels and officer placement are influenced by City of Dover Ordinances and unique circumstances identified by the City of Dover Council regarding zoning approval for individual establishments and land parcels.

F. Major re-occurring special events within the City of Dover may involve more defined and detailed staffing and planning processes that may be outlined in a memorandum of understanding at the discretion of the Chief of Police or his designee. Any separate agreements must adhere to the requirements of the Extra Duty Revenue/Voluntary Overtime Policy and all other City of Dover personnel and financial policies and procedures as promulgated by the City Council, City Manager, or Controller Treasurer.

V. PAYMENT METHODS

Billing and processing for all extra duty accounts will be handled in accordance with current City of Dover finance policies.

A. Non-Recurring permits

Employers who are using the extra duty services one time, or are determined by the Extra Duty Coordinator as a high risk customer, must pay for services before the assignment commences.

Officers can work additional hours with permission granted by the shift commander or extra duty coordinator. If this should occur, the extra duty employer must pay the additional charges on the next business day to the Extra Duty Coordinator. To prevent this, the employer may pay for extra hours and if unused, will be reimbursed.

No officer is allowed to accept monies from an extra duty employer.

B. City Sponsored Events

The cost of police personnel to maintain safety for the actual event, those officers assigned to traffic and/or crowd control, will be absorbed by the City of Dover.

City sponsored events will be staffed by officers scheduled during the hours of the event. For events that required additional staffing levels, regular overtime will be schedule and paid to those officers that actually work overtime.

C. Extra Duty for Non City Sponsored Events

The Extra Duty Coordinator will schedule officers to work non-city sponsored events. The expense associated with this extra duty will be the responsibility of the event organizers. The Coordinator may also arrange for additional requests for police services, such as money escorts or overnight security.

VI. REPORTING PROCEDURES

The officer may elect to go directly to the job site and report to the point of contact identified on the assignment worksheet. That contact (or his/her designee) will be responsible for completing the time-on-duty and time-off-duty sections, along with the Extra Duty Employer section of the assignment worksheet. If the officer elects to do this, he/she must contact the on-duty Shift Supervisor by telephone to be input into the CAD system.

VII. FAILURE TO APPEAR FOR EXTRA DUTY

An employer, upon realizing that the officer failed to appear, should notify the extra duty coordinator at (302)- 736-7145 immediately and also call the on duty shift commander at (302)736-7111.

VIII. CANCELLATIONS OF EXTRA DUTY

A. Extra duty assignments will not be canceled less than one hour prior to the scheduled start time, except as authorized by a Unit or Division Commander, during regular duty hours, or after regular duty hours, the On-Call Lieutenant.

B. In the case of a departmental need or community emergency, the Chief of Police or designee may cancel any extra duties assignments. The extra duty officers would then be immediately available for service to the department.

IX. PROCEDURE FOR CANCELLATIONS OF EXTRA DUTY ASSIGNMENTS NOTIFICATIONS

A. Cancellations by the extra duty employer should be made at least one hour before the time the assignment is scheduled to begin. If cancellation is made in less than an hour (with the exception of a natural disaster) the customer will be charged and the assigned officers will be paid a minimum of 3 hours as per the FOP Union contract. When an extra duty assignment is canceled by an extra duty employer the following procedure will be followed:

1. The person who receives the cancellation notice will document in the extra duty book, the date and time the cancellation call was received, and they will initial next to this entry.

2. The person will then notify the officer who had signed up for the extra duty assignment.

    a. This notification will be by leaving the officer a voice mail message stating the particular extra duty assignment was canceled.

    b. If the cancellation notice was received after normal working hours and the assignment is for the next business day the person receiving the notification will comply with the above steps but they will also attempt to contact the officer at the officer's residence.

3. The person's initials next to the entry will signify that his person did in fact notify the officer.

B. When an extra duty assignment is canceled for inclement weather the following procedure will be followed:

1. The officer who has signed up for the extra duty assignment will be responsible for contacting the On Duty Supervisor at least one (1) hour prior to the start of the extra duty assignment. The On Duty Supervisor will make the determination if an extra duty assignment will be canceled due to inclement weather at this time.

2. If extra duty assignments are going to be canceled due to inclement weather in advance of the assignment, the officer making the decision to cancel the assignment will ensure that the officers are notified in advance if possible. (ie: leaving the officer a message at his residence if possible, if not then a voice mail message)

3. Officers are required to check their voicemail one (1) hour prior to the scheduled start time of all assignments unless notified previously.

C. A phone message will be left for the Extra Duty Coordinator advising of the cancellation and that the officer(s) were in fact notified.

D. Some extra duty assignments will be canceled regularly due to inclement weather where others such as grant-related extra duty assignments are generally not canceled for inclement weather, unless such weather is severe. Officers are expected to be prepared to adapt to existing weather conditions.

X. DISCONTINUATION OF SERVICE

If the Chief of Police or his designee or the Extra Duty Coordinator, determines that it is in the best interest of the department to discontinue an extra duty service, the customer employer will be immediately notified.

XI. BILLING POLICY

A. Billing rates for Fiscal Year ~~2015~~2016 are as indicated in Attachment 4.

B. Officers pay rates for extra duty assignments, regardless of type, are governed by the Collective Bargaining Agreement.

C. The City of Dover will pay the officers wages as well as pay for worker's compensation and general liability insurance, administrative resource costs, automobile fuel, maintenance and insurance. An overhead rate is added to the contractual Extra Duty rate to cover these cost.

D. Officers working an extra-duty assignment will be paid a 3-hour minimum. If the assignment is not canceled according to policy, or if the officer is released from the assignment less than 3 hours from the start time, he/she will receive three (3) hours pay at the extra duty rate.

E. If an officer is late to the assignment for any reason, the officer will be paid only for actual hours worked.

F. Officers are held strictly accountable for their extra duty assignment worksheets, as this is the source document by which officers are paid. The customer or designee must sign the worksheet upon completion of the assignment. For large assignments, the customer must sign the master worksheet that covers all the officers on that assignment. Officers will be compensated for extra duty assignments during the pay period in which the worksheet is submitted to payroll.

G. If an officer must work additional hours on an extra duty assignment, the customer is responsible for payment of the additional costs, as long as the overage is due to the extra duty assignment and is necessary.

H. At the conclusion of the extra duty assignment, the officer should place the assignment worksheet in the payroll mailbox, but no later than the officer's next scheduled workday.

Loss of an extra duty assignment worksheet may result in a delay of payment to the officer, or may cause the officer to forfeit pay. Reproduction of assignment worksheets may be done with the approval of the Extra Duty Coordinator. The officer will have sole responsibility for obtaining the proper signatures/dates/times. All employees working extra duty are required to submit accurate assignment worksheets. The accuracy of these assignment sheets is critical in ensuring appropriate employee compensation. The employee's signature must match the printed name of the employee assigned the duty. The editing of extra duty worksheets by the employee is permitted for the purpose of adding accurate information.

G. Any officer who falsifies any portion of the extra duty assignment worksheet will be subject to discipline under General Order 26, Code of Conduct.

XII. WORKERS' COMPENSATION/LIABILITY

The City of Dover is self- insured for general liability and statutory workers' compensation coverage. Police officers assigned to extra duty work are afforded workers compensation coverage.

XIII. EFFECTIVE DATE

This Procedure shall become effective upon adoption of City Council. Rates will be reviewed on an annual basis and revised upon Council approval ~~during the adoption of the annual budget.~~.

Attachment 1

NOTICE TO CUSTOMERS

The officers are at all times subject to the policies and procedures of the City of Dover -and the rules and regulations governing employees of the Dover Police Department (DPD). A customer has no authority over police personnel and is restricted to providing only a general assignment of duties to be performed by the officer. Those duties never supersede DPD policy or procedures and employers of the extra duty officers should so be advised. Extra duty officers remain under the exclusive control of the department and accountable for strict adherence to departmental rules and regulations. Any conflicting rules of employers of extra duty officers will be disregarded. The officer shall refuse to perform any duties deemed to be in conflict with the guidelines established by the Dover Police Department. As determined by the Department, officers may be recalled from extra duty to on-duty status.

This permit is for Law Enforcement work only and does not exempt customers from obtaining other necessary permits for this event.

The City of Dover Police Department is NOT obligated to provide extra duty services. A permit will not be issued to any person, firm, or organization whose offices, members, business, or operations are questionable or for any event of a potentially compromising nature. The billing rates quoted are subject to change based on Cost of Service approved rates at the time the service is rendered.

Dover Police Department officers are NOT permitted to receive cash from customers for any reason whatsoever.

The undersigned customer agrees, individually and on behalf of the named applicant, to promptly pay for extra duty services rendered. Further, the undersigned agrees, individually and on behalf of the named applicant to pay all costs, expenses and attorney's fees incurred in the collection of any sums due hereunder.

Paul M. Bernat.
Chief of Police

I have read and understand the "Extra Duty Conditions of Permit" and "Notice To Customers"

_____
Customer-Individually and as Authorized Representative Date

_____
Federal ID

Attachment 2

DOVER POLICE DEPARTMENT
BILLING INFORMATION FORM

TO: ~~DEPARTMENT OF FINANCE~~ **CUSTOMER SERVICES**

FROM: Dover Police Department **Date:** 8/26/16

THIS SECTION TO BE COMPLETED BY THE FINANCE DEPARTMENT	**PLEASE BILL AS FOLLOWS**		
	TYPE OF ACCOUNT	**CODE**	**ACCOUNT NUMBER**

THIS SECTION TO BE COMPLETED BY THE OPERATING DEPARTMENT

VENDOR:

WORK DONE ON:

LOCATION: As Requested

DESCRIPTION OF WORK DONE: Police services

 # HOURS:

DETAIL OF CHARGES

LABOR:

OVERHEAD:

VEHICLE:

TOTAL BILL:

MAILED PAYMENTS REMIT TO: P.O. Box 475, Dover, DE 19903
MANUAL PAYMENT INTRUCTIONS: Take this invoice to the City of Dover Customer Services Department located at 5 East Reed Street, Dover DE 19901. *Only cash, money order or certified funds payments will be accepted.*

AUTHORIZED SIGNATURE

CUSTOMER SERVICES

RECEIVED BY _____ **RECEIVED ON** _____

KEYED BY _____ **VERIFIED BY** _____

Attachment 3

Dover Police Department Extra Duty Request Form

Type of Event: _____

Number of people attending: _____

Location of event: _____

Dates & Times Requested: _____

Billing Information:

Name: _____

Address: _____

Phone #'s: Cell #_____ Work #_____

Contact person at the event: _____

Contact person cell #: _____

Person(s) requesting officer(s): _____

Signature of requesting person: _____

The responsible party will be charged a 3-hour minimum (per officer) if the assignment is not canceled one (1) hour before the assigned start time. If the officer(s) are released from the assignment less than three (3) hours from the start time, he/she will receive three (3) hours pay. To cancel an assignment, dial (302) 736-7111.

Official use only, do not write below

Number of officers assigned: _____

Times officers assigned: _____to_____

Approved: _____

Return this form or fax it to: Special Enforcement Unit Commander.
Fax # (302) 672-1842, any additional questions, dial (302) 736-7145

Attachment 4

City of Dover			
Officer Extra Duty Billing Rates for Grant Related Events			
	~~Officer~~		
	~~Billing~~		
~~Rank~~	~~Rate~~		
~~Patrolman~~	~~$43.00~~		
~~Patrolman 1st Class~~	~~$53.00~~		
~~Corporal~~	~~$64.00~~		
~~Master Corporal~~	~~$69.00~~		
~~Sergeant~~	~~$75.00~~		
~~Lieutenant~~	~~$80.00~~		
~~Captain~~	~~$87.00~~		
~~*When applicable,~~Grant related events are billed for actual ~~wage~~wages and ~~benefit rates will be billed.~~benefits			
Officer Extra Duty Billing Rates for Office of Highway Safety Grants			
Federal Approved Rate		$50.00	

City of Dover			
~~Officer Extra Duty~~ **Billing Rates for Special Events (~~Spectator's~~Spectators over 5,000)**			
	Officer		Total
	Billing	Overhead	Hourly
~~Rank~~	Rate	Rate	Rate
Special Event Rate – Officers	$~~57~~62.00	~~$2~~$3.00	$~~59~~65.00
Special Event Rate – Dispatchers S/T	$23.00	$3.00	$26.00
Special Event Rate – Dispatchers O/T	$34.00	$3.00	$37.00

City of Dover

Officer Extra Duty Billing Rates for Non-Special Events

~~Rank~~	Officer Billing Rate	Overhead Rate	Total Hourly Rate
Extra Duty Rate	$59.00	$8.00	$67.00

Vehicles Actively Used on Extra Duty Jobs - Hourly Rate	$ 16.25

City of Dover
Finance Department
PO Box 475
Dover DE 19903-0475
Phone: (302-736-7018
FAX: (302) 760-4930
E-Mail: dmitchell @dover.de.us

MEMORANDUM

To: Ann Marie Townsend, City Planner
Scott Koenig, City Manager

From: Donna Mitchell, Controller/Treasurer

Copy: City Council, Mayor Christiansen and City Clerk

Date: August 24, 2016

Subject: Rural Economic Development Loan & Grant Program

After reviewing the preliminary financial results for Fiscal Year Ending June 30, 2016, I concur the City has sufficient funds to match $60,000 to start the Rural Economic Development Loan Program (REDL). The rough calculation of the favorable revenue budget is approximately $700,000, after recording a couple of recently received June receipts.

I propose when we bring the 1st Budget Amendment for approval to City Council, the favorability over budget in revenues would be transferred to the Capital Asset Reserve as per our Policy, net of the $60,000. We will also include in the Budget Amendment the appropriation of the $60,000 to the loan program. Once the grant award has been completed and we are ready for start-up, we will transfer these funds to the account(s) set up for the loan program.

Many of my concerns were not related to the funding of the match, in so far as the operations of the program. Based on past experience and some pitfalls we encountered in 2002/2003 with the Neighborhood Stabilization Program, I offer up the following recommendations.

- The Program Administrator, Finance, and the City Manager will need to have a complete understanding of the program compliance requirements and loan application process.
- We will most likely need to budget some minor dollar amounts for administrative cost, such a legal document reviews, collateralization requirements, liens, audit requirements by the federal agency or the City's federal grant audit.
- The Program Administrator will need to stay on top of program requirements, loan payments, delinquencies, and keep management abreast of any concerns.
- One last concern was the comment in the handout you provided, that the grant funds must be repaid to the USDA upon termination of the RLF. If we have collected all the outstanding loans upon termination this should not be a problem.

Please let me know if either of you have any concerns with the proposal for funding. Thank you.

City of Dover
Receivables Over 90 days
June 30, 2016

General Fund	Over 90 days	Total Due	%
Curbside Recycle	$ -	$ 30.00	0.0%
Bulk Trash	25.00	375.00	6.7%
Residential Trash	16,634.83	108,225.13	15.4%
Commercial Trash	558.20	17,043.52	3.3%
Internet Service	79.50	87.50	90.9%
Grass Cutting	90.00	90.00	100.0%
Police Fines	-	2,800.00	0.0%
Fire Marshal	-	-	
Subtotal CIS	17,387.53	128,651.15	13.5%
Demolition	140,068.35	181,546.25	77.2%
General Billings	4,793.45	4,793.45	100.0%
Grass Cutting	41,473.01	45,230.39	91.7%
Police General Svc	24,102.32	115,113.82	20.9%
Trash Receivable	71.50	71.50	100.0%
Vacant Buildings	50,940.00	72,065.00	70.7%
Robbins Hose	-	1,039.05	0.0%
Subtotal Misc Rec	261,448.63	419,859.46	62.3%
Property Taxes	104,177.02	104,177.02	100.0%
Total General Fund	$ 383,013.18	$ 652,687.63	58.7%

Water/Wastewater Fund	Over 90 days	Total Due	%
Sewer Impact Fee	$ 13,672.50	$ 13,672.50	100.0%
Water Impact Fee	-	-	
Water Service	35,591.96	398,363.52	8.9%
Wastewater Service	29,856.00	220,190.13	13.6%
Kent County Sewer Adj	24,997.73	174,901.76	14.3%
Groundwater Adj	10,575.92	107,362.04	9.9%
Misc Water/Sewer	135.00	135.00	100.0%
Sewer Penalty	919.09	1,628.49	56.4%
KCSA Penalty	981.57	1,549.41	63.4%
Water Penalty	1,109.33	1,900.23	58.4%
Water Service Charge	-	-	
Subtotal CIS	117,839.10	919,703.08	12.8%
General Billings	14,911.01	16,534.69	90.2%
Special Assessments	5,554.83	11,425.47	48.6%
Subtotal Misc Rec	20,465.84	27,960.16	73.2%
Total W/WW Fund	$ 138,304.94	$ 947,663.24	14.6%

Electric Fund	Over 90 days	Total Due	%
Residential Energy	$ 544,232.74	$ 1,860,315.96	29.3%
Comm Util Tax 2.0%	9.38	174.09	5.4%
Comm Util Tax 4.25%	3,160.69	42,414.03	7.5%
Comm O/D Lighting	782.02	35,280.23	2.2%
Res O/D Lighting	854.58	4,664.75	18.3%
Comm Energy	87,369.81	1,330,892.36	6.6%
Primary Energy	46,920.91	1,323,501.60	3.5%
Primary Energy Adj	7,293.11	7,293.11	100.0%
Misc Elec	4,129.69	20,402.37	20.2%
Dover AFB	-	449,792.01	0.0%
Kraft	-	272,749.26	0.0%
Procter & Gamble	-	90,319.04	0.0%
Prim Util Tax 2.0%	1,832.89	8,153.11	22.5%
Prim Util Tax 4.25%	-	23,340.62	0.0%
Trans UT Tax 2.0%	-	8,175.42	0.0%
Electric Penalty	19,060.14	24,874.67	76.6%
Electric Return Ck Fee	4,141.55	6,023.26	68.8%
Electric Service Chg	22,340.32	37,243.91	60.0%
Billed Deposit	-	14,260.49	0.0%
First State Power	-	35,330.43	0.0%
White Oak Solar	-	10,475.19	0.0%
Green Energy Adj	1,058.96	9,806.09	10.8%
Trans Elec W/O to Acct	34.20	34.20	100.0%
Subtotal CIS	743,220.99	5,615,516.20	13.2%
General Billings	276,557.69	340,063.24	81.3%
Total Electric Fund	$ 1,019,778.68	$ 5,955,579.44	17.1%

Current Reserve Balance 6/30/16	**$ (28,212.85)**
Over 90 days w/o Property Taxes	$ 278,836.16
FY16 Budget Appropriation	50,000.00
FY16 Write-offs	(278,230.61)
Recommended adjustment	300,000.00
Adjd Reserved Balance 6/30/16	**$ 271,787.15**
Reserve Balance 6/30/15	$ 200,017.76

Current Reserve Balance 6/30/16	**$ 106,519.07**
Over 90 days	$ 138,304.94
FY16 Budget Appropriation	-
FY16 Write-offs	(1,734.69)
Recommended adjustment	-
Adjd Reserved Balance 6/30/16	**$ 106,519.07**
Reserve Balance 6/30/15	$ 108,253.76

Current Reserve Balance 6/30/16	**$ 660,622.96**
Over 90 days	$ 1,019,778.68
FY16 Budget Appropriation	200,000.00
FY16 Write-offs	(81,142.73)
Recommended adjustment	300,000.00
Adjd Reserved Balance 6/30/16	**$ 960,622.96**
Reserve Balance 6/30/15	$ 541,765.69